SENATE—*Wednesday, May 2, 1973*

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

PRAYER

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

Eternal Father, our Creator, Redeemer, and Judge, we thank Thee for a Nation in whose people abides an enduring sense of what is right and what is wrong, wherein the exposure of the wrong is also a revelation of the right. We thank Thee for a people down deep in whose heart is a dedication to the elemental virtues of honesty, industry, and sobriety—whose composite conscience is aggrieved when the right is violated and Thy laws transgressed. Direct the Nation in ways of righteousness and truth. Grant to all the people an eager disposition to follow the apostolic injunction:

"Whatsoever things are true, whatsoever things are honest, whatsoever things are just, whatsoever things are pure, whatsoever things are of good report, if there be any virtue, and if there be any praise, think on these things."—Phillipians 4: 8.

Guide us through the duties and difficulties of these days until the brighter day of Thy kingdom comes.

In the Redeemer's name. Amen.

MESSAGES FROM THE PRESIDENT

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

EXECUTIVE MESSAGES REFERRED

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

(The nominations received today are printed at the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Berry, one of its reading clerks, announced that the House had passed the bill (S. 518) to provide that appointments to the office of Director and Deputy Director of the Office of Management and Budget shall be subject to confirmation by the Senate, with amendments, in which it requests the concurrence of the Senate.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Tuesday, May 1, 1973, be dispensed with.

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

COMMITTEE MEETINGS DURING SENATE SESSION

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

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

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar Nos. 124 and 125.

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

MEDALS IN COMMEMORATION OF ROBERTO WALKER CLEMENTE

The bill (H.R. 3841) to provide for the striking of medals in commemoration of Roberto Walker Clemente, was considered, ordered to a third reading, read the third time, and passed.

Mr. SCOTT of Pennsylvania. Mr. President, before we move to the consideration of the next bill on the calendar, I should like to say how glad I am, and how proud I am personally that the famous, honored, compassionate, and fine American who formerly was a great star of the Pittsburgh Pirates, Roberto Walker Clemente, has been honored by this act to provide for the striking of medals in commemoration of his service as an American.

Mr. MANSFIELD. I join the distinguished minority leader in the expressions just enunciated and say that this man, who was a great athlete, was a greater man because of the efforts he made to try to bring relief to the victims of the earthquake in Managua, Nicaragua.

As the Senate knows, it was because of that effort that he was lost at sea in a plane off the shores of Puerto Rico.

Mr. SCHWEIKER. Mr. President, as a sponsor of S. 478, the bill to provide for the striking of medals in commemoration of Roberto Clemente, the late Pittsburgh Pirate baseball star, I am gratified that the Senate has acted today to approve this measure. Proceeds from the public sale of these medals will go to the Roberto Clemente Memorial Fund in Pittsburgh, and in turn toward construction of a sports complex for Puerto Rican youths. Funds will also be used for relief efforts in Managua, Nicaragua. As my colleagues will recall, Roberto Clemente died New Year's Eve in a plane crash on a mercy mission carrying relief supplies to victims of the Central American earthquake.

Roberto Clemente was a symbol of pride and accomplishment to the Puerto Rican people and people everywhere. It is my hope that the Roberto Clemente medals will serve as everlasting memorials to the man and his deeds.

Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 93–133), explaining the purposes of the measure.

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

GENERAL STATEMENT

The bill authorizes the Secretary of the Treasury to strike and furnish to the Chamber of Commerce of Greater Pittsburgh, Pittsburgh, Pa., (1) one gold medal to be awarded at the discretion of that organization, and with suitable emblems and devices and inscriptions to be determined by such organization with the approval of the Secretary of the Treasury, and (2) not more than 200,000 duplicate medals of such sizes and metals to be determined by such organization with the approval of the Secretary of the Treasury, to commemorate the outstanding athletic, civic, charitable and humanitarian contributions of Roberto Walker Clemente. The medals will be furnished at no cost to the United States. No medals may be minted after December 31, 1974. Any profit from the sale of the duplicate medals are to be contributed by the Chamber of Commerce of Greater Pittsburgh to the Roberto Clemente Memorial Fund, Pittsburgh, Pa.

The bill was voted out of the committee unanimously.

GRANTS TO EISENHOWER COLLEGE

The Senate proceeded to consider the bill (S. 1264) to authorize and direct the Secretary of the Treasury to make grants to Eisenhower College in Seneca Falls, N.Y., out of proceeds from the sale of silver dollar coins bearing the likeness of the late President of the United States Dwight David Eisenhower.

Mr. JAVITS. Mr. President, this bill is similar to S. 2987 which passed the Senate last year on June 8 following hearings by the Committee on Banking, Housing and Urban Affairs. Among individuals who submitted testimony at that time in support of the bill were Dr. Milton Eisenhower, Mrs. Mamie Eisenhower, and John Eisenhower of the family, and such close personal friends as Gen. Alfred M. Gruenther, and Gen. Lauris Norstad. Organization support came from such distinguished sources as the Veterans of Foreign Wars and the AFL–CIO. This testimony gave emphasis to the fact that Eisenhower College is the Nation's memorial to the late Dwight D. Eisenhower and is not to be confused in any way with legislation to aid an individual institution of higher education which, like so many others, is in financial need.

Some $46 million in Federal funds has been expended on construction, bonds, and land acquisition for the Kennedy Center, for example.

In 1963, the late President Eisenhower agreed to the establishment of Eisenhower College as a living, permanent memorial to his years of service to the Nation in war and in peace. In subsequent years, the Eisenhower family and close friends have actively supported the establishment of the school, its development, and the funds necessary for its success. They have been joined by some

12,000 donors who have contributed more than $7 million to the college.

In 1968, Congress enacted Public Law 90–563 providing $5 million for the Eisenhower College on a matching basis. This amount has been matched by foundation, corporate, and individual gifts and pledges.

This measure, S. 1264, which would authorize the Secretary of the Treasury to make a grant to the Eisenhower College in Seneca Falls, N.Y., of $1 from the proceeds received from the sale of each "proof" Eisenhower silver dollar being sold for $10 to collectors. The $20 million anticipated from this bill for the sale of "proof" Eisenhower silver dollar coins would supplement the $5 million appropriated in 1968.

The Bank Holding Company Act Amendments of 1970, Public Law 91–607, authorizes the minting of Eisenhower silver dollars. Twenty million "proof" coins are being sold to the public—coin collectors and collectors of Eisenhower memorabilia—at $10 each. One dollar of this $10 would go as the Secretary of the Treasury may direct, to the Eisenhower College up to a maximum amount of $20 million.

In addition to the "proof" Eisenhower silver dollar coins being sold for $10 each, the Treasury is also selling 130 million "uncirculated" Eisenhower silver dollar coins, each in a plastic case, for $3 apiece. The $390 million proceeds from this sale would not be affected by my bill, the entire amount going to the Treasury.

Eisenhower College is a living memorial to the great American who led the people of his Nation in war and in peace. A former college president himself, President Eisenhower saw Eisenhower College, an institution of higher learning, as a proper memorial. At the groundbreaking ceremony in September of 1965, he said:

> This is an honor that will be prized by me every day of my life, for I can think of no greater monument to any man than a college bearing his name; an institution which will be a vital, vigorous champion of freedom through proper education.

This bill would help translate the will into the deed, the dream into reality. I urge its approval.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 93–134), explaining the purposes of the measure.

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

HISTORY OF LEGISLATION

S. 1264 was introduced by Senators Javits, Tower, Bentsen, and Pastore on March 15, 1973. Hearings were held on a similar bill, S. 2987, 92d Congress, 2d session, on May 19, 1972. At those hearings the committee received testimony from Senator Javits; Congressman Samuel S. Stratton; Gen. Lauris Norstad, chairman, board of trustees of Eisenhower College; Gen. Alfred M. Gruenther; and Dr. John Rosencrans, president of Eisenhower College.

The committee received letters of support for S. 2987 from members of former President Eisenhower's family and from others. S. 2987 was reported (S. Rept. 92–837) to the Senate on June 6, 1972 and passed the Senate on June 8, 1972. S. 1264 was unanimously reported by the committee on April 17, 1973.

GENERAL STATEMENT

Public Law 91–607 authorized the minting of 150 million dollar coins bearing the likeness of former President Dwight D. Eisenhower and containing 40 percent silver. The Treasury is selling an estimated 20 million of these as proof coins to the public for $10 each. The treasury will receive $200 million from the sale of these coins. This bill provides that $1 of the proceeds of the sale of each of these proof coins be granted to Eisenhower College. This amount will be made available to the college in yearly amounts to be determined by the sale of the coins by the Treasury. These funds will be made available through the appropriation process of the Congress.

Eisenhower College is the only institutional memorial planned for the late President Eisenhower. The committee would like to make abundantly clear that this bill is not intended to provide special aid to a particular college but is a means of making a contribution to this memorial to a past President of the United States. This contribution on the part of the United States will be in addition to gifts to the college from many private individuals. The funds will be used to provide additional endowment and to provide for additional facilities and equipment for the college.

The committee notes that the Federal contributions contemplated under this measure, in addition to a previous $5 million grant to the college would make the Federal support for this Eisenhower Memorial comparable to the level of support provided to the Kennedy Center for the Performing Arts in Washington, D.C., the institutional memorial to the late President John F. Kennedy.

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

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized to make grants to Eisenhower College, Seneca Falls, New York, in an aggregate amount equal to $1 multiplied by the total number of $1 proof coins which have been and are hereafter minted and issued under section 101(d) of the Coinage Act of 1965 (31 U.S.C. 391(d)) and section 203 of the Bank Holding Company Act Amendments of 1970 (31 U.S.C. 324b) which bear the likeness of the late President of the United States Dwght David Eisenhower.

CONCERN ABOUT SITUATION IN CAMBODIA

The PRESIDING OFFICER (Mr. NUNN). The Senator from Montana is recognized.

Mr. MANSFIELD. Mr. President, I have received a letter from the grandson of an old friend of mine who now lives in Richboro, Pa. He expresses his concern about the situation in Cambodia and has sent me several newspaper articles pertaining to what is happening there.

I assure him that I share his dismay and disappointment at the events which are now occurring in Cambodia and that I deplore the bombing by B–52's and the fighter bombers and other types of aircraft which have now been conducting, with 1 day's exception, something on the order of 55 days of consecutive bombing, at great cost to us but, more important, at great cost to the people of that small and unhappy land.

I ask unanimous consent that the letter and the newspaper articles be printed in the RECORD.

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

RICHBORO, PA.,
April 28, 1973.

Senator MIKE MANSFIELD,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MANSFIELD: Attached is a copy of an article from last Sunday's Philadelphia Inquirer on the Cambodian adventure. If true the government that Congress and the Administration seems so intent of saving would seem to represent not the Cambodian people but only themselves.

I would ask that you as a Congressional leader either use your influence to stop all aid including our "bombing" to this government or refute the information in the article. If our self interest is being served by the support of this government in spite of its "problems." I would hope this couldn't be true, then this ought to be explained to the American people.

I have written to you because my grandfather, Joseph Crumby, who was a Democratic Committeeman in Butte, Montana for many years always said that you were sincere and honest and that you would support what you felt was right even if it was unpopular. He was always in my eyes a very good judge of character and as a result I have watched your rise in Congress with great pleasure. Based on recent events he may not have realized that these qualities might be rarer than he thought in American politics.

Whatever position you take on my letter I will understand that it is the one you feel is best for the country and that you have considered all sides of the question.

Very truly yours,

ERNEST ONE.

U.S. AID ENRICHES MILITARY, BLACK-MARKETEERS: WAR'S GOING BADLY FOR CAMBODIA, BUT GRAFT IS GOOD

(By Larry Green)

PHNOM PENH, CAMBODIA.—The Cambodian war, which is going badly for Cambodia, is going very well, thank you, for corrupt military officials—including the brother of President Lon Nol—and government rice distributors. They all are getting rich off American economic assistance.

Item: In the last two years, Cambodian colonels and generals have collected more than $50 million in American aid earmarked for soldier salaries by padding their payrolls with tens of thousands of phantom soldiers.

They are continuing to enrich themselves to the tune of more than $2 million a month, American sources confirmed.

Item: Most of the more than 130,000 tons of American and Thai rice imported with U.S. aid money is being sold on the black market after being sent out to Cambodian government-run distribution centers.

The rice import program, which was accelerated last fall, will cost U.S. taxpayers almost $27 million in the fiscal year ending June 30.

Item: Uncounted quantities of American-supplied ammunition and weapons are being taken from government warehouses and depots and sold to the Cambodian Communist insurgents, foreign diplomatic sources reported.

(American sources could not be questioned about the extent of the reported leakage of military equipment since they have refused to see reporters or answer inquiries.)

The longest-running scandal, and the one that the United States has had little visible success in curbing, involves salaries for Phantom soldiers.

It was discovered about two years ago that as many as 100,000 of Cambodia's 275,000 soldiers were nothing more than names on pieces of paper. Whole battalions (577 men) didn't exist, although their commanders were regularly collecting pay for the troops.

Pressure by the United States has forced the Cambodian Army to establish a central payroll system, which is now being formed. But there still is little optimism in American circles here that it will do much to curb the corruption.

Even as the system is being created, new forms of military payroll fraud are being uncovered. Large numbers of troops are reporting they go unpaid for months and then collect only a small portion of what is due them.

Wounded soldiers who spend several weeks in hospitals recovering are being declared AWOL and denied their back pay when they return to duty.

At least two instances of military corruption have been traced to Brig. Gen. Lon Non, younger brother of President Lon Nol.

In one case, about 200 of his soldiers assigned to provide security within Phnom Penh went on a rampage in the central market area, looting rice and food vendors. The soldiers, all members of one battalion, said they hadn't been paid in several months.

Investigation showed that Lon Non was collecting pay for a full battalion during the period the soldiers said they received no money. The soldiers also said the battalion had only slightly more than 200 men, not the 577 the President's brother was being paid for.

A second incident involved training of another Lon Nol battalion. He sent a full contingent of men over to a U.S. training camp for Cambodians in South Vietnam last year. After they had been paid, furnished weapons and returned to Cambodia, he sent the same men back for the same training.

The net effect of this, until he was caught, was that he was collecting pay for two battalions where only one existed and he wound up with almost 600 extra guns.

Sources who made this information available said they didn't know what action the United States or Cambodia took, if any, when the fraud was discovered.

The corruption in the military is not without its positive impact on the economy. There is a construction boom, and expensive foreign cars, like Mercedes and Jaguars, are in demand.

Literally hundreds of new villas have been built by colonels and generals throughout Phnom Penh in the last 24 months.

In one area alone, there are 30 under construction now.

American sources estimate the cost of the plush houses at between $20,000 and $40,000 each in a country where a colonel makes a maximum of $70 a month, and the average family lives on $600 a year.

The fancy cars cost between two and three times what they would in the United States.

The rice scandal, which is comparatively new, has a direct impact on the largely peasant population.

Last autumn the United States began massive shipments of rice to Cambodia to overcome a food shortage. The government created distribution centers, at the same time, throughout the country and set an official price for rice.

Despite the continuing flow of U.S. financed rice into the country, most government outlets have no rice for sale. Instead, consumers are forced to buy their basic food on the black market at several dollars more than the official price, which is about $18 per 220-pound bag.

The black market price of between $22 and $24 has a demoralizing impact on Cambodians, whose average income is about $50 a month.

"The black market price goes up every week but my income stays the same," said a woman shopper in the central market.

"The Americans know about all the graft and corruption," one foreign diplomat said, "but they are afraid to take any action to curb it other than warning Lon Nol. If they stopped aid for a few weeks, maybe the government would believe the United States means business."

Little information is available on the degree to which U.S.-supplied war materiels reach the insurgents. While some U.S. sources confirm such a problem exists, they are unwilling to discuss its extent or who is behind it.

WAR HAS SHADOWED CAMBODIANS, LAOTIANS

(By Charles Yost)

Two more engaging and inoffensive peoples than the Cambodians and Laotians it would be hard to find anywhere in the world. During two years as ambassador to Laos, I came to know them well, and ever since have deeply deplored their unwilling involvement in the Vietnam War.

Neither has the slightest interest in the quarrels of their traditional enemies, the Vietnamese. Neither cares whether their social system is labeled "Communist" or "anti-Communist," as long as their Buddhist religion and their simple way of life are not too grossly interfered with. All they ask of the rest of the world is to be let alone.

Yet that is precisely what the world has persistently denied them. Ever since the early 1950s they have been dragged into the affairs of Vietnam, first in the war of liberation from the French, then in the Vietnamese civil war, in which the Ho Chi-Minh trail in Laos and the Cambodian staging areas near the Mekong Delta became essential to the conduct of Hanoi's war in the South.

The Paris agreements provided for withdrawal of "foreign" troops from both countries but in neither case has this occurred. In Laos there is a cease-fire but no political agreement among the contending Lao parties and no North Vietnamese withdrawal.

In unhappy Cambodia there is not even a cease-fire, but rather a closely besieged capital city, a shaky and incompetent government, an occupation of most of the country by warring factions with ill-defined ties to Hanoi and Peking, and an almost continuous bombardment by U.S. B'52's despite U.S. military withdrawal from Vietnam.

My belief is that it is high time that the U.S. left the Cambodians and the Laotians to their own devices.

The most we can do in Cambodia is to delay whatever the ultimate outcome may be, prolong the fighting, suffering and devastation, and enhance an "ugly American" image among the mass of the population, subjected to what must seem to most of them a meaningless terror from the skies.

There is every reason to believe that the best and quickest way to "stop Communism," that is, Vietnamese intervention, in Cambodia and Laos is to let the indigenous factions come to some accommodation as quickly as they can by either political or military means.

Once some accommodation, no matter how messy and unsatisfactory, takes place, two things are likely to happen:

First, since neither Laotian nor Cambodian society is easily adaptable to Communism in any real sense, a reassertion of traditional social and political patterns will occur, whatever the designation and composition of the governments.

Second, while Hanoi's influence in Vientiane and Phnom Penh will for a time be considerable, it will, since Laotians and Cambodians detest Vietnamese, tend to wither away as soon as more normal and peaceful conditions return. Prince Sihanouk's recent clandestine visit home and his subsequent honorific reception in Hanoi and Peking suggest that he will be the latter's chosen instrument in Cambodia. Yet his record for nationalism, wiliness and flexibility also suggest that he will extricate himself rather promptly from any coils that may initially envelop him.

Under these circumstances continued U.S. military intervention in Cambodia, even leaving aside the disputed question of its legitimacy under our Constitution, makes no sense at all. It is injurious to the Cambodian people and destructive of the American image there. It will not determine the eventual political outcome, which in any case will be a Cambodian and not a Vietnamese one. It could, if prolonged, serve as one more compulsion to draw the U.S. back into the Vietnam quagmire.

Its only justification would seem to be a misperceived need for the United States to assume responsibility for enforcing singlehanded the Paris agreements, a visceral reaction to an imagined "humiliation" if events in Indochina call in question whether "peace with honor" has been achieved, and finally a reluctance to "lose" even a small pawn in the global chess game with the Soviet Union and China, which seems to continue despite detente.

These reasons have more to do with the psychology of leaders than with real national interests of either the United States or Cambodia. Indeed in the broader picture of the sought for "generation of peace," they almost certainly work contrary to those interests.

HON. ELLIOT L. RICHARDSON

Mr. SCOTT of Pennsylvania. Mr. President, I have never known a finer man in or out of public life than Elliot Richardson. I know of no one who, in his service to his native State of Massachusetts, in many public and private capacities, and then to the United States of America as Secretary of Health, Education, and Welfare, as Secretary of Defense, and now as Attorney General-designate of the United States, who has given more selflessly of his great qualities—his qualities of the highest intelligence, the noblest type of humanity, the deepest compassion, who is level headed, considerate, articulate, and just.

When his name is acted upon by the Senate for confirmation, I would believe—with good reason to believe—that it would be acted upon favorably and expeditiously, as it has been acted on on three occasions in the past.

The Nation trusts Elliot Richardson, and the Members of Congress trust Elliot Richardson. I am certain that he will do an excellent job as Attorney General. I do not stand here to offer him advice as to what he should do in any particular case; but in no event should he be expected to begin to perform the full and entire responsibilities of the office, involving the determination of future policy, until after the Senate has had its opportunity, through hearings and action on the confirmation of his nomination, and then, in due time, in the performance of each and all of the many duties, to do the right and proper thing.

I am glad to be counted as a friend of Elliot Richardson and his admirer. I state again that I have complete trust and confidence in him.

ORDER OF BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senator from Oklahoma (Mr. BELLMON) is recognized for not to exceed 15 minutes.

JOHN CONNALLY JOINS THE REPUBLICAN PARTY

Mr. BELLMON. Mr. President, before I begin the remarks I have prepared for this time, I invite the attention of the Senate to the fact that at this moment in Houston, Tex., an event that I feel will have considerable national significance on the political scene is taking place. I refer to the fact that John Connally is now holding a news conference in Houston and is announcing that he is joining the Republican Party.

In my opinion, John Connally is one of the ablest individuals that our system of government has ever produced. I served with then Governor Connally in the Governors' Conference, where I came to have great respect for him. I particularly admire his integrity in now making a formal change in his political philosophy, which I have watched occur over the years as the parties have gradually changed their alinements to some extent.

I feel that the action that Governor Connally is taking today in joining the Republican Party will make a great impact on the political balance of the country. I would like to welcome him formally, as best I can, to the Republican Party and to say that I feel this action is one that will be very beneficial to the Nation's political climate.

(The remarks Senator BELLMON made at this point on the introduction of Senate Joint Resolution 101, to reform the electoral system, are printed in the RECORD under Statements on Introduced Bills and Joint Resolutions.)

ORDER OF BUSINESS

Mr. BELLMON. Mr. President, I yield back the remainder of my time to the Senator from Connecticut.

Mr. WEICKER. Does the Senator from Ohio wish to be recognized?

Mr. TAFT. Mr. President, I would appreciate it if the Senator would request that I be recognized for 3 minutes.

Mr. WEICKER. Mr. President, I yield 3 minutes from the time of the Senator from Michigan (Mr. GRIFFIN) to the distinguished Senator from Ohio.

The PRESIDING OFFICER. The Senator from Ohio is recognized for 3 minutes, the time to be deducted from the time allocated to the Senator from Michigan.

Mr. TAFT. I thank the Senator for yielding to me.

The PRESIDING OFFICER. The Senator may proceed.

(The remarks Senator TAFT made at this point on the submission of amendment No. 97 to the Small Business Act are printed in the RECORD under Amendment of Small Business Act)

ORDER OF BUSINESS

Mr. TAFT. Mr. President, I yield back the remainder of my time to the reserved time.

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

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

The PRESIDING OFFICER. On whose time?

Mr. MANSFIELD. On the time of the Senator from Michigan (Mr. GRIFFIN).

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

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.

Mr. ROBERT C. BYRD. Mr. President, how much time remains under the order allotted to Mr. GRIFFIN?

The PRESIDING OFFICER. One minute.

Mr. ROBERT C. BYRD. I ask unanimous consent that that time be reserved to the distinguished Senator from Connecticut (Mr. WEICKER).

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

Mr. ROBERT C. BYRD. Mr. President, I ask now that I be recognized under my own order.

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

THE FBI NEEDS A DIRECTOR

Mr. ROBERT C. BYRD. Mr. President, the resignation of L. Patrick Gray III, as Acting Director of the FBI, came belatedly and at a time when, according to news accounts, the morale of the Bureau is at an alltime low. And well it might be, for as of today, May 2, the FBI has been without a Director for 1 entire year.

I have spoken out several times calling for the President to name a Director, subject to Senate confirmation, so that the FBI can at last begin to reestablish its own self-confidence—as well as its former esteem in the eyes of the public.

The sordid circumstances surrounding the resignation of Mr. Gray constitute another sad chapter in the deterioration of this essential law enforcement agency, the professionalism and morale of which Mr. J. Edgar Hoover had spent a lifetime in building. The need for keeping the Bureau divorced from politics could never be more clear than it is now. That the Bureau should lack a firm hand at the helm at this particular time is all the more sad, because it comes at an hour when the past strengths and talents of this great agency are needed most—in the midst of the growing Watergate scandal.

The President was wise to have acted quickly upon the heels of Mr. Gray's resignation, to name a man who has had no connection with the squalid Watergate affair. I regret, however, that the President named another Acting Director—not a Director. The President did not solve the FBI's problem with the appointment of Mr. William D. Ruckelshaus to serve as Acting Director. Judging from his record as head of the Environmental Protection Agency for 2½ years, I think it is apparent that Mr. Ruckelshaus is a man of great personal integrity. He has built a reputation as a tough administrator, who has shown admirable qualities of judgment, courage, and independence. In enforcing Federal policies dealing with pollution, he has displayed impartiality and resoluteness.

As important as all of these qualities are, however, the appointment of Mr. Ruckelshaus does not meet the pressing need for immediate reconstruction and repair of the serious damage that has befallen the FBI. Mr. Ruckelshaus has indicated that he envisions only a brief stay, which, in itself, could indicate further drift and demoralization at a time when the Bureau ought to be operating at its maximum effectiveness. Moreover, Mr. Ruckelshaus comes, albeit indirectly, from the very Justice Department that has earned such disappointingly low marks heretofore in its conduct of the Watergate investigation. Additionally, his past political activities would not appear to be such as would quickly rebuild public confidence in the FBI's detachment from politics. This is not to say, however, that given the recent high performance by Mr. Ruckelshaus as EPA Administrator, he cannot sever his political loyalties from his higher constitutional and legal responsibilities. It is quite possible that he possesses the discipline to do just that.

There is another problem with this appointment that disturbs me. The Comptroller General of the United States, on February 22, 1973, stated the opinion that L. Patrick Gray's service as Acting Director of the FBI was subject to the provisions of 5 United States Code 3346–3348, and that his continued service was prohibited since he had performed the duties thereof in excess of 30 days. The Justice Department maintained, on the other hand, that Mr. Gray was not subject to those provisions of the code. The Department's arguments, nonetheless, were rejected, after consideration, by the Comptroller General. The temporary appointment of Mr. Ruckelshaus may well fall under the same provisions of the law and, if so, the President may very well lack the power even to make such an appontment, because, according to a previous Attorney General's opinion, when the vacancy is temporarily filled once for the prescribed period, the power conferred by the statute is exhausted and it is not competent for the President to appoint either the same or another officer to thereafter perform the duties of the vacant office for an additional period. I have asked the Comptroller General for an opinion in the matter.

It would seem that the wisest course for the President would be to promptly transmit to the Senate the name of a nominee to be Director of the FBI. For that agency to continue to drift helplessly, without a chief, could permanently impair its effectiveness and destroy public confidence in it.

I can understand the problems that the President may have with respect to selecting a nominee for the position of FBI Director and that the prompt nam-

ing of Mr. Ruckelshaus may have appeared to be the only action that the President could take at the time. But there has been ample time for this administration to select someone with the outstanding ability, impeccable integrity, courage, and independence needed to lead this organization of 20,000 people trained in law enforcement and domestic intelligence-gathering activities. Considering Mr. Ruckelshaus' own statements that his is a short tenure and that the position should go to someone with law enforcement experience; considering the questionable legality of the appointment; and considering, most importantly, the desperate need of the FBI to have a permanent Director, I earnestly hope that the President will act very quickly to name a nonpartisan, highly qualified. Director before the serious damage that has already been done to the Bureau in the last year becomes irreparable, irremediable, and irreversible.

AMERICA REDISCOVERED

Mr. ROBERT C. BYRD. Mr. President, though much of what is presented on commercial television as entertainment is abysmal, there come along occasionally programs that honor the medium and uplift the viewer. These kinds of programs are much more frequently seen on the public broadcasting media, and I have watched with much enjoyment such programs as "The Six Wives of Henry VII," "Elizabeth R," "Jude the Obscure," "The Golden Bowl," "The Gambler," "The Last of the Mohicans," and "Point Counterpoint."

In all of these I have noted that the mellifluous voice and educated mind of Alistair Cooke have lent themselves to the program's excellence. Next week, Mr. Cooke will offer the last of a series of hour-long programs. Entitled "America: A Personal View," these have appeared on every second Tuesday for the past 24 weeks, and on each of these evenings this highly articulate journalist, author, and commentator, who left his native England 37 years ago to make his home in America, has offered to Americans 1 hour of this Nation's history. These programs, which have covered the existence of our country from Jamestown to 1973, have been presented with refreshing objectivity, an impressive scholarliness, and underlying all, an obvious deep affection for America and the American people.

In his series, Mr. Cooke gives unstinted praise to the glorious chapters of our history, but is not reluctant to chide us for our failings. Not the least of Mr. Cooke's qualities as an observer is that he is wholly believable. He never is guilty of confusing facts and opinions, and when he is offering one or the other, his clarity and conciseness are matched only by his gift for gentle, yet penetrating humor.

This series was made by the British Broadcasting Co., and was originally intended for viewing only in the British Isles. Had this restriction been maintained, America would have been deprived of one of the truly great programs that the television medium has ever presented. The National Broadcasting Co., over whose network facilities "America" is broadcast, and the Xerox Corporation, which is sponsoring the series, deserve the gratitude and the congratulations of every American fortunate enough to enjoy it.

I have but one regret regarding Mr. Cooke's exceptional show, and that is the time slot in which it was shown. I am sure that it was unavoidable that it be placed from 10 p.m. to 11 p.m., but, at that hour, the majority of Americans who would have benefited most from seeing it—the young and middle teenagers—are probably in bed, or should be. It may be possible, and I sincerely hope it will be, that every junior high school and high school in the United States will be enabled to obtain a print of the entire 13-week series for showing in their history and sociological courses. I believe that such showings would be a tremendous contribution to our youngsters' understanding of the genesis and growth of this great Nation—and, as a corollary, a fillip to their appreciation of the breadth and beauty of the English language, as it is used by Alistair Cooke.

In a Sunday supplement to the Pittsburgh Press of March 25, 1973, Mr. William T. Noble wrote a most interesting profile of Mr. Cooke, and a brief description of "America." I believe that my colleagues would enjoy sharing this profile with me, and that they might find intriguing, as I did, Mr. Cooke's list of the six most impressive people he has met in his 64 varied years of life.

I ask unanimous consent that Mr. Noble's profile be printed in the RECORD. There being no objection, the profile was ordered to be printed in the RECORD, as follows:

THE MAN WHO REDISCOVERED AMERICA

(By William T. Noble)

A waning winter sun filtered through the windows that overlook New York's Park Avenue and the north end of Central Park, illuminating the vintage oak, dark leather chairs, statues, paintings and floor-to-ceiling books in Alistair Cooke's study.

Cooke's desk faces the east so he can write with the afternoon sun over his shoulder. By turning he can peer down on the monumental traffic or muse over the comparative but often deceptive serenity of Central Park.

The study is worn and well-used. There is an eclectic collection of British and American memorabilia befitting the ex-Englishman who has been giving the United States a fresh look at itself.

Cooke is fairly tall and spare with the elegant look of a fragile piece of Wedgwood, or a country squire who spent a lifetime breathing the damp winds sweeping off a moor. His hair is as white as birch bark and his dark inquisitive eyes beside a large aquiline nose look younger than his 64 years.

His voice and choice of words make an ordinary conversation sound like the reading of a poem by Lord Byron. In his deep blue suit and vest with brass buttons he looks as British as Anthony Eden.

Cooke traveled to America to write about it, and his assignment became a love affair. For 37 years he has made a Fifth Avenue living interpreting America for the British.

RADIO BROADCASTS

He has worked for such newspapers as the London Times and Guardian of England—papers that eschewed scoops and scandals but rejoiced in long, perceptive pieces. He also sent weekly radio broadcasts about America through the BBC.

His current TV series ("America: A Personal View," which runs biweekly through May 8) is in many ways a visual account of the things Cooke has been telling the English about America. It is his interpretation of American history without hysterics, doomsday predictions or sycophancy.

With Cooke as their guide, the British crew that previously directed and photographed Sir Kenneth Clark's "Civilisation" was in no danger of falling into an embarrassing quagmire as it hopped, skipped and jumped from one end of the country to the other. Example:

Producer Michael Gill told Cooke: "We can't photograph Valley Forge without snow. It won't be right. But there's no snow or ice. And there wasn't any last winter either."

Cooke: "There's a place in Massachusetts that looks just like parts of Valley Forge. And there's snow there. But don't comb the landscape. And watch out for Massachusetts oaks in backgrounds. They can't be found in Valley Forge and someone will spot the deception."

How many native-born Americans would have known that?

Despite his culture, Cooke is as unstuffy as George Meany and moves as charmingly among a poor Deep South congregation as he does among the dons of Cambridge.

No pedant, he does not talk down to his audience but tells it as he sees it in clear, concise, English:

"When we first played around with the idea of themes for the 'America' series (the series was originally intended for exclusive British viewing), such things as 'America and Business,' 'American Idealism' and 'Women in America' were discussed. Since I am temperamentally not a 'Whither America?' man, I lapsed into a coma of boredom within the first half hour and we abandoned that.

"Two days later I came up with a simple, staggering proposal to try and tell the history of the United States on TV in 13 hours."

For the next two years Cooke plunged even deeper into American history, mining little-known facts, chiding his former countrymen. ("I regret to say the British army of occupation showed the crassness of all armies of occupation") and telling about the agony of Civil War soldiers who had to bite the bullet when doctors severed mangled limbs without anesthetics. (President Lincoln embargoed shipments of chloroform to the South.)

For relaxation he "mooched around" his beloved New York, or retreated to his piano to skillfully beat out New Orleans jazz.

AVOIDS DRIVING

Cooke, however, has not been Americanized to the extent that he understands football, or drives cars.

"American football is still as much of a mystery to me as the gymnastics of Zen Buddhism," he said, "and only doctors, cab drivers and maniacs drive cars in New York. I have not owned a car for 15 years and have never bought a new car in my life."

As a full-fledged American citizen, Cooke feels free to criticize his adopted land. And he does so, sometimes quite firmly.

In describing slavery in America, he says: "It was like a sore thumb sticking up through the Declaration of Independence." He also thought the country "got fat with pride" during the Wilson era.

"I always thought Americans were too obsessed with bathtubs," said Cooke changing subjects. "But during wars they crawled through mud without complaint.

"We are idealistic people and feel there are no limits to what can be done. It was common to hear years ago the expression that we lost China. Really we never had China to lose.

"Now there is a great deal of disenchantment with American capabilities. There has been a massive mistrust of American institutions since Vietnam.

"There also is a great apathy toward governmental scandals that years ago would have caused an uproar of protest. Today I believe people are so concerned with their own safety and problems with crime in the streets they don't have time to think or do anything about such things."

Meanwhile, he is savoring American life to the fullest.

His second wife, Jane, a painter, a war widow he married in 1946, shares his interests. They play chess, enjoy Mozart, Handel, Gilbert and Sullivan and New Orleans jazz.

Cooke has one son by his first wife, John, 32, of San Francisco. "He writes film scripts and manages a rock band," said Cooke. Mr. and Mrs. Cooke have a daughter, Susie, 23, and Mrs. Cooke has two children, Stephen and Holly.

"I am an Aristotelian," said Cooke, explaining his philosophy. "I do not truckle to Plato."

(Simply, an Aristotelian believes among many other things, that God is pure actuality, being the unmoved mover and unchanging cause of all changes. Platoism is a belief that the ideal state is aristocratic and made up of only three classes, the artisans, soldiers and philosopher-leaders.)

"America," believes Cooke, fulfills his Aristotelian beliefs about God and democracy. Unlike many foreigners who come here to work but never become citizens, he settled in as an American, accepting all of the responsibilities and rewards, of which he believes there are many.

One of the rewards was binding friendship with H. L. Mencken—an American as diverse from him in tastes and philosophy as Winston Churchill was from George Wallace.

"I was taking an American language course at Harvard," Cooke said "and of course, Mencken was the great living expert. I started corresponding with him and he invited me down to eat crabs. That's how our friendship started.

"It was astonishing that he liked me. I was the embodiment of every thing he disliked. He distrusted Englishmen. He didn't like Methodists, and I was brought up a Methodist. He hated radio broadcasters, and that was to become my profession. As for golf, which is a passion with me, he said that everyone guilty of golf should be barred forever from holding any office in the United States."

Yet, for years and until his death, Mencken, the atheist, and Cooke, the Methodist, were the closest of friends.

"But one of my most exciting experiences was meeting Oliver Wendell Holmes (the Supreme Court justice who died in 1935 at 94). Here was a man who served in the Civil War and was wounded three times in some of the most classic battles of that event."

COLORFUL WRITING

When Cooke met his first American Indian he wrote: "I was as tense as high C." His writing often is a colorful as his voice is honey smooth. His TV commentary is without a script or teleprompter.

As a journalist Cooke "mooched around" to such places as cranberry bogs, dockyards, farms, plantations. He studies the flora and fauna indigenous to each place as diligently as a scholar.

He also came to love the delightful eccentricities of Vermonters (a favorite state) and enlightened the English who Cooke once said "were abysmally ignorant of the United States."

He also moved easily into the drawing rooms of the rich and famous. He has interviewed presidents (a book of his interview with President Eisenhower and his relationship with Winston Churchill was published some time ago), and fell in love with California when he was there interviewing movie stars.

"California is a favorite state," he said, "but it is like a mistress who turned into a crone."

Years ago he spent almost an entire evening lighting Greta Garbo's cigarettes.

"Who are your favorite people?" I asked. "Of all the people you have met, who sticks out in your mind as the most impressive?"

"That is easy," said Cooke, listing the following order:

1—Charlie Chaplin.
2—H. L. Mencken.
3—Adlai Stevenson.
4—Bertrand Russell.
5—Humphrey Bogart.
6—Frank Lloyd Wright.

Although they did not make his list, Cooke admires William Buckley, "a marvelous writer and a quality of logic," and Norman Mailer, "whose bloodshot writing has Shakespearean intensity."

The catholicity of his intellectual tastes and his almost complete Americanism is reflected in his list. The only true Englishman on it is Russell. Chaplin was an English citizen but lived most of his life in America.

Cooke told a story about the late Adlai Stevenson.

"When Stevenson was a guest at the White House and invited to sleep in the Lincoln room," said Cooke, "he paced the floor until the wee hours of the morning. He had such reverence for the memory of Lincoln he thought it would be a sacrilege to mess up the hallowed bed or disturb anything in it. Finally, he was overtaken by sleep and lay down on a small couch that would not show.

"But the joke was on Adlai. The couch was the only piece of furniture actually in the room when Lincoln was there. The bed had been brought in from elsewhere."

ORDER OF BUSINESS

Mr. ROBERT C. BYRD. Mr. President, how much time remains to me under the order?

The PRESIDING OFFICER. The Senator has 5 minutes remaining.

Mr. ROBERT C. BYRD. Mr. President, I thank the Presiding Officer.

CABINET OFFICIALS SHOULD BE RECONFIRMED

Mr. ROBERT C. BYRD. Mr. President, I introduced S. 755 on February 5 with the purpose of reasserting Congress role as a check on the powers of the executive branch. Under article II, section 2 of the Constitution, the heads of executive departments were made subject to confirmation by the Senate, a part of the body responsible for their creation. Since the department heads then serve at the pleasure of the President, once appointed they may disregard their responsibilities to the people's elected representatives and the people so long as they satisfy the President, since they will never have to face confirmation hearings or debate again. The irony of this present arrangement is that the head of the executive branch must face the voters every 4 years but his subordinates need face no one for a judgment as to how they are doing their jobs but the President. My bill would end the terms of all heads of executive departments at the same time as the President's. It would not prevent a President from reappointing his Cabinet at the beginning of his new term or prevent his successor from continuing his predecessors' Cabinet officers. It would not prevent a President from removing department heads prior to the end of his term but would provide a date certain at which the department heads would face an evaluation of their performance by Congress in the form of reconfirmation proceedings.

Over the years, we have seen how quickly this absence of responsibility toward Congress can turn to outright contempt.

If we fail to make the department heads subject to reconfirmation, we could create a royal family unresponsive to the will of Congress and the people they serve.

The Washington Post warned last Sunday of the possibly irreparable decline that faces the legislative branch when their editorial column declared:

Mr. Kleindienst's performance lays bare the hypocrisy of the administration's oft-professed desire to cooperate with Congress. Indeed, the Attorney General seemed to be spoiling for a fight. He declared several times that Congress could contest his view of executive privilege by cutting off funds for the executive branch or trying to impeach the President. For impeachment, he asserted—in the most astonishing statement of an astonishing day—Congress would not need "facts" or "evidence," but just the votes. Such gross pragmatism, in tune with other recent administration views, suggests a cold calculation that, no matter how extreme the provocation, Congress is too disorganized or too deferential to mount an effective institutional defense. It is ominous when the chief legal officer of the government displays such contempt for the basic principle of government by law. (Washington Post, April 15, 1973, p. C6)

The problem goes much deeper than partisan politics. Today it is the Democratic Party that has particularly felt the slidings of a Republican administration. But the problem will continue even with a Democratic President in the White House, no matter which party controls Congress. Through successive administrations, the legislative branch has shown a remarkable tendency to let the Executive do it—to forfeit powers to the President. Time magazine recognized how we reached our low current standing when it stated early this year:

The U.S. is facing a constitutional crisis. That branch of Government that most closely represents the people is not yet broken, but it is bent and in danger of snapping. A Congress intended by the framers of the Constitution to be the nation's supreme policy setter, lawmaker and reflector of the collective will has been forfeiting its powers for years. Now a President in the aftermath of a landslide seems intent upon the White House ever more firmly in the center of federal power. (Time Magazine, January 15, 1973, p. 12)

I am not here to deliver a eulogy to an ineffective Congress. I am here to work to restore Congress as a separate and equal branch. S. 755 is a step back to the balance of power between executive and legislative branches But it is a symbolically important step. By saying to Cabinet officers, "You have been appointed by the President and may be removed by him, but you are also responsible to the Legislature which must initially consider your qualifications before confirming or refusing to confirm

you and which, at the end of the President's term, must consider you again if the President chooses to renominate you," we are going a long way to restoring responsible and responsive government to the people.

Our history has shown that the American people will usually return a President to office for a second term since they prefer a known entity rather than an untried possiblity. We have generally felt a desire to let a President finish the job. Only Grover Cleveland, Benjamin Harrison, and Herbert Hoover have been refused a second concurrent term when they sought it. It is ironic that the President must face the people after 4 years and respond to criticism over his policies and performance while the men who perform most of the work of the executive branch of Government do not. Even the President has too little contact with the officials who head the 11 departments which in 1972 employed 1,572,370 persons. Whether the administration is headed by a Republican or a Democrat, responsible Government demands that these officers be required to answer for their performance at more than appropriation hearings.

S. 755 is a step toward renewal of executive responsibility to Congress. S. 936 and S. 1500 are among other bills I have introduced which I hope the Senate will soon favorably consider to move toward a restoration of the delicate balance between the excutive and legislative branches of Government.

The framers of our Constitution wisely established a Government based on a delicate balance of power between three equal branches. Built into the system is the necessity of a certain degree of distrust between each of the branches as each attempts to check excessive power exercised by the other branches while maintaining its own powers. The functions of each overlap with the others. For example, enactments of policy by Congress in the form of laws may be subject to veto by the executive and review by the judiciary. The policy of Congress depends upon faithful administration by the executive. Programs undertaken by the executive are limited by approval of the budgets by Congress and, in the event of conflict, review by the judiciary. The overlapping of functions necessarily leads to frequent conflict. But by the tensions between the the State and Federal Governments, the freedom of the people from unbridled governmental power is protected. If the power of one branch exceeds another to the extent that the superior branch can treat the other with impunity, then the equality of the other branches and, ultimately, the power of the people are threatened.

The 93d Congress will earn a place in history if it acts to keep the exceutive branch—regardless of the party in power—responsive to the will of the people and their elected representatives. Approval of S. 755 is necessary if Congress is to be guaranteed equal status in the constitutional system of checks and balances.

Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 30 seconds remaining.

Mr. ROBERT C. BYRD. And the Senator from Connecticut has 1 minute?

The PRESIDING OFFICER. One minute.

Mr. ROBERT C. BYRD. May I impose upon the Senator to ask for his 1 minute?

Mr. WEICKER. I yield 1 minute to the Senator from West Virginia.

Mr. ROBERT C. BYRD. I thank the able Senator.

UNANIMOUS-CONSENT REQUEST ON S. 755

Mr. ROBERT C. BYRD. Mr. President, S. 755 is now on the calendar and has been cleared on both sides for unanimous consent action. The distinguished Senator from Illinois (Mr. PERCY) is, I believe, the ranking Republican member of the committee that reported S. 755, and inasmuch as that bill has been cleared for unanimous consent action, I wonder if the Senator would agree that we could have a rollcall vote on the measure today, without further debate—inasmuch as we could pass the bill by unanimous consent anyway—and schedule that vote, say, immediately after the vote on the pending amendment by the Senator from Wisconsin (Mr. PROXMIRE).

Mr. PERCY. Which would make them end to end, back to back?

Mr. ROBERT C. BYRD. That is correct.

Mr. PERCY. That would be perfectly acceptable to me. I assume it is acceptable also to the chairman of the committee.

Mr. ROBERT C. BYRD. Yes; the bill has already been cleared on both sides of the aisle for unanimous and consent passage.

Mr. PERCY. I had advised the minority leadership yesterday that from my standpoint it would be agreeable to bring the matter up, and the leadership, I believe, was going to check with other members of the committee as well.

Mr. ROBERT C. BYRD. It has been cleared.

Mr. WEICKER. It has been cleared on this side.

Mr. ROBERT C. BYRD. So, if we could have a vote immediately after the vote on the Proxmire amendment, before the unfinished business is brought back before the Senate, and we could get unanimous consent at this time to limit that rollcall vote to 10 minutes, so that we would not delay the unfinished business beyond what we said yesterday by more than 10 minutes.

Mr. PERCY. That I would appreciate very much. The Senator from Illinois has an engagement in Illinois this afternoon, and the tighter we can make it the better.

Mr. ROBERT C. BYRD. Very well. Mr. President, I ask unanimous consent that the vote on S. 755 occur immediately after the vote on the Proxmire amendment today, that the time for such vote be limited to 10 minutes rather than the usual 15 minutes, and that rule XII be waived.

The PRESIDING OFFICER. Is there objection?

Mr. CURTIS. Mr. President, reserving the right to object, will the Senator state what this is about?

Mr. ROBERT C. BYRD. This has reference to S. 755, which is on the calendar and has been cleared on both sides of the aisle for passage by unanimous consent.

The PRESIDING OFFICER. Is there objection?

Mr. ALLEN. Mr. President, reserving the right to object, would there be no opportunity to debate the measure?

Mr. ROBERT C. BYRD. There would be no opportunity to debate the measure. The bill has been on the calendar for 2 weeks, and could have been passed by unanimous consent on any morning.

Mr. ALLEN. That is, if no one wanted to discuss it.

Mr. ROBERT C. BYRD. Well, if anyone had wanted to discuss it, they surely would have notified the leadership that they had such intention in mind.

Mr. ALLEN. I have no objection to the passage of the bill. The only point that the Senator from Alabama would like to suggest is that we have right now a controversy surrounding the passage by unanimous consent of a sense of the Senate resolution yesterday, and some rank and file Members of the Senate would have desired to discuss that matter at length, but because of the unanimous-consent request and the fact that there were few Senators on the floor, unanimous consent was given.

So I am wondering if we should not think about some of the rank and file Members of the Senate, rather than just the leader's position.

Mr. ROBERT C. BYRD. Mr. President, the leadership is, of course, at the mercy of the rank and file of the Senate at all times. The lowest people in the Senate are the Members of the leadership on h-e-l-l. We have to clear everything H-E-L-L. We have to clear everything with everybody, and if the distinguished Senator is going to press this, then what he is really saying—with all due respect to the able Senator—is that we ought to stop passing any bills or any resolution, simple, concurrent, or joint, in the Senate by unanimous consent.

This bill has been on the calendar for 2 weeks. We could have passed it on any morning in 5 seconds by unanimous consent. It came out of the committee unanimously. The ranking Republican member of the committee is here, and I would hope the able Senator from Alabama would not interpose an objection to this request.

Mr. ALLEN. Would the Senator refrain from making the request at this time, and make his request a few minutes later? I would like to check with some Senators that I know have an interest in the matter.

Mr. ROBERT C. BYRD. Mr. President, I am glad to withdraw my request.

Mr. ALLEN. I thank the Senator.

TRANSACTION OF ROUTINE MORNING BUSINESS

The PRESIDING OFFICER (Mr. NUNN). Under the previous order, there

will now be a period for the transaction of routine morning business not to extend beyond 1 p.m., with statements therein limited to 3 minutes.

SPECIAL PROSECUTOR FOR WATERGATE INVESTIGATION

Mr. PERCY. Mr. President, I would like to make a statement in response to comments made on the floor yesterday evening regarding the passage of Senate Resolution 105, which I introduced.

I deeply regret any misunderstanding which may have occurred with respect to this resolution. Prior to introducing my resolution, I informed and counseled with the leadership on both sides of the aisle, as well as several other Senators, of my intention later in the day to ask for its immediate consideration. No objection was raised to my announcement of that procedure.

On Monday of this week, I had announced on the floor of the Senate my intention to introduce such a resolution, but decided to hold off its introduction until after the President's speech. The next morning, I sent a copy of the resolution to every Member of the Senate with a covering letter stating the time at which I would introduce it and inviting all interested Senators to join me on the floor to discuss it at that time.

Had I known that there would have been objection, I certainly would not have followed the procedure that I did. After the adoption of the resolution, I reported to my colleagues in the Senate Republican policy committee, and at that time there would have been ample time to have brought the matter forward for reconsideration.

The procedure that I used was very comparable to the procedure I used on October 8, 1970, after the President's peace proposal was made in a television address. The next morning, I drafted the resolution (S. Res. 474) which expressed the sense of the Senate that the President's peace initiative was fair and equitable, and would lead toward a just settlement of the Indochina war.

After the resolution was read, the Presiding Officer asked, "Is there objection to the immediate consideration of the resolution?" There was no objection. The resolution was agreed to, and no one ever objected to that procedure. As I understand it, it was the same procedure used by the distinguished majority leader on September 9 when the resolution regarding the killing at the Olympics was introduced in the Senate. So the same Senate procedure was used. However, as I reiterated many times last night in 3 hours of discussion, I wish to work this out amicably and fairly, and I tried at that time on several occasions to move for reconsideration myself.

The PRESIDING OFFICER (Mr. NUNN). All time for morning business has now expired.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, in view of the fact that the time of the Senate is now under control, I will take the liberty of taking some of the time of the distinguished chairman of the Committee on Post Office and Civil Service and yield 3 more minutes to the Senator from Illinois.

Mr. PERCY. I thank the distinguished majority leader.

Mr. MANSFIELD. Mr. President, may I say, instead of the chairman of the Committee on Post Office and Civil Service, that the time should come from the chairman of the Subcommittee on Labor and Public Welfare, the Senator from Rhode Island (Mr. PELL).

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES AMENDMENTS OF 1973

The PRESIDING OFFICER (Mr. NUNN). The hour of 1 p.m. having arrived, under the previous unanimous-consent request, the Senate will now proceed to the consideration of S. 795, which the clerk will state.

The legislative clerk read as follows:

S. 795, to amend the National Foundation on the Arts and the Humanities Act of 1965, and for other purposes.

The Senate resumed the consideration of the bill.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 96—previously numbered 78—of the Senator from Wisconsin (Mr. PROXMIRE).

Under the unanimous-consent agreement of yesterday, there will be 1 hour of debate in total, to be equally divided and controlled by the mover of the amendment, the Senator from Wisconsin (Mr. PROXMIRE), and the manager of the bill, the Senator from Rhode Island (Mr. PELL), with the vote on the amendment to come no later than 2 p.m.

Mr. MANSFIELD. Mr. President, now I yield 3 minutes to the Senator from Illinois (Mr. PERCY).

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

SPECIAL PROSECUTOR FOR WATERGATE INVESTIGATION

Mr. PERCY. Mr. President, I should like to make it very clear, indeed, that at no time was it intended by me or by any of the 18 cosponsors of the resolution to indicate any lack of confidence in the President, or Attorney General-designate Richardson, who is one of the most capable and competent men, of the highest integrity, that I have ever known in my personal and political life.

What I am certain of, though—and the other supporters of the resolution strongly believe—is that an independent special prosecutor is imperative to restore public confidence in our institutions of government.

I am sympathetic to the feelings expressed last evening by my colleagues, that there should be adequate time to debate this resolution and to give it careful consideration.

For that reason, Mr. President, as I indicated last night, I now ask unanimous consent that the Senate's action on agreeing to S. 105 on May 1, be reconsidered and that a vote on the readoption of the resolution occur on Tuesday, May 8, at 3 p.m.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Illinois?

Mr. COTTON. Mr. President, reserving the right to object, as I stated last night, I can understand the desire of the distinguished Senator from Illinois, having gotten his measure through, that it be brought up again and that he does not want to run into a lengthy discussion. But I also served notice last night that while I would not object to his unanimous consent request to bring it back into the Senate, and while I certainly would not be a party to anything approaching a filibuster to hold it up, I think that the Senate, and most of us who had no notice of this whatsoever, should have the opportunity to discuss this resolution fully, because it has great significance, and without the pressure of a time limitation in advance. So, I would rather leave it where it is than have it brought up and then not be able to explore it thoroughly.

I am not necessarily opposed to it, but as long as the unanimous consent request is coupled with a time certain, I am compelled to object.

The PRESIDING OFFICER. Objection is heard.

Mr. PERCY. Mr. President, I would be ready and willing——

The PRESIDING OFFICER. Who yields time?

Mr. PERCY. To go into any reasonable arrangement——

Mr. PELL. Mr. President, I yield to the Senator from Illinois 3 more minutes.

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

Mr. PERCY. I thank my distinguished colleague from Rhode Island.

Mr. President, I would be ready, willing and able to make any reasonable arrangement to insure that there would not be a filibuster on this issue. The distinguished Senator from New Hampshire can speak for himself but he cannot speak for the other 99 Senators.

The Senator from Illinois, after counseling with a number of cosponsors of the resolution, some of whom would prefer to see the matter stand just as it is, has taken the position that even though there is adequate precedent for what was done on yesterday—and I know of no criticism of this same procedure when it was used on the two specific occasions I referred to—that because of the strong feelings of the distinguished Senator, I would be agreeable to any reasonable time as long as the Senator from Illinois can assure his cosponsors that we will have a vote at a time certain. If next Tuesday at 3 p.m. is not a reasonable length of time, then I would suggest that the distinguished Senator from New Hampshire suggest another time. The Senator from Illinois would agree to any limitation of debate for any reasonable period, but I would not agree to any proposal that would throw this wide open and leave it open for unlimited debate and discussion. We have exposed the Senate to that kind of procedure on too many occasions and the Senator from Illinois has seen the effect on certain legislation

that he feels deeply about. Very simply, I feel that I cannot do that at this time.

Mr. COTTON. Mr. President, will the Senator from Montana yield me 1 minute to reply?

Mr. MANSFIELD. I yield 2 minutes to the Senator from New Hampshire on behalf of the Senator from Wisconsin (Mr. PROXMIRE).

The PRESIDING OFFICER. The Senator from New Hampshire is recognized for 2 minutes.

Mr. COTTON. I thank the distinguished majority leader.

Mr. President, I have a counter-proposal to make. I am not authorized to make it in behalf of anyone but myself, but in order to prevent a filibuster and to give the Senate full opportunity to debate, amend, and otherwise consider the resolution, if cloture were voted on the measure, under the rules of cloture, as I understand, each Member of the Senate is then entitled to 1 hour and it cannot be transferred. He can use it only for himself. He cannot yield it to anyone else. Is that correct?

I would agree, speaking for myself, that this thing be brought up without a time certain to vote, but with a unanimous consent agreement that it would be treated—when it is brought up and when it reaches the floor—as though cloture had been voted and that any Senator who desired to use 1 hour of time may use it but cannot transfer it to anyone else. I would not object to that.

Mr. PERCY. If the Senator would like to suggest a time at which it would be appropriate to bring it up, the Senator from Illinois would agree to a limitation of 100 hours and let anyone assign it. Then there is no problem about assigning the time. One Senator could speak for 90 hours on it if he wanted to.

Mr. President, as I understand it now, my unanimous request is still pending; is that correct? Has an objection been raised to it?

Mr. ALLEN. Mr. President, reserving the right to object——

The PRESIDING OFFICER. The Chair would advise the Senator from Illinois that there has been objection to the unanimous consent request of the Senator from Illinois.

Mr. ALLEN. Mr. President, I should like to call to the attention of the Senator from New Hampshire that, under the unanimous-consent request he is suggesting, that the matter be considered as though cloture had been invoked, that would prevent the filing of any amendments because only the amendments pending at the desk would be subject to it.

Mr. COTTON. I only meant my proposal to refer to the matter of a time limitation. I did not mean it to apply to the rules on cloture which refused any amendments.

Mr. President, I understand that this is not satisfactory to the minority leader or to the distinguished Senator from Connecticut, who would have to object to it; so there is no use making my unanimous-consent request, and I would have to renew my objection to the unanimous-consent request of the distinguished Senator from Illinois.

This thing was brought in here. It was killed—it was passed—it was then nailed down with only five Senators here. I would rather leave it in its grave and let the monument stand——

The PRESIDING OFFICER. Who yields time?

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

Mr. MANSFIELD. For the last time, I yield 1 minute from the time of the Senator from Wisconsin (Mr. PROXMIRE).

The PRESIDING OFFICER. The Senator from Illinois is recognized for 1 minute.

Mr. PERCY. Mr. President, the Senator from Illinois called the majority leader, he called the deputy majority leader and he called the minority leader, Mr. SCOTT, who said he had no objection—and then he called the distinguished Senator from Texas (Mr. TOWER), chairman of the Policy Committee, who said he would accept whatever decision the minority leader made. What more should the Senator from Illinois do—pick up the telephone and call all 99 Senators? There was no objection. How many bills have we passed by a voice vote in the Senate?

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

Mr. PERCY. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a report on the number of bills that have been voted on by voice vote. We know there are not always 100 Senators on a voice vote.

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

REPORT

In 1972, the Senate passed a total of 767 measures, of which 532 were disposed of by record votes. This leaves a remainder of 235 measures disposed of by voice vote, including bills, resolutions, amendments, motions to adjourn, etc. At least 74 of these (according to the vote analyses prepared by the Republican Policy Committee) were substantive measures, including authorizations and appropriations for billions of dollars—

Second supplemental appropriations, providing a total of $5 billion in new obligational authority.

NASA authorizations, approx. $3 billion for FY 73.

$1.6 billion appropriations for disaster relief.

Rivers and Harbors bill.

Veterans medical facilities and rehabilitation bills.

Establishment of Office of Technology Assessment.

THE SENATE ACTED FAVORABLY BY VOICE VOTE ON THE FOLLOWING IMPORTANT MATTERS

(Does not include voice votes on amendments, motions, etc.)

Agriculture Pest Control (S. 1794).—To authorize pilot field research programs for the control of agricultural pests; January 31, 1972; page 1746.

Water Pollution Control (S. 3122).—To authorize funds for the extension of activities under the Federal Water Pollution Control Act through June 30, 1972; February 3, 1972; page 2516.

Foreign Air Transportation Rates (S. 2423).—To regulate rates and practices of U.S. and foreign air carriers in foreign air transportation; February 24, 1972; page 5370.

Drug Addicts (S. 2713).—To authorize the Attorney General to provide care for narcotic addicts placed on probation; March 3, 1972; page 6775.

Indian Claims Commission (H.R. 10390).—To extend for 5 years, until April 10, 1977, life of Indian Claims Commission; March 8, 1972; page 7460.

Coffee Agreement Extension (H.R. 8293).—To extend until September 30, 1973, the International Coffee Agreement Act of 1968; March 13, 1972; page 7961.

Gulf Islands National Seashore (S. 3153).—To establish in Florida and Mississippi; March 23, 1972; page 9811.

Guam and Virgin Islands (H.R. 8787).—To provide for a non-voting delegate in the House of Representatives for each; March 28, 1972; page 10392.

Exports (S.J. Res. 218).—To extend from May 1, 1972, to August 1, 1972, authority to regulate exports; March 29, 1972; page 11020.

Waterways Safety (H.R. 8140).—To authorize establishment of Standards and regulations to promote safety of ports, harbors, and navigable waters of the United States; March 30, 1972; page 11059.

Saline Water (H.R. 12749).—To authorize $26.8 million for the saline water conversion program for fiscal year 1973; April 4, 1972; page 11424.

Missouri River Basin (S. 3284).—To increase by $14 million funds for completing work in the Missouri River Basin; April 4, 1972; page 11424.

Tobacco (H.R. 13361).—To amend the Agricultural Adjustment Act relating to lease of acreage allotments or market quotas on fluecured tobacco; April 10, 1972; page 11886.

District of Columbia Law Enforcement (S. 2209).—Proposed D.C. Law Enforcement and Criminal Justice Act; April 12, 1972; page 12335.

Uniform Relocation Assistance (S. 1819).—To provide minimum Federal payments for relocation assistance made available under federally assisted programs; April 12, 1972; page 12345.

Secret Service Protection (S.J. Res. 222).—To furnish Secret Service protection to major presidential and vice-presidential candidates; April 19, 1972; page 13305.

Veterans' Housing (S. 3343).—To increase to $20,000 maximum amount of grant payable for specially adapted housing for disabled veterans; April 25, 1972; page 14093.

Veterans' Health Facilities (H.J. Res. 748).—To provide for utilization of Veterans' Administration hospitals to improve and expand education and training of health manpower; April 27, 1972; page 14633.

Second Supplemental Appropriations, fiscal year 1972 (H.R. 14582); May 1, 1972; page 15163; vote 577–A.

Bureau of Land Management (S. 2743).—To establish a working capital fund for the Bureau of Land Management, Department of the Interior; May 2, 1972; page 15228.

Passenger Vessels (H.R. 11589).—To authorize the foreign sale of certain U.S.-flag passenger vessels; May 2, 1972; page 15286; vote 579–A.

Veterans' Medical Facilities (S.R. 10880).—Proposed Veterans' Health Care Reform Act of 1972; May 4, 1972; page 15878.

Upper Colorado River Basin (H.R. 13435).—To authorize additional funds for work in the Upper Colorado River Basin; May 9, 1972; page 16358.

NASA Authorizations, fiscal year 1973 (H.R. 14070); May 11, 1972; page 17054; vote 584–A.

Fishermen's Protection (H.R. 7117).—To provide for reimbursement for expenses incurred as a result of unlawful seizure or attempted seizures of U.S.-flag vessels; May 25, 1972; page 18993.

Coast Guard Authorizations (H.R. 13188).—To authorize appropriations for the procurement of vessels and aircraft and construction of shore and offshore establish-

ments, and to authorize the average annual active duty personnel strength for the Coast Guard; June 1, 1972; page 19409.

Tinicum Environmental Center (H.R. 7088).—To establish in Pennsylvania: June 5, 1972; page 19683.

U.N. Voluntary Fund for the Environment (S. Con. Res. 82).—Calling for the establishment of a United Nations Voluntary Fund for the Environment; June 12, 1973; page 20431.

Disabled Veterans (S. 3338).—To increase the rates of compensation for disabled veterans: June 14, 1972; page 20753.

Juvenile Delinquency Control (S. 3443).—To extend for 2 years the Juvenile Delinquency Prevention and Control Act of 1968; June 19, 1972; page 21304.

Defense Production (S. 3715).—To extend the Defense Production Act for 2 additional years through fiscal year 1974; June 20, 1972; page 21555.

International Economic Policy (S. 3726).—To extend for 2 years, through June 30, 1974, continuation of authority to regulate imports; June 21, 1972; page 21913.

Federal Financing Bank (S. 3001).—To establish a Federal Financing Bank to facilitate Federal and federally assisted borrowing from the public; June 22, 1972; page 22018.

Federal Executive Service (S. 1682).—To establish a Federal Executive Service to administer manpower programs for supergrade personnel; June 23, 1972; page 22187.

National Science Foundation (H.R. 14108).—To authorize funds for activities of the National Science Foundation for fiscal year 1973; June 26, 1972; page 22341.

Drug Listing (H.R. 9936).—To amend the Federal Food, Drug, and Cosmetic Act to provide for a current listing of each drug manufactured, prepared, propagated, compounded, or processed by a registrant under that act; June 30, 1972; page 23532.

Appropriations—Continuing, fiscal year 1973 (H.J. Res. 1234); June 30, 1972; page 23581.

San Luis Valley Project (S. 520).—To authorize construction of the closed basin division, San Luis Valley Project, Colorado; July 19, 1972; page 24315.

Cape Canaveral (S.J. Res. 193).—To redesignate the area in Florida presently known as Cape Kennedy to its original name of Cape Canaveral; July 21, 1972; page 24804.

Corporation for Public Broadcasting (S. 3824).—To authorize funds for the Corporation for Public Broadcasting for fiscal year 1973; July 21, 1972; page 24805.

Cumberland Island National Seashore (S. 2411).—To establish in Georgia; July 24, 1972; page 24923.

Maritime Programs (H.R. 13324).—To authorize funds for maritime programs under the Department of Commerce; July 26, 1972; page 25470.

District of Columbia Police and Firemen's Salary (H.R. 15580).—Proposed D.C. Firemen's and Policemen's Salary Act Amendments; July 31, 1972; page 26015.

Commission on Civil Rights (H.R. 12652).—To extend the life of the Commission on Civil Rights; August 4, 1972; page 26798.

Securities (S. 3876).—To provide for the regulation of securities clearance agencies and transfer agents, and to create a National Commission on Uniform Securities; August 4, 1972; page 26895.

Cooley's Anemia (H.R. 15474).—To provide assistance for programs for the diagnosis, prevention, treatment of, and research in, Cooley's Anemia; August 9, 1972; page 27431.

Secret Government Documents (S. Res. 299).—To establish a select committee to study questions related to secret and confidential Government documents; August 15, 1972; page 28250.

Health Personnel Training (S. 3441).—To extend traineeship program for professional public health personnel, and project grants for professional training in public health; August 16, 1972; page 28454.

Medical Libraries (S. 3752).—To extend medical library assistance programs; August 16, 1972; page 28455.

Appropriations—Supplemental, for Disaster Relief (H.R. 16254).—To make supplemental appropriations of approximately $1.6 billion for disaster relief for fiscal year 1973; August 16, 1972; page 28603.

Appropriations—Continuing (H.J. Res 1278).—To make continuing appropriations for fiscal year 1973; August 17, 1972; page 28738.

Agricultural Migrant Workers (S. 3762).—To extend program for health services for domestic agricultural migrant workers; August 17, 1972; page 28822.

Health Manpower Shortages (S. 3858).—To improve medical assistance programs in areas with health manpower shortages; August 18, 1972; page 29019.

Metric System (S. 2483).—To formulate plans and programs to convert the United States to the metric system of weights and measures; August 18, 1972; page 29022.

Aircraft Loan Guarantees (S. 2741).—To increase from $10 to $30 million limitation on federally guaranteed loans to air carriers; August 18, 1972; page 28088.

Veterans' Rehabilitation (H.R. 9265).—To provide treatment and rehabilitation for servicemen and veterans addicted to drugs or alcohol; September 7, 1972; page 29693.

Survivor Benefits (H.R. 10670).—To establish a survivor benefit plan for the Armed Services; September 8, 1972; page 29811.

Small business Investment Companies (S. 3337).—To encourage the formation and growth of minority enterprise small business investment companies; September 13, 1972; page 30458.

Office of Technology Assessment (H.R. 10243).—To establish an Office of Technology Assessment for Congress; September 14, 1972; page 30668.

Railroad Retirement (H.R. 15927).—To provide a temporary 20-percent increase in annuities, and to simplify administration of the act; September 19, 1972; page 31230.

Aging (H.R. 14424).—To establish a National Institute of Gerontology to study the aging process and health problems of the aged; September 21, 1972; page 31725.

Crimes Aboard Aircraft (S. 2567).—To facilitate prosecutions for certain crimes and offenses committed aboard aircraft; September 21, 1972; page 31769.

Appropriations—Continuing (H.J. Res. 1306).—To make continuing appropriations for fiscal year 1973 through October 14, 1972; September 27, 1972; page 32500.

Rivers and Harbors—Flood Control (S. 4018).—To authorize the construction of certain public works on rivers and harbors for navigation and flood control; September 27, 1972; page 32522.

Safe Drinking Water (S. 3994).—To assure that the public would be provided with an adequate quantity of safe drinking water; September 28, 1972; page 32738.

Railroad Facilities Repair (S. 3843).—To authorize loans to certain railroads for restoration or replacement of essential facilities and equipment damaged or destroyed as a result of recent floods; October 6, 1972; page 34206.

Motor Vehicle Safety (H.R. 15375).—To authorize funds to carry out the National Traffic and Motor Vehicle Safety Act; October 6, 1972; page 34208.

Housing Loans (H.J. Res. 1301).—To extend authority of the Secretary of Housing and Urban Development relative to insurance of loans and mortgages under the National Housing Act; October 6, 1972; page 34271.

Veterans (S. 4006).—To increase income limitations relating to payment of disability and death pension and dependency and indemnity compensation; October 11, 1972; page 34759.

Maritime Authorization (H.R. 16987).—To authorize funds for certain maritime programs of the Department of Commerce for fiscal year 1973; October 13, 1972; page 35863.

Alcohol Abuse (H.R. 16675).—To extend for 1 year the program of grants for State and local prevention, treatment, and rehabilitation for alcohol abuse and alcoholism; October 13, 1972; page 35992.

Appropriations—Continuing (H.J. Res. 1331).—To make further continuing appropriations for foreign assistance activities for fiscal year 1973; October 16, 1972; page 36646.

Taxation (H.R. 7577).—To amend the Internal Revenue Code with regard to payment of Federal excise tax under the Federal Unemployment Tax Act; October 16, 1972; page 36656.

Health Programs (H.R. 16676).—To amend the Community Mental Health Centers Act to extend for 1 year the programs of assistance for community mental health centers, alcoholism facilities, drug abuse facilities, and facilities for mental health of children; October 17, 1972; page 36740.

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

Mr. PERCY. I yield.

Mr. CURTIS. I am sure the Senator is talking about printed bills that have been sent to a committee, and I am sure that many of those bills were private in nature.

The PRESIDING OFFICER. The time of the Senator has expired. Who yields time?

Mr. PELL. I yield 2 minutes—and I hope this may be the last 2 minutes—to the Senator from Illinois.

Mr. CURTIS. I am sure that the bills that are passed by unanimous consent are substantially all printed. They have been to a committee. They have been scrutinized by the committee. They have not been called up at a time when a communication from the author clearly indicated they would not be considered "yesterday."

Mr. PERCY. The distinguished Senator was not on the floor when I explained before that this is not a bill; this is a sense of the Senate resolution. The precedent was found on October 8, 1970, when the Senator from Illinois used exactly the same procedure. Then it took only 11 minutes from the time he submitted the resolution until it was adopted by the Senate. Yesterday afternoon there was far more time. The Senator, himself, was on the floor. We debated this matter for 35 minutes.

Furthermore, the distinguished majority leader used exactly the same procedure on September 9, 1972, when he had a sense of the Senate resolution regarding the killings at the Olympics.

This is not unprecedented. The whole idea for this resolution, as embodied in the RECORD as of this morning, was followed by the Senate in 1924, in a somewhat similar case.

I am extremely sorry to have this disagreement with my colleagues.

Mr. CURTIS. I do not think the situations are comparable at all. This is a controversial issue.

The PRESIDING OFFICER. The time of the Senator has expired. Who yields time?

Mr. PERCY. Mr. President, will the Senator yield me 1 minute?

Mr. PROXMIRE. I yield 1 minute to the Senator.

Mr. PERCY. Mr. President, I implore Senators to do exactly what they said they wanted to do—to have adequate time to debate this issue. The Senator from Illinois and all his cosponsors are perfectly willing and agreeable to this.

I renew my request, and I urge that it not be objected to.

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

Mr. PERCY. I yield.

Mr. COTTON. For some unknown reason, the minority leader objects to that procedure.

Mr. PERCY. Not to the unanimous-consent request. As I understand it, the minority leader does not object to the unanimous-consent request the Senator from Illinois is putting forward, which would totally and completely answer every question that has been raised.

Mr. COTTON. He had no objection yesterday, but I understand that he suggested that the Senator from Illinois——

Mr. PERCY. Mr. President, I renew my unanimous-consent request——

Mr. COTTON. I renew my objection.

Mr. PERCY. I renew my unanimous-consent request that the Senate action agreed to on Senate Resolution 105 on May 1 be reconsidered and that a vote on the readoption of the resolution occur on Tuesday, May 8, at 3 p.m.

Mr. TOWER. Regular order, Mr. President.

Mr. COTTON. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. CURTIS. Will someone yield me 3 minutes?

[Laughter in the galleries.]

Mr. ROBERT C. BYRD. Mr. President, may we have order in the galleries?

The PRESIDING OFFICER. The galleries will be in order.

Mr. MANSFIELD. Mr. President, how much time remains and how is it allocated?

The PRESIDING OFFICER. The Senator from Wisconsin has 25 minutes. The Senator from Rhode Island has 21 minutes.

Mr. PROXMIRE. I yield 3 minutes to the Senator from Nebraska, but I wonder how long we are going to keep yielding our time.

Mr. MANSFIELD. This will be it.

Mr. PROXMIRE. I yield 3 minutes to the Senator from Nebraska.

Mr. CURTIS. Mr. President, inasmuch as I was the one who asked that this matter be reconsidered, I think it is in order that I make a brief statement.

My purpose in asking that the resolution be reconsidered was based upon the the fact that it had never been printed, it had never been to a committee, and, in my opinion, it precluded the consideration of former Senator John Williams to be called in and to find out all the facts in reference to Watergate. Therefore, I thought it should be reconsidered.

The fact is that the debate has shown that every Senator understands that the resolution is not the sense of the Senate. I am sure that every Senator realizes that. I am sure that the press gallery realizes it. I am sure that the President realizes that the resolution is the sense of five Senators. As such, I am willing to let it stand.

Mr. PERCY. Mr. President, 18 Senators cosponsored the resolution.

Mr. CURTIS. I have seen bills defeated that had more than 51 cosponsors.

Mr. PERCY. So far as the Senator from Illinois knows, every Senator whose name appears on the resolution today stands behind the resolution and believes in it.

The Senator from Arizona (Mr. GOLDWATER) reaffirmed to me this morning his belief that this is the right way to proceed. We are trying in every way possible to fulfill our responsibilities to the American public and to make certain that everything the President said on Monday night would be fulfilled. This is the way to provide that assurance. When the President of the American Bar Asosciation says we should have a special prosecutor——

Mr. CURTIS. Mr. President——

The PRESIDING OFFICER. The Senator from Nebraska has the floor.

Mr. CURTIS. I do not know what the excitement is about. The resolution has been agreed to. I am not asking that it be reconsidered. Let it stand as the sense of five Senators.

The PRESIDING OFFICER. The time of the Senator has expired. Who yields time?

Mr. PERCY. Mr. President, I should like to make a 30-second comment.

Mr. PROXMIRE. I yield 30 seconds to the Senator from Illinois.

Mr. PERCY. The Senate could not accept the amendment offered by the Senator from Nebraska. There is no way in which we can incorporate that amendment into the resolution unless we reconsider it. The Senator from Illinois said he was ready to accept the amendment last night, but there was no parliamentary procedure by which we could accept the amendment as long as there were objections to reconsideration of the resolution.

Mr. CURTIS. Was not the Senator the one who objected?

Mr. PERCY. If the distinguished Senator from Nebraska would agree to the unanimous-consent request and convince his colleague to do so, we could accept it forthwith.

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

Mr. PROXMIRE. Mr. President, I call for the regular order.

The PRESIDING OFFICER. The regular order has been called for.

Mr. PELL. Mr. President, I suggest that we bring the arena of combat from the Republican side to the Democratic side and get on with the amendment before us concerning the arts and humanities endowments.

Mr. TOWER subsequently said: Mr. President, the Senator from Illinois (Mr. PERCY) mentioned today in the course of his discussion of the resolution agreed to by the Senate on yesterday that he had discussed the matter with me. The Senator is absolutely correct. He did discuss the matter with me.

I did say that I would certainly be willing to follow the leadership of the Senator from Pennsylvania (Mr. SCOTT) when the amendment was brought up.

Mr. President, it was my understanding that the matter would not be brought up until after the Republican policy committee meeting had discussed it.

I know that the Senator from Illinois would want the record to be clear. I had offered to discuss the matter during the Republican policy committee meeting and had assumed that it would not be taken up until after that meeting.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES AMENDMENTS OF 1973

The Senate continued with the consideration of the bill (S. 795) to amend the National Foundation on the Arts and the Humanities Act of 1965, and for other purposes.

Mr. PELL. Mr. President, yesterday in this Chamber I urged the passage of S. 795 to provide increased funding levels for the National Endowment for the Arts and the National Endowment for the Humanities—levels which were reported favorably and without a dissenting voice by the Committee on Labor and Public Welfare.

I stressed in my remarks the fact that these endowments have reached a point of maturity, that they are now on the threshold of having the kind of major impact on the cultural well-being of our country which we who initiated this legislation 8 years ago hoped some day would come true.

I stressed the imaginative programs both endowments have undertaken in the past and are now prepared to expand in the future. Far from being the dead hand of government in these most important and significant cultural areas, these programs provide great incentives for quality—and I emphasize that word again; and they provide the incentives for private giving and private support at a ratio of 2, and 3, and 4 times the amount of the Federal investment. I stressed that through the two private citizen councils—52 in total membership—which guide the endowments in their work, through the panels of private citizen leaders, numbering in the hundreds, which also guide the work of the endowments by helping to screen applications and requests for support before these reach a point of final deliberation, a broad partnership between government and the private community is established.

In this regard, let me refer to the testimony of Dr. Ronald Berman, chairman of the National Endowment for the Humanities, before our joint congressional hearings. He pointed out that more than 3,000 individuals across the country, acting as volunteers and in addition to the formal panels, provide the humanities endowment with advice and help in the screening of applications each year.

I also emphasized that there is specific provision in this legislation we are debating which precludes Federal intervention or control or dominance over these who are supported by either endowment.

Mr. President, as an outstanding example of the imaginative leadership I have mentioned, let me call attention to the Jefferson Lecture Series, which is supported by the humanities endowment. Last night I had the opportunity of sharing in this series. This year's lecturer is Dr. Erik Erikson, one of the leading humanists of this century.

I ask unanimous consent that the outline for this year's series, prepared by Dr. Erikson, be printed at this point in the RECORD.

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

DIMENSIONS OF THE NEW IDENTITY—JEFFERSON LECTURES, 1973

(By Professor Erik Erikson)

This summary outlines the scope of the lectures, and explains some of the concepts used. A summary, of course, is a mere skeleton; the lectures must provide the body of illustrative materials.

FIRST LECTURE

The Founders: Jeffersonian Action and Faith

Although these lectures are meant to be in the spirit of Thomas Jefferson and not necessarily about him, the lecturer found it impossible to "get around" this great figure, only to find that it is even more difficult to "get at" him,—as, indeed, all his biographers have complained. The lecturer decided to use selected well-known themes from Jefferson's life to illustrate some principles of "psychohistory," a new and somewhat fictitious "field" often associated with the lecturer's name.

The title of the lectures contains one of the lecturer's main concepts. "Identity" means, 1. a person's sense of being-at-one with himself, as he grows and develops (sameness, continuity, uniqueness, wholeness and 2. his sense of affinity with a group's (tribe's, nation's, creed's, profession's) sense of being-at-one with its culture and history. A New Identity is the result of radical historical change and here is, of course, meant to characterize the emerging American Identity as first expressed by and embodied in such men as Jefferson.

I. Introduction: Case History, Life History, History

Because of the origin of the so-called "Psycho-History" in psycho-analysis, the lecturer must first clarify some simple points which are being blurred in the literature. A Case-history gives an account of where and why a person fell apart, a Life-history, of how and why a person hangs together. The hero of a life-history may be having a neurosis but his neurosis, as it were, does not have him. The life-history of a historical figure furthermore must take account of a leader's superior competence in making his personal conflicts as well as his gifts representative of the conflicts and the promises of his time. The life history of a leader, therefore, must be seen in relation to the developing world view for which he becoms representative.

In sketching this development in Jefferson's life and time, the lecturer will, in the short time allotted to him, rely more on Jefferson's writings than on his career as a statesman. In fact, the lecturer sees himself as a kind of consultant, representing the field of human development, to an "academy" of scholars studying Jefferson the statesman, the humanist, and the enigmatic personality.

II. The View From Monticello

Jefferson's famous home, "elevated" as it was geographically, socially, and philosophically, is pictured as a center of the developing world view of the New America. Jefferson, in his "Notes on the State of Virginia," written at the unlucky conclusion of his governorship of that state, gives a rare survey of "his country's" extension and statistical structure as well as of his own ideological and emotional place in it; and Surveyor, indeed, is one of the major elements in Jefferson's identity, as inherited from his father and characterizing his vision as a Statesman. His descriptions of nature, in turn, illustrate the wide-ranging Amateur, in the best sense of the word. Under the heading of "Manners" Jefferson reveals the Ideologue in an account of his passionate opposition to slavery. In a situation where nearly half of the population were slaves, he foresaw inevitable (if not undeserved) disaster; but interestingly enough, he was especially concerned with the impact of slavery on American children. Unhappily, but frankly, he expresses his conviction as a Naturalist, of the inferiority of the black race, and pictures White as more beautiful. Indeed, he suggests "colonization," which then meant a separate but free and equal state for all blacks.

The lecturer will return in the conclusion of the first lecture to Jefferson's personality.

III. Identity and "Pseudo Species"

The lecturer considers such conflicts between theological faith ("born equal"), political conviction and "naturalist" observation no cause for name-calling or for psychiatric diagnosis—and least of all for both. He discusses his concept of Pseudo-Speciation as a universal human trend deserving persistent analysis in all periods of history. The term suggests that groups of men sharing a tribal, national, religious, or economic world view, are apt to think of themselves as the exemplary human species, while considering others and especially some others as excluded from it "by nature" or the nature of things. For this conviction knowledge and logic are periodically dropped, and nation or class, race, creed, or indeed, occupation are glorified: therefore the "pseudo". In Jefferson's time, in fact, the emerging new American Identity had to live down an assumption by European naturalists that on the American continent neither animals nor men had a chance to reach the height (meaning both size and loftiness) of the North-European species. Illustrations are given for "scientific" views held by Europeans concerning the American Indians and "Colonials" and, in turn, views held by Americans such as Jefferson's friend Dr. Rush on faraway Turks—and close—by Tories. It is suggested that, seen from a psychoanalytic point of view, such prejudices are fed by a universal (and yet, of course, mostly unconscious) need to "project" onto others what is felt to be bad, sick, or made in oneself—that is, one's negative identity.

IV. New World, New Identity

Against this background, the New American Identity can be seen in its developing dimensions. The lecturer proposes that a new identity rests on the mastery of factuality, that is, new facts that prove verifiable by the best methods of investigation available, and by new work techniques; a new sense of reality embracing but transcending these facts and promising independence from outlived world images; and a new actuality, that is, new forms of social interaction setting free new productive and political energies. All these together provide an era's conviction about *Truth*, such as Jefferson was so extraordinarily able to put into words in the Declaration of Independence. Thus American thinkers and orators could develop and propagate a world-image which first of all freed America from being on the national, economic, and cultural fringe of Europe. The new continent offered an opportunity "to realize the possibilities of Creation" itself. Expansion and Experimentation, and, above all, Action and Work were the ways of the Lord, who Himself was remade in the American image as the world's "Maker" and "Fabricator." (The new uses of the word "make" in the emerging American language will be given some attention).

The dimensions which every new world view must develop in order to meet the needs of the collective and of the individual identity are listed thus: in the past, a doom or a curse must be pictured as overcome, a special election as confirmed. In the future, a great chance must be clearly envisaged, a new type of man appear realizable. From above, Deity, Fate or History must be certain to sanction the Enterprise. But, alas, a new positive identity also demands a new negative one, personified by those who are below: inferior, dependent, or deviant.

V. The Perspective of the Mount

During his presidency and thus during the vigorous expansion of the country he led, Jefferson was privately pre-occupied with the Gospels, which he (literally) took apart, in order to extract his own gospel. His original "bible" was lost. The lecturer will use a compendium produced in Jefferson's old age to show the relation in his mind between the new American Identity and that religious part of any identity which deals with the awareness of death. There are two roads to a sense of immortal identity: one via one's earthly identity within a special species of man led by "immortal" leaders; and the other via the transcendence of that identity as exemplified (in our civilization) in the life and death of Jesus. It is interesting to see what to Jefferson, as the bearer of the New American Identity, appears to be the genuine presence of Jesus in the Gospels. His selections are reminiscent of Gandhi's remark that God appears to you only in action, and, incidentally, seem to be in general accord with modern Bible research.

VI. Conclusion: Protean President

Jefferson has been called a Protean man, because in different segments and periods of his life, he seemed to personify different appearances which most mortals would find it impossible to unify and make fruitful. He was down to earth and "elevated"; "wearing the character of a farmer," and yet aristocratic; activist and philosopher; bookman and politician. The lecturer concludes that this very freedom of choice and self-made unity of traits was just what the New American Identity called for. Like Goethe, he personified the classical facade of the Greco-Roman world (expressed also in his architecture) as well as the practical precept of Christianity and the political philosophy of English tradition. The lecturer will illustrate some of the aspects of Jefferson's personality which stand out on first study and to which certain broad psychoanalytic judgments could be applied. Concerning these, he himself showed an extraordinary awareness. Personal idiosyncrasy and conflict, however, also served Jefferson to become that public personality, on the unique Facade (in the classicist sense) of which he worked all his life—even when he wrote those thousands of letters which he wished to have preserved for their "warmth and presence of fact and feeling." The lecturer will suggest that the self-made Image in Jefferson's personality alternately arouses admiration and total acceptance, and incredulity, if not suspicion, and this especially in regard to such most intimate aspects of his life as he successfully sought to keep from the view of posterity.

The "academy" envisaged above, consisting of both women and men, would have to discuss such feelings before being able to weigh the data in the light of changing perspectives.

SECOND LECTURE

The Inheritors: Modern Insight and Foresight

I. Introduction: The Living Generation

Having to leave Jefferson behind, we will choose a few of his utterances as links between the first lecture and the second. The second lecture being roughly devoted to the development of a Living Generation, the lecturer suggests that "born equal," seen in the light of modern insight, must mean "born with an equal right to develop." Excerpts from a correspondence between Jefferson (then in his mid-forties and Minister to France) and his oldest daughter (then in her teens) will illustrate his ideas of maldevelopment.

II. Dimensions of the Political Vision

It will be necessary to repeat some of the formulations of the New Identity in Jefferson's time, as they deal with the immediate and the mythical past and future, the Deity above and inferior men below. Newness is shown again as invigorating in its beginnings and in American history always reemphasized in "New Deals." But, of course, newness as a condition for a sense of identity can also become obsessive oratory—and sensationalism. The question before us—to put it in the form of a slogan—is what inner deals a person may make with his conscience, his knowledge, and his memory when he is confronted with political deals. Here again, our (partial) answer must come from the psychology of development.

But if, as was said in the first lecture, a New Identity takes into account a period's factuality, supports a sense of reality, and mobilizes actuality, one brief look back on Monticello will convince us of the impossibility in our time of fathoming the macroscopic or microscopic facts of nature (now reaching to the "end of space" and the "beginning of life") or of technocracy; of accepting into our sense of reality such events as the Holocausts, the nuclear threat, the moonshots, or even the Vietnam war; or of maintaining the actuality of communal living in the network of mobility and mass communication. No wonder that, as never before, our young demand the right to an identity as "human beings." And, indeed, Developmental Psychology verifies that while the world image changes radically, every new infant must still be "grown" with built-in potentials and limitations. Also while man's techniques, self-images, and ideals may change radically, other (more unconscious) parts of him change extremely slowly, such as his primitive conscience and the deals he must make with it for the sake of self-assurance and righteousness. For this reason, psychoanalytic insight must always continue to explore such patterns of fundamental strength and of lasting weakness as remain at the basis of human motivation throughout life, and may re-emerge in crises of person or history.

III. The Basic Language of Bodily Existence

The lecturer will suggest certain roots in personal (ontogenetic) development of the need for a world image of the kind outlined in the first lecture. Here he comes to conclusions so simple as to appear banal, and yet fundamental to much that has already been or will yet be studied on the frontier of psychoanalysis and political science. He discusses the fateful evolutionary fact that man, in the long process of growing up, stands up, and develops space-time perspectives endowed with deep, conflicting and lasting meanings: upward and downward, forward and backward. Here the audience is asked to envisage something like a weathervane, the main arms of which would point not only upward and downward, but also in such space-time directions as ahead and in front, behind and in back. Smaller arms, in addition, would point starlike to such combinations as above and ahead, behind and below, etc. Every language is full of metaphors which seem to serve our sensory and social orientation in this business of growing up and looking ahead. But social life makes all directions ambiguous. For example, that somebody is "behind me" can mean that he is "backing me up," or is "lagging behind me," or is "after me."

Using the weathervane, one could go in many directions. Far from being "facons de parler," however, these metaphors express emotional connotations such as elation or depression, hope or fear, shame or guilt—the latter two, for example, signifying the danger of "standing out" as ridiculous, or being burdened with an irreversibly "bad" act in the past.

Psychoanalytic insight would add that each person, as he grows up, comes to develop within himself a corresponding space-time "map" signifying his relation to different aspects of himself—such as a higher and a lower self, a self visualized in the future and another left behind. How this inner world is projected on world events and vice-versa is a subject that can only be jointly studied by psychoanalysis and political science.

Many complex aspects of political psychology are under such study; but it is suggested that these simplest dilemmas of space-time existence must help explain the need not only for a firm sense of individual self-sameness and continuity (another formula for identity) but also for a political arrangement by which persons "back each other up" in the struggle for existence and power. In fact, only the study of such universal primitive needs persisting in the midst of the dangers of technological civilization can explain how people can be led and misled by certain simplistic visions and slogans.

IV. Liberation and Insight

In further pursuit of civilized man's primitive moralism, the lecturer returns to the negative identity suggested in Jefferson's lecture to his daughter (he warned her of sin, un-Americanism, hypochondria, and hysteria all on one page). The lecturer will briefly refer to the humanitarian progress in psychiatry made in Jefferson's time by Benjamin Rush who, in line with the new times, advocated an active life for those deemed mad or sick; and he will point to Sigmund Freud's liberation by insight of the repressed forces in man. But the lecturer will also reiterate the slow abandonment (and frequent reinstatement) of the age-old idea that the bad, the sick and the mad (whether they are children, or patients, or inmates) must be scared or punished, "purged" or "bled," chained or incarcerated in one form or another.

He will suggest that this is one area in which, through the ages, man's conscience, as acquired in childhood, permits and demands most primitive measures in the name of righteousness. In fact, the mere putting away of deviants (and especially of young ones) can be compared to inner repression: in both, spontaneous development is inactivated and (possibly) important recuperative powers lost both to the individual and his society. Permissiveness and punitiveness will always alternate, but the lecturer will suggest that developmental considerations concerning the reinduction into the Living Generation of those punished and isolated should outweigh psychiatric diagnoses as well as legal classifications.

The liberation movements of our time are seemingly in opposition to moralistic suppression. And yet, they often exhaust themselves in a moralistic blaming of the oppressor. Even if justified emotionally, such turning around in itself can defeat the liberating spirit. This tendency could be overcome only by the simultaneous attempt to gain insight into the inner deals which the complainants (youth, women, Blacks) have historically made with the special roles assigned to them. In the case of women, such insight would, in fact, help men, too, to see what potential self-development they sacrificed for the sake of a self-made masculinity marked by some obviously atavistic prejudices.

If time permits, the lecturer will also return once more to Jefferson's remarkable warning concerning the impact on children of their parents' cruel behavior toward slaves. He will suggest that the display of punitive and vindictive behavior, personally or nationally, may have deleterious effects on the expression of aggression in childhood and youth.

V. Crisis of the New Identity

The integration of the enormously expanded vision of human potentials with the insightful guidance of each developing person are the main tasks for an adult identity. Here the very "unlimited newness" which was shown to be so essential a feature in Revolution and Independence, may be leading to a "Protean" assumption that anything goes: any and all roles, any and all forms of association, any and all variations of sexuality—all hailed as signs of a new consciousness. However, where liberation ignores what a person can integrate and a society live by, it abandons both psychological and political actuality. Above all, it neglects the developmental rights of the living and to-be-living generations.

VI. Conclusion: A Century of the Adult?

The so-called Century of the Child has told us much about childhood and about the child in the adult, much about youth and its needs for identity, but little about the adult of today and of the future. The lecturer will recount some difficulties in facing adults with the question of adulthood. He proposes studies on the changing stature of adulthood in various civilizations; and in the meantime suggests that an adult is a person who takes care of whatever he cares to be and cares for—and of whatever he cares to cause to be.

Mr. PELL. Mr. President, it is eloquent testimony to the kinds of imaginative programs which the endowment supports. Like programs in the arts—the artists in the schools program or the programs to aid the individual States—it relates to the dissemination of the arts and humanities to the broadest possible audience. The Jefferson Lectures are published and thus given wide circulation nationally and internationally. They become part of our cultural heritage. And in this case they serve to translate knowledge into wisdom, which as I said yesterday, is my brief definition of the service the humanities provide.

I also ask unanimous consent to have printed in the RECORD following these remarks two telegrams I have received endorsing S. 795 as it had been reported—one from the American Federation of Teachers, and one from the Authors League of America.

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

WASHINGTON, D.C.,
May 1, 1973.

HON. CLAIBORNE PELL,
U.S. Senate,
Washington, D.C.:

The American Federation of Teachers warmly endorses S. 795 to continue the programs of the National Foundation on the Arts and Humanities for the next three years. In terms of the need to support our cultural institutions we believe the funding levels called for are appropriate and necessary. Expanded opportunities to experience the arts

and humanities are necessary if we are to have a well educated citizenry.

DAVID SELDEN,
President.

NEW YORK, N.Y.,
May 1, 1973.

Hon. CLAIBORNE PELL,
U.S. Senate,
Washington, D.C.:

The Authors League of America urges that the Senate authorize the amount now provided in S. 795 for the National Foundation on the Arts and Humanities. Their programs have made invaluable contribution to performing arts and scholarship and the Nation has benefited greatly from this indispensable investment in our national culture. We realize that there is a shortage of funds for essential programs. However the amount allocated for the "arts and humanities" is not a "frivolous" expenditure. We trust that the foundation will devote a large portion of these funds to projects which serve the interests of low income groups and areas which otherwise would be deprived of these benefits.

JEROME WEIDMAN,
President.

Mr. PELL. Mr. President, I yield the floor.

Mr. PROXMIRE. Mr. President, I yield myself such time as I may require.

The PRESIDING OFFICER. The Senator from Wisconsin is recognized.

Mr. PROXMIRE. Mr. President, first I wish to summarize my position in connection wih my amendment. Somehow the Senator from Rhode Island and others who oppose my amendment have given the impression that my amendment would be harsh on the arts and humanities. As a matter of fact, my amendment would be extraordinarily generous. It provides for a very rapid increase in the program. It does indeed cut down on the terrific, enormous increase which the committee provided.

Under the bill, funds for the foundation explode. They rise by geometrical proportions.

The annual increase in funds for the foundation since its inception 5 years ago has been $20 million a year. In fiscal year 1973 they received $80 million.

But under S. 795 their funds would double from fiscal year 1973 to 1974, or from $80 to $160 million. This is a 100-percent rise.

In both fiscal years 1975 and 1976, the annual increase would be $120 million and the total funds would rise to $400 million by fiscal year 1976.

This is both unprecedented and unconscionable.

PROXMIRE AMENDMENT

My amendment No. 94 would limit the increase to $40 million a year in each of the next 3 fiscal years. That figure, far from being niggardly, is double the annual increase of $20 million which the foundation has received in the past.

I ask unanimous consent that a table showing the funds authorized in the past and those proposed under S. 795 and under the Proxmire amendment be printed at this point in the RECORD.

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

TABLE 1.— *Actual and proposed authorizations for the National Foundation on the Arts and the Humanities for fiscal years 1969–76*

[In millions]

Fiscal year:	Amounts
1969	$22.75
1970	24.75
1971	40
1972	60
1973	80
Proposed amounts under S. 795:	
1974	160
1975	280
1976	400
Proposed amounts under Proxmire amendment:	
1974	120
1975	160
1976	200

WHY THE PROXMIRE AMENDMENT SHOULD PASS

Mr. PROXMIRE. Mr. President, there are any number of reasons why the provisions of S. 795 should be defeated and the Proxmire amendment should pass.

PROPOSED FUNDS ARE EXCESSIVE

First, the funds sought by the Foundation are excessive. It is almost as much money as the $425 million the President cut from the OEO funds for fiscal year 1974.

It is five times the amount we spend for the Peace Corps.

It is twice the amount the President cut from REA funds for next year.

It is a fivefold increase, not just an annual increase to overcome inflation and pay raises. This program explodes.

It is also excessive because funds just cannot be spent efficiently that fast. It is bound to bring waste if the grants to the arts and humanities rise fivefold in this short period of time.

As I am going to indicate in a moment, much of the money spent now is wasted. Mr. President, you can imagine what you will have with this unprecedented increase in spending.

WILL PROMOTE STALE, STERILE, AND SECOND RATE ART

Second, it will promote stale, sterile, and second rate art. Great art and artists are not universal commodities. They are unique people and unique works. There is no way to promote excellence in the arts by shoveling out the money. It cannot be done.

DANGER OF GOVERNMENT TAKEOVER OF THE ARTS

Third, there is a great danger if this expansion continues, that we will get a Government takeover of the arts in this country. That means the dead hand of Government and the dead hand of censorship over art.

Yesterday, in a very interesting statement, the Senator from California (Mr. TUNNEY) argued against my amendment on the grounds that John Locke, the great English philosopher and essayist, would not be able to write if he had not gotten support. The Senator could not have chosen a better example from my standpoint. John Locke was a philosophical radical and he deeply opposed the monarchy in England at the time he wrote. John Locke never could have gotten any kind of money from Government funds. The writing of John Locke, as the Senator from California agreed, was the basis for Thomas Jefferson's Declaration of Independence. It was the philosophical basis for our revolution, our fight against the Crown, for losing this valuable investment which the British Government had at that time.

We have just seen the censorship of the film "State of Siege" because the authorities had one eye on the Government and the funds they receive from the Government. This will happen time and time again if art in this country will come to depend mainly on Government support. Some Assistant Director of OMB or the chairman of a congressional appropriation committee will one day become our czar of the arts.

One of the arguments made was that we spend too little money in this country for the soul, the spirit, for the arts, and for artists. It was argued that the amount we spend on a per capita basis is less than the amount spent in many countries. What is overlooked is the fact that we have a private system to support the arts and that private system is only partly private, and it permits wealthy individuals to make enormous donations to museums, artists, and the humanities in all kinds of ways, and to deduct those donations from their taxes.

We have checked carefully with the Internal Revenue Service and our best estimates are that the amount donated by individuals is $2.5 billion, which is about 10 times as much as would be provided by this bill. Of the amount of $2.5 billion the sum of $1.250 billion of that roughly is the contribution of taxpayers presently in tax expenditures. Contributions are deductible from large incomes, and, of course, those with large incomes, in the 50 percent bracket, make those contributions. So we already make substantial contributions and it is my contention we should do our best to see that these contributions remain private, that they come primarily from the great foundations and from individuals, rather than primarily from government.

It is good to have a Government program and my amendment permits it, and it permits rapid expansion, but to have the program explode in this fashion means there will be less emphasis on private support, which provides for a freer, more innovative, more individualized art and I think art of higher excellence.

I would like to just give a few examples of waste we already have in the program. For example, $75,000 was given for college entrance examination board, New York City and Princeton, N.J., for the second phase of development of three innovative and high quality advanced placement courses; two in the individual arts and one in music. Why should that be done by these funds? If it is a sensible thing to do and if it is logical why should it not be done by experts in the education field from HEW or by private funds or by national science funds?

Everyone knows advanced placement courses are courses filled by upper middle class young students.

As another example, I refer to the $10,000 given for the foundation for interior design for the accreditation of interior design education curricular. That is marginal, at best. HUD or HEW might assist them if they found it was worthwhile. They are the experts to determine the matter, but not this foundation.

Thirty thousand dollars for Industrial Designers Society, New York City.

How can we justify arts and humanities money in this direction? These ex-

penditures already being given. Can you imagine what kind of programs will be aided if we provide such a terrific explosion in expenditures as is being advocated in the committee bill?

Thirty-three thousand, two hundred sixty-three dollars was given to the New York State Council on Architecture for a program to develop public awareness of architecture and the quality of the manmade environment.

That may or may not be a useful project, but those who can best determine that question would be the officials in the Department of Housing and Urban Affairs.

Forty-five thousand, eight hundred fifty-six dollars was given to the Poets, Playwrights, Essayists, Editors, and Novelists, New York City, to continue and expand its program of various services to authors throughout the country.

Mr. President, this is a matter of administration, not a matter of subsidizing some impoverished writer or some essayist who has a good mind and something to say but needs the funding in order to be able to say it, but in order to keep this bureaucracy in operation.

Twenty thousand dollars was provided for the Volunteer Lawyers for the Arts, to expand the legal services program.

The administration killed the legal services program for the poor. Now it has been urged that we provide legal services to the arts for $20,000.

Mr. President, these are some items of a whole series which it would take me far more time than I have to list. It is an example of the kind of thing that would multiply very greatly if we expand this program too fast.

Mr. President, I reserve the remainder of my time.

UNANIMOUS-CONSENT AGREEMENT ON S. 755, TO PROVIDE 4-YEAR TERMS FOR THE HEADS OF THE EXECUTIVE DEPARTMENTS

Mr. MANSFIELD. Mr. President, will the Senator yield me 1 minute?

Mr. PELL. I yield 1 minute to the majority leader.

Mr. MANSFIELD. Mr. President, if I may have the attention of the Senators, a unanimous-consent request was made by the assistant majority leader around 5 minutes to 1, and it was objected to by the distinguished Senator from Alabama (Mr. ALLEN). Since that time, I have been informed that his objection has been removed, and I would like to repeat the unanimous-consent request of the distinguished assistant majority leader at this time:

Mr. President, I ask unanimous consent that the vote on S. 755 occur today immediately after the vote on the Proxmire amendment; that time for the rollcall vote on S. 755 be limited to 10 minutes; and that the unfinished business remain in a temporarily laid aside status until the vote is taken on S. 755.

Mr. JAVITS. Mr. President, what is S. 755?

Mr. MANSFIELD. It is a bill on the calendar which provides for 4-year terms for the heads of the executive departments, reported on April 17.

Mr. President, I also ask that rule XII be waived.

The PRESIDING OFFICER. Is there objection?

Mr. PROXMIRE. Mr. President, I shall not object, but, reserving the right to object, in the event my amendment should not succeed, I have an amendment I would like to offer as soon as that amendment is acted on, and I would be happy to agree to a limitation of time on it.

Mr. MANSFIELD. Mr. President, the leadership is in a box because the manager of the unfinished business (Mr. McGEE) is to be recognized at that time, so we would have to work out another agreement.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the majority leader? The Chair hears none, and it is so ordered.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES AMENDMENTS OF 1973

The Senate continued with the consideration of the bill (S. 795) to amend the National Foundation on the Arts and the Humanities Act of 1965, and for other purposes.

The PRESIDING OFFICER. Who yields time?

Mr. PELL. Mr. President, I yield myself such time as I may require.

I was struck by the remarks of the Senator from Wisconsin. He marshaled his arguments well. I shall not go into them point by point. However, I would just like to make reference to one matter at this time, and that is that I think the basic reason why "State of Siege" was removed as the opening motion picture—and I was there at the time—was that there was a question of taste involved, because there was present in the audience those who personally had been afflicted with assassinations. It was not a question of censorship, but one of taste.

With regard to the amount of funds that are generated by Federal funds, for every dollar of Federal funds to the arts, there is a general ratio of about $3 in private funds already being given. The total ratio of Government to private funds is difficult to determine. It may be 10; it may be 20; we do not know.

Yesterday the Senator from Wisconsin mentioned the figure of $1.2 billion that is given to the arts from private sources through the tax-exemption mechanism. This may be a figure which is substantially greater than that represented by Government funds, but the Government funds serve as very necessary seed money.

Mr. President, I yield the floor at this time.

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

Mr. PELL. Mr. President, I yield as much time as he desires to the Senator from New York.

Mr. JAVITS. Mr. President, we come to the vote on the amendment of the Senator from Wisconsin. As I said yesterday, the Senator from Rhode Island and I respect what he is trying to do, but thoroughly disagree with him. I would like to refer again to the factor which has been raised by the Senator from Wisconsin respecting what provisions would be helpful to the program, rather than harmful to it, if his amendment should carry.

I would like to point out first that the amounts which we proposed in this bill simply represent the flowering of the program which has been developing over these past 8 years. The allegation which concerns me the most is the allegation that the endowments cannot effectively use the amount of money which we are seeking. That I challenge. The money will not be wasted. On the contrary, we are wasting tremendous opportunities today in both the arts and humanities fields.

We pointed out, for example, that there are 90,000 schools in the country, and only 2,700 of such schools have any artists-in-school programs at all. We pointed out that this year's pilot program for professional theater touring enabled only two companies in 18 weeks to reach 27 communities in 11 States. Let each Senator from every State consider what can be done in his own State.

Our view is that what would happen would ridiculously undermine the arts requirements, and I believe the evidence will show it when we vote on the Proxmire amendment.

Further facts, Mr. President, come from the demands which have been made on these respective agencies, and perhaps are best illustrated by the extent to which States which do not have a reputation for being very profligate, especially small States, are themselves putting up money in order to get matching funds from the Arts Foundation, thereby indicating the enormously productive values which these funds have.

I mentioned that in my own State of New York we had gotten up to about $15 million of Federal matching which comes out of State resources.

Small States, Mr. President, like the State of Maryland, or the State of Missouri, which is now, for example, appropriating three times what it gets from the Federal Government, illustrate again the vast interest which the States are taking in these programs.

Finally, Mr. President, there is the item of demand. That concerns the applications coming in to both endowments which are not now being satisfied by them due to the paucity of resources which are available.

Some figures have been submitted by the National Endowment on the Humanities. These show that they have received 4,113 applications; 1,844 of those were screened out as a high priority funding. And of these only 22 percent, or 908, could be approved. In money terms, the applications amounted to $101.3 million; those rated highly for funding asked $45.5 million; but limited funds permitted grants of only $28.4 million, 28 percent of the total of applications.

Mr. President, this is quite apart from the matter of State matching and so forth which I had discussed previously. These are simply direct applications to the Humanities Endowment that are rated highly for funding. However, the

limited amount available allowed only $28.4 million or 28 percent of such applications to be realized.

I mention these facts and figures only by way of indicating that we are not seeking any padded authorization in this situation. We spoke yesterday of a signal example regarding the symphony orchestras of the country, in which there is so much interest in the Chamber. It is indicated that only 3.5 percent of the funding of those orchestras come from the National Endowment on the Arts.

Even if the Senator from Wisconsin (Mr. PROXMIRE) is right and we quintuple that support, that would mean only 15 to 17 percent of the funds for that particular art form would come from the National Endowment on the Arts. And that certainly is not going to represent their main support or make them a stale or sterile establishment as the Senator from Wisconsin asserts, or give the United States official control over the arts to accomplish any of the scare situations which the Senator from Wisconsin asks us to accept on faith.

Mr. President, I would like to close on that argument because no shred of evidence has been produced, even by the Senator from Wisconsin. The Senator from Wisconsin has promised to tell us a lot of horror stories concerning political influence which has suppressed or oppressed many of these programs.

The Senator from Rhode Island (Mr. PELL) and I are anxious to hear any evidence on that score because we pledge to the Senate—and I know that I speak for him as well as for myself—that we will be eternally vigilant in respect to the oversight responsibility of the U.S. Senate on such a matter. We consider that to be our main responsibility, to give a new vote of confidence in this program such as this vote would represent.

The Senator from Rhode Island and I have talked about the possibility of working out some compromise with the Senator from Wisconsin such as reducing the figures in the bill. On sounding out the Members, we have found that that would be a regressive move and that we would not receive support.

Normally people are interested in settling these things and getting them out of the way, and not having any controversy about them. On the contrary, however, in this situation we have been encouraged by Members of the Senate to stand fast.

This is a program for which the administration has given an item in the budget of $145 million in actual program authorizations and $8 million for administration. We are seeking $160 million in this bill as an authorization.

As we know, the growth of these programs has been such that Members generally feel that they should be—rather than should not be—accommodated by the action we take. Mr. President, we can always correct whatever action we take at the time of appropriations.

For the first year, which is the year we look forward to, we are taking the administration at its word. One program which is a popular people's program has represented in their budget estimate an amount that we believe meets the needs. Therefore, we have sought to obtain a figure very close to this based upon the testimony which we have.

Mr. President, for all of those reasons I hope that the Senate will reject the Proxmire amendment.

Mr. PELL. Mr. President, I thank the Senator from New York. I am prepared to yield back the remainder of my time. However, before doing so, I yield 4 minutes to the distinguished senior Senator from Minnesota.

Mr. MONDALE. Mr. President, I thank the distinguished manager of the bill.

I am pleased to join in urging Senators to support the pending legislation, S. 795, which would renew the authority of the National Foundations on the Arts and the Humanities. I hope that we are able to pass this measure without amendment.

Since the foundations were created in 1965, more Americans have been exposed to stimulating creative performances and ideas than ever before in our history. According to an article which appeared in Saturday Review magazine, "more than 600 million visits are paid to American museums each year, 12 million to symphony concerts."

There is a great upsurge of public interest in and commitment to the arts and humanities, and I see this nowhere more than in my own State of Minnesota.

Mr. President, the foundations have been extraordinarily helpful in the whole range of creative arts. We are delighted by the rule that has been played by this program.

With the added assistance of the Arts Endowment, fine Minnesota institutions like the Guthrie Theater, the Minnesota Orchestra, and Walker Art Center have been able to expand their programs and bring them to audiences throughout the State and even in other States. The Arts Endowment helped to support the creation and display of the historic exhibit "American Indian Art," in Minnesota and to bring performances by the Center Opera Co. and other cultural groups to areas of the Midwest which lack resident performing groups.

Mr. President, I understand that one of the arguments against a generous increase in funds is that it would be an inappropriate approach to increase the funds in this category while the President's budget proposes cuts in the poverty area. My answer is that I do not think he should be cutting funds in the poverty area. Second, many of these programs that are supported by the Foundation are for the purpose of opening up the arts to participation by the poor.

Mr. President, I do not have the figures because it never occurred to me to vote on these programs on that basis. However, I do know that the Guthrie Theater has had a longstanding program of free performances and reduced charges so that schoolchildren and others could have this magnificent opportunity to see and hear the great performances of that theater.

The same is true with respect to the Minnesota Orchestra and the Walker Act Center.

One of the reasons that I am so excited about the foundations is that they have had this trust of trying to open up the arts for the enjoyment and education of everyone.

We have Indian artists as fellows and students, youngsters who have practically no money. We brought them along and helped them to participate in the development of this field. We are helping them, and just as important we are learning from them.

Financial aid from the Humanities Foundation has spurred a statewide discussion of regional government, a timely topic of concern to many residents of Minnesota.

For many years there was in this country a debate about whether the Government should subsidize the arts. I think that the work of these foundations has proven that Government subsidies can be effective and that our national intellectual and cultural life is significantly enriched by them.

Mr. President, I am pleased to have served on the committee under the gifted leadership of the distinguished manager of the bill, the Senator from Rhode Island (Mr. PELL).

The PRESIDING OFFICER. Who yields time?

Mr. PROXMIRE. Mr. President, I yield myself such time as I may require.

This is in response to the Senator from New York (Mr. JAVITS), who has challenged me repeatedly and said he wanted to hear one horror story, one example of censorship or political determination of the basis of this program.

Repeatedly, Mr. President, I have given the example of "State of Siege." Let me document it further.

There was a double-barreled reason given for not showing the movie "State of Siege" at the American Film Institute Festival at the Kennedy Center. One reason was that it rationalizes a political assassination. Of course, that same reason could have been given for not showing "Julius Caesar" or "Nicholas and Alexandra," a picture about the last days of the czarist regime in Russia.

The second reason was that it was an inappropriate choice for the opening of the AFI theater in the Kennedy Center.

I find this second reason even more disturbing, because, when followed to its logical conclusion, it means that because Congress built a cultural center as a memorial to the late President Kennedy with Federal tax dollars, material must be sanitized before it can be shown at that Center.

Of course, the third and unstated reason for showing extreme caution in screening certain material in the new AFI theater is that it depends upon Federal support, and the papers here in Washington were full of that. I have articles here from the Post and the Star which document it fully.

Furthermore, I have a letter here, Mr. President, from the Authors League of America, signed by Jerome Weidman, president. He said the following:

"Censorship" is not limited to acts which openly and directly restrain the distribution of motion pictures or books. Censorship can be imposed subtly or indirectly, and yet inflict serious restraints on freedom of ex-

pression. To censor means "to assess, estimate or judge". "Censure" means an "expression of blame or disapproval". The expulsion of State of Siege from the AFI festival, to which it had been invited, was an act of "disapproval"; and, in fact, was accompanied by a statement expressing criticsm of the film. The expulsion cannot be defended as a mere expression of "taste"—censorship of literary works involves the substitution of the censor's "taste" for that of the artist and his audience.

Still reading from the letter from the Authors League of America:

The expulsion of State of Siege by the AFI has other nuances because the Institute derives a part of its support from the National Foundation. . . .

We believe that The American Film Institute's decision to expel State of Siege was extremely unfortunate; and that the Institute should move promptly to dispel all suspicion by inviting Mr. Constantin Costa-Gavras to exhibit State of Siege at the Kennedy Center.

If that is not an example of censorship, I do not know what is. I have offered it repeatedly, but neither Senator JAVITS nor Senator PELL seems to want to join me in argument.

In this case, an invitation to show the film at the AFI festival was followed by the film's cancellation. The censorship that occurs in these programs usually does not breach the surface, and we do not know about it. In this case, if Mr. Stevens had decided that the film was unsuitable before it had been scheduled, we would not have known about it. This raises the most disturbing question of all: How many films will not be shown because of precensorship, the type we never hear about? How many cases of precensorship will never be discovered?

Mr. President, I do not argue that for this reason we ought to kill the program. I say no, let us increase it at a rapid rate, by 50 percent this year, by another $40 million next year, but let us not go hog wild, and pour so much into it that a feeling develops throughout the country that the Government is providing assistance for the arts, and they do not have to rely on individuals.

As I have documented earlier, 90 percent of the support for the arts in this country now comes from individual giving, and that is the most wholesome kind in a free society. So I say we should follow the moderate course staked out by my amendment, not only to avoid Government censorship, but also because of the positive impact private individual donors can have upon free artistic expression.

If I have any time remaining, I reserve it.

Mr. PELL. Mr. President, how much time remains to each side?

The PRESIDING OFFICER. The Senator from Rhode Island has 3 minutes. The Senator from Wisconsin has 2 minutes.

Mr. PELL. I yield 3 minutes to the Senator from Maryland.

Mr. MATHIAS. I thank the Senator from Rhode Island for allowing me to speak a few words in support of the committee and the administration position in respect to this bill.

Not long ago I had an experience which is a rather typical one for Americans these days: I submitted a project for the Bicentennial Commission on Revolutionary War History in Eastern Maryland, in the area of St. Michaels in Calvert County, which was an important area in our national history during the Revolutionary period. I was told this was a worthy project, and one very important to historians and scholars in the future, and just plain citizens today, but that as a matter of fact the Bicentennial Commission was virtually out of business during a period of reorganization.

One of the first areas at the Federal level that is expressing any interest or creativity to a meaningful commemoration of the national bicentennial is the National Endowment for the Arts. Nancy Hanks has made a very interesting exposition in the way of encouragement of programs developed by people to help the Nation commemorate the bicentennial in 1976 and during the intervening years.

It seems to me that when we are virtually striking out with the National Commission for the Bicentennial, we ought at least to be encouraging an effort to improve the Endowment for the Arts. It is for that reason that I am very reluctant to see any change in the committee bill. I think this function alone is an enormously important one, in addition to all the others that have been explained on the Senate floor during this debate.

The Endowment is providing leadership. It is providing a forum for discussion of what can be done for the commemoration of the bicentennial. I think this is the very kind of creativity that the Endowment ought to be encouraging, and for that reason I think the administration's position ought to be supported. and the amendment should be defeated.

I am disturbed at the lack of progress the Federal Government is making in other areas, and I speak as a member of the Bicentennial Commission and the author of the bill which created the Commission. It is a very unhappy admission for me to make, but it makes me all the more adamant that the Endowment, which is actually having success in promoting the projects associated with the Bicentennial, should be encouraged.

I would hope, for example, that in the bicentennial era we would have funds available to encourage installation of climate control and security systems in our Nation's museums to protect our cultural heritage; funds to help protect and restore historic sites from the wrecker's ball; to bring great performances of theater, music, dance to people around the country; to encourage the rich folk music heritage; to help encourage projects like Artrain—a train that is now touring the eight Rocky Mountain States, spending a month in each and bringing an exhibit of first-rate art and artist demonstrations to the people in remote areas.

The three goals of the Arts Endowment are—to make our cultural resources available to people throughout the country, to strengthen our cultural institutions so that they can more adequately serve the people, and to advance our cultural legacy by preserving our heritage and enhancing future creative development. These are goals worthy of our 200th birthday.

We as a nation are fortunate that we have the greatest cultural resources of the world to call upon for the bicentennial. We are indebted as a nation to the great generosity of private individuals who built the quality that we can now utilize to enrich the lives of all Americans.

Our visual artists have been in the forefront of the world in the postwar years. The world comes here to study. We have two of the world's greatest dance companies with the American Ballet Theatre and the New York City Ballet—and incidentally, the Endowment for the Arts, through its touring programs, has enabled these two great companies to bring their performances throughout our country, instead of limiting them to New York audiences. Our museums contain a great many of the great world masterpieces.

Our symphony orchestras are among the finest in the world; and it is unquestioned that some are the best in the world. I call your attention to the Time cover story this week on Georg Solti, the conductor of the Chicago Symphony. Jazz is an American idiom and one of the most vital forms of music, with imitators around the world. Our choreographers, our poets, theaters, actors—we are a Nation of diverse and rich culture.

And I am gratified to notice that it is often our young people who are the ones to discover and appreciate this fact. Even at the opera—that supposedly most arcane of arts—there are many young people, and enthusiastic ones too. Of course, I believe that the programs of outreach, often sponsored by the National Endowment for the Arts, have been responsible for this phenomenon—for example the recent "Look In" at the Metropolitan Opera with Danny Kaye.

To turn to my own State, the National Endowment for the Arts has assisted a number of fine programs in Maryland, and also ones that serve our region—and indeed the Nation. I cannot begin to name them all—just a few.

Baltimore's Center Stage was selected, along with the Guthrie Theatre in Minnesota, as part of a pilot program in theatre touring, that could serve as a model and be expanded to cover many theatres and many regions as part of a bicentennial project. Center Stage has embarked on an 8-week tour into five States—Maryland, Pennsylvania, New Jersey, Delaware, and West Virginia. Residencies will occur in 12 cities and towns—ranging from 3 days to 7 days in length. And these residencies consist of a variety of activities—such as school performances, and workshops—in addition to regular performances.

The Baltimore Museum of Art has just received a $270,000 Treasury Fund grant—one-half private funds—to assist the installation of climate control and security systems, which are desperately needed to protect such great resources as the Cone Collection, one of the finest collections of French impressionist and turn of the century art in the world. The Maryland Historical Society re-

ceived a sorely needed $10,000 for conservation of approximately 30 paintings. The Art Museum has also received support for the continuation and expansion of Newseum—an extension of the Baltimore Museum of Art located in the inner city. And the Peabody Conservatory of Music, one of the great private music conservatories in this country, has received assistance from the Endowment for its scholarship program for talented young people.

We are proud of our Baltimore Symphony Orchestra—it received a rave review just this week from New York Times critic Harold Schonberg for its performance in New York. Our opera company, too, is making news and will travel to Washington this month to present its highly successful production of Nenotti's opera "The Saint of Bleecker Street" in the Kennedy Center. The Endowment has assisted both of these fine organizations—the Baltimore Symphony and the Baltimore opera.

And I want to mention, in closing, the artists-in-schools program, assisted by the Endowment for the Arts, in cooperation with the U.S. Office of Education. The Baltimore Sunday Sun on April 22 carried a front page feature in its spectator section on this project, entitled "They're Making Poetry More Fun Than Recess." If there is no objection, I ask unanimous consent that the entire article be printed in the RECORD at the close of my remarks.

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

(See exhibit 1.)

Mr. MATHIAS. Maryland began a "trial year" for this endowment program in 1971–72; and this year more than 100 schools participated in the project. Maryland ranks among the top five States in terms of funding made available for the program, which is also funded by the Maryland Arts Council. Quoting from the article:

> The poets seems to have a definite impact. Regular classroom teachers are amazed as "problem" and "slow" children shout, cheer, and beg to be the first to read their poems to the class.

The program has been so successful in terms of awakening children to the excitement of learning and of creating that Maryland hopes to expand it next year.

More money will make it possible to reach more schools, more children. This is true of virtually every single one of the endowment's programs. Each has been tested, is working; and the proposed level of funding is modest when one considers the great needs and potential.

Mr. President, I thank the Senator from Rhode Island again for yielding to me.

The exhibit follows:

EXHIBIT 1

THEY'RE MAKING POETRY MORE FUN THAN RECESS

(By Daniel F. Goldman)

"A Frito is Queen Victoria's chair in purgatory." A madcap metaphor tossed off by some effete young poet in a little magazine? Something muttered by Ginsberg or Corso when stoned? Would you believe a Maryland grade-school pupil who two weeks before had said scornfully that all poetry was "for sissies"?

It's all part of a new project that began in 1966, really got going in 1970 and 1971, and this year will reach over 600,000 students, from grade school through high school, in more than 3,000 school districts in 49 out of the 50 states, Guam, the Virgin Islands and American Samoa.

A thousand professional poets are doing the teaching, or perhaps priming would be a better word. These are not the poetry classes that many adult Americans dimly recall with a twinge and a shudder: scavenger hunts for images, relentless parsing of elusive allusions and scampering scansions. The children write the poetry, and have been known to cheer spontaneously after every line.

One of the poets in the Maryland program, Elizabeth Ayres, described a typical experience:

"It is my first day in one of the schools. I am walking down the hall toward my first class. There are four or five children already gathered around me. 'Are you the poetry lady?' 'Yes,' I smile. They smile. One little boy (sixth grade, I believe) confronts me. 'Are you the poetry lady?' This is said in a challenging tone. 'Yes.' Another challenge: 'Do you write poems?' 'Yes.' And then, a command: 'Write me a poem about basketball.'

"I mumble something about poems needing a bit more inspiration than that, and laugh, but I am amazed, thrilled, excited. In the high schools where I've been, the boys cared little for poetry. That was for girls. They were more interested in sports. But this little boy saw no incongruency in his request. If I was a poet, well and good. I could write poems about basketball. And if he was interested in sports, and wrote poems, he was going to write poems about sports."

A SURPRISE SUCCESS

A few years ago, poet Kenneth Koch had singular and (to many) surprising success inducing a fifth grade class in New York city to write poetry. Sponsored by the American Academy of Poets, the Teachers' and Writers' Collaborative, and the National Endowment for the Arts, Mr. Koch evolved many devices to get the children started. Sometimes he would ask them to begin each line with "I wish . . ." and go on from there; or to use other ready-made constructs such as "I seem to be . . . But I really am . . ." or "I used to . . . But now . . ." Or he would ask them to make every other line in their poems a lie, or to describe what color a certain sound reminded them of, or what it would be like to be a river.

The results confounded the experts, and brought fame and further grants to Mr. Koch. He published an anthology of his charges' work, called "Wishes, Lies, and Dreams." Getting children to write poetry was no longer the sole province of the creative writing "enrichment" courses, and soon became the darling of innovative educators.

Maryland began a "trial year" for the program in 1971–1972. This year more than 100 schools participated in a program sponsored by the National Endowment for the Arts and the Maryland Arts Council.

Maryland ranks among the top five states in terms of funding made available for the program. Expansion is planned for next year.

The official name is "Artists in the Schools," designed to "introduce practicing artists (of various disciplines) into existing curricula." Poets are in the overwhelming majority, in Maryland as in other states, perhaps because "they're so portable," according to Leonard Randolph, program director for literature at the National Endowment for the Arts.

Portability aside, the poets seem to have made a definite impact. Regular classroom teachers are amazed as "problem" and "slow" children shout, cheer and beg to be the first to read their poems to the class. High schoolers tend to be more inhibited, but enthusiasm is high at that level as well. The Maryland Arts Council intends to publish an anthology of the youngsters' work this year.

MUST BE CERTIFIED

Participating poets in Maryland, all of whom must be certified professionally competent by the Arts Council, range from Elizabeth Ayres, a 1972 honors graduate of the University of Maryland, to Sister Maura, a School Sister of Notre Dame who is an established Maryland poet, to Lucille Clifton, whose poetry about her ghetto childhood has recently brought her to national prominence. Some of the poets concentrate on specific areas, such as Gilbert Byron on the Eastern Shore, and Daniel Epstein in Western Maryland. They are paid a stipend by the Arts Council, but often make themselves available to students for more hours than their contracts specify.

Aside from amazement and pleasure at how readily the children embrace the idea of writing poetry, the teachers' most frequent observation concerns how surprised the students are to find that poets look pretty much like everyone else. "They are shocked to see that I'm not male, over 50, dressed in tatters, rolling my eyeballs wildly, or otherwise evidencing my insanity," says Miss Ayres. "They do tend to expect a poet to be instantly recognizable as such," agrees Carol Peck, whose students begged her to extend the class beyond its scheduled expiration date.

Techniques vary widely from poet to poet, and each school structures the program as it sees fit. In Rockville, all students are volunteers. They are excused from other classes to attend the poetry sessions, but must agree to make up all missed work. Other schools schedule poetry courses during several regular English periods.

"My aim is to be as helpful as possible to them," says Carol Peck, "to take them from where they are now and start guiding them to where each of them can go; and it's different for every student. This sort of thing leads to greater verbal awareness, even in students with no initial interest in writing and no particularly pronounced ability.

"There was a boy in one class who had a lot of discipline problems, couldn't settle down and study in his other courses. I didn't even think he was listening. We were discussing the concept of extended metaphor, and I regarded it almost as a desperation measure, hoping the kids would be amused by some of the examples, since they didn't seem to care much about my being there. This boy sat there writing the whole time. I just assumed he was doing some other homework. As he left, he sort of thrust this paper at me, and it was this marvelous, balanced extended metaphor that poured out everything he felt about the school—not very flattering, of course. But it was a great relief for him. These things happen often enough so you don't get discouraged."

PASSION FOR ANONYMITY

Honesty is stressed, and writing from one's own experience. This often leads to a passion for anonymity, because the children don't want others in the class to know what they wrote.

Elizabeth Ayres wonderingly contrasts the high schoolers with the younger children. "The older ones were terrifyingly inhibited. Those who managed to conquer these fears and write gave me their writing furtively. They didn't want the others to see that they'd written anything, and they most assuredly didn't want anyone to see what they'd written. The young children beg to be first reading their poems to the class. What has happened to them since the sixth grade?"

Miss Ayres still marvels about the "little boy who never says anything, always sits by himself, acts scared of everyone and everything; I try to talk to him, loosen him up; no response. After three visits, at the end of the class, he runs up to me and thrusts

a poem in my hands. I read it, and it's great. I go and tell him how much I like it. At every successive visit, he writes another poem; he even begins to smile when I look at him."

CHILDREN'S POEMS

Insane magician
Give us some hokus pokus
Change the world for good.

Being Dead

I don't have to see
my stupid brother.
I don't have to pay
taxes anymore.
I get to see the worms and talk
to the other dead people.

A doll is like a soldier;
they do as they are made.

I hate the kids
Who hit you for nothing.
They talk nice
And then all of a sudden
For nothing
Wam!

A Berserk Curse

May your ears be chopped up
for mincemeat pie. I will cut your
guts out with a butcher knife
and have them made into gut pudding.
May your head be used as a
bowl for my cereal and your
eyes for grapes in my lunch.

If I was an osprey I would fly high over the water.
If I could fly, I would dive and pick up fish.
I would lay eggs and if they didn't hatch,
I would try again.

The PRESIDING OFFICER. All time of the Senator from Rhode Island has expired. The Senator from Wisconsin has 2 minutes remaining.

Mr. PROXMIRE. I yield my remaining time to the Senator from Maine.

Mr. HATHAWAY. I thank the Senator from Wisconsin for yielding to me. I have a question or two that I would like to address to the Senator from Rhode Island.

I am concerned about the extent to which money appropriated under the Arts and Humanities Act goes to the actual encouragement of participation by the poor; and although I doubt that anyone can give me a percentage figure on that, I would appreciate the Senator from Rhode Island giving me some examples of programs that are designed specifically for the poor, not just being made available to them but on a basis on which the poor are encouraged to participate.

Mr. PELL. Mr. President, anticipating the Senator's question, I made inquiry of the endowment, and was assured that better than a quarter—they do not have a computer run, but better than 25 percent, or a quarter of the people benefiting by these programs now would fall into the category of being of low income.

It is very hard to define quite what that would mean. The Senator from New York yesterday pointed out that the Metropolitan Museum of Art is now open on Sundays and it is the biggest attraction in New York City, so that many of its visitors would be those in the lower income level. It would be hard to define as to what the income is of each person who would benefit by the program. Other programs which are of interest in this regard would be, for instance, the art trains that have gone through six and eight States in the Midwest part of the country and in States like New Mexico, Michigan, Arizona, Colorado, Idaho, Montana, Wyoming, and Nevada. They have all benefited.

There are also touring theaters in the high schools and a touring theater which is actually going into the slums.

Mr. PERCY. Mr. President, the recent death of Pablo Picasso has focused the attention of people in all nations on the world of fine art. As we mourn his passing, it is inevitable that we contemplate the tremendous impact Picasso's work has had on all forms of art, on all members of the international art community, and on admirers of the arts everywhere. In viewing his life and accomplishments, we are made aware of the tremendous influence one person can have on his own and succeeding generations of men and of the uncountable benefits to mankind that can result from the latent of one individual.

Becoming a great artist in any art form is never easy. It requires unique talent, dedication, and, in too many cases, the ability to live and work at a subsistence level. No one can hope to replace Picasso, but we can hope to provide the cultural climate and financial assistance that will allow individuals or groups with unusual talent in the arts and humanities to nurture that talent.

I feel very strongly that the Federal Government has a responsibility to play a leading role in sponsorship of the arts and humanities. The National Endowment of the Arts and Humanities, established in 1965, has made great progress in providing assistance to promising individuals and groups in every State and in diverse arts and humanities media. However, I feel that Federal sponsorship has been so sadly lacking in the past, that we must now do all we can to bring financial support to a level commensurate with the worth of these excellent programs.

I believe that a growing Federal investment in the arts and humanities is a wise one. If there exists in the United States today one person with even half the talent and one-quarter the prolificacy of Pablo Picasso, the money spent on assisting that person will be returned a thousand times over in cultural benefits to the American people. I therefore urge acceptance of the authorization levels proposed by the committee. My support of this authorization in no way contradicts my intention to limit Federal expenditures and to adhere to the President's proposed spending ceiling. I am committed to that goal. However, I am confident that balancing cutbacks can be made in other areas.

Consequently, I support the funding levels recommended by the committee and urge prompt passage of S. 795, the National Foundation on the Arts and Humanities Amendments of 1973.

Mr. TUNNEY. Mr. President, what do we remember most about the Greeks? Not so much their wars as their arts and their literature and their letters.

Americans have no long history. They are compulsively futuristic. And, now, if the Government does not more amply support the arts, we will have no past. There will be nothing to chronicle and to elaborate our ideas through time.

Artists create things and give focus and meaning to ideas and the deeper feelings of mankind. If you give an artist enough money to plant one tree, you will get a forest in return.

That is why I urge passage of full funding for a 3-year extension of the National Endowments for the Arts and the Humanities.

The $840 million involved is a prudent investment in the creative yearnings of our Nation.

We spent billions more to send men to the moon and to develop our sophisticated technology. Yet we have gained no peace of mind. It is time to give ideas a chance.

Art not only provides inspiration and incentive to young artists, but it also is an avenue of employment for many.

One is through regional repertory theaters. In the beginning, there were very few. Now about 35 to 45 are booming at a time when Broadway is dying.

Additionally, in our big cities, mobile galleries and theaters bring life and hope to millions of young people in drab ghettos. They confirm that young persons can realize and be recognized for their talents and their creative self-expression.

Artists overgive. Whatever they receive from the Government, they will give back twentyfold in enjoyment, fulfillment and enlightenment for all America.

Mr. BELLMON. Mr. President, S. 795, the Authorization Bill for the National Foundation on the Arts and Humanities provides funding to encourage American advancement and participation in the Arts and Humanities. The United States currently spends proportionately less money in these areas than any other country in the Western World. The work of the National Foundation of the Arts and Humanities is a valuable asset to our Nation's cultural life. The President, 3½ years ago decided the program deserved greater funding in order that Arts and Humanities would become a greater part in the lives of all Americans.

Through the use of matching funds, the Federal Government in cooperation with the States and private institutions, has been able to significantly increase American access to the arts. This program provides $3 or $4 of revenue from States and private institutions for every dollar paid by the Federal Government. This is a program which has proven its value to the American citizens.

In a year of budget reform with increasing pressure on the Members of Congress to spend more and more money on various Federal programs, it is wise that the Congress question the efficacy of any increase in any program. Yet when we look at the relative amounts of money spent to preserve and expand our cultural heritage to other Federal programs, we have in the past spent sums which are insignificant. Because of this past failure the President's budget provides for an orderly but rapid increase in the effective spending level for the Arts and Humanities over a period of several years.

I support the President's initiative and

will support his request with a vote for authorization of the amount requested in the President's budget proposal.

However, as a member of the Appropriations Subcommittee which appropriates the funds for the National Endowment of the Arts and Humanities, I will closely scrutinize their budget justifications and where appropriate, will recommend and will vote for decreases.

Therefore, I will vote to authorize the full amount requested in the President's budget and against the amendment to S. 795 sponsored by the distinguished Senator from Wisconsin, Mr. PROXMIRE. I will, however, as I said, closely scrutinize the budget request before the forum of the Appropriations Committee in the Senate.

SENATOR RANDOLPH SUPPORTS REALISTIC ARTS AND HUMANITIES FUNDING

Mr. RANDOLPH. Mr. President, since its enactment in 1965 the National Foundation on the Arts and Humanities Act has provided much needed support for the growth of these important activities. Federal involvement in the arts has broadened the scope of our programs bringing many more people into contact with our American heritage culture. I have witnessed the development of arts programs in our home State of West Virginia. I am confident that we can continue this effort.

I supported S. 795 in the Committee on Labor and Public Welfare, but I feel that the amendment offered by Senator PROXMIRE offers a more realistic approach to this issue. This is a time when many Federal programs are being reduced, often drastically, and many are facing elimination. When the Senate considers legislation, we often must put aside problems that many of us feel are of great urgency as we also consider budgetary restraints. I am aware that the administration is not opposed to the authorization level for 1974 in S. 795. However, in view of the Senate passed spending ceiling of $268 billion, we must reduce where possible in areas that are not so urgent to meet this ceiling.

I point out to my colleagues that the authorization level proposed in the fiscal 1974 budget and in S. 795 for arts and humanities is more than double the $61.6 million requested for all Government financed coal technology research. In fact the Senator from Wisconsin's amendment is only a little less than double this same figure. We are not facing a crisis in culture, but we are faced with a fuels and energy crisis.

We have also reduced authorizations for the Older Americans Act, the Public Works and Economic Act, the Federal Aid Highway Act, and the Rehabilitation Act. There are others.

The Proxmire amendment does not kill the program; it merely reduces the authorizations to a more realistic level in view of our many acute domestic needs. This amendment continues to raise the authorization level for 1974 through 1976. In 1974 it represents a $16 million increase in arts grants, a $17 million increase in humanities grant programs, a $1.3 million increase in art-State programs, and a $8 million increase in the arts and humanities matching funds. These figures are less than those proposed in the 1974 budget and in S. 795, but they are sufficient to permit the arts and humanities programs to continue to function in an effective and reasonable manner.

The PRESIDING OFFICER (Mr. COOK). All time has now expired on this amendment.

The hour of 2 p.m. having arrived, the question now is on agreeing——

Mr. PROXMIRE. Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 96 (previously No. 78) of the Senator from Wisconsin (Mr. PROXMIRE).

On this question the yeas and nays have been ordered and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Missouri (Mr. EAGLETON), the Senator from Washington (Mr. MAGNUSON), and the Senator from Alabama (Mr. SPARKMAN) are necessarily absent.

I further announce that the Senator from Nevada (Mr. CANNON) is absent on official business.

I also announce that the Senator from Mississippi (Mr. STENNIS) is absent because of illness.

I further announce that, if present and voting, the Senator from Washington (Mr. MAGNUSON) would vote "nay."

Mr. SCOTT of Pennsylvania. I announce that the Senator from Maryland (Mr. BEALL), the Senator from Michigan (Mr. GRIFFIN), and the Senator from Kansas (Mr. PEARSON) are absent on official business.

The Senator from Ohio (Mr. SAXBE) is necessarily absent.

The result was announced—yeas 30, nays 61, as follows:

[No. 110 Leg.]

YEAS—30

Bartlett	Gurney	McIntyre
Bible	Hart	Nunn
Biden	Haskell	Proxmire
Buckley	Helms	Randolph
Byrd, Harry F., Jr.	Hollings	Roth
Byrd, Robert C.	Huddleston	Scott, Va.
Cotton	Hughes	Symington
Curtis	Johnston	Talmadge
Eastland	Long	Thurmond
Ervin	McClellan	
	McClure	

NAYS—61

Abourezk	Fong	Moss
Aiken	Fulbright	Muskie
Allen	Goldwater	Nelson
Baker	Gravel	Packwood
Bayh	Hansen	Pastore
Bellmon	Hartke	Pell
Bennett	Hatfield	Percy
Bentsen	Hathaway	Ribicoff
Brock	Hruska	Schweiker
Brooke	Humphrey	Scott, Pa.
Burdick	Inouye	Stafford
Case	Jackson	Stevens
Chiles	Javits	Stevenson
Church	Kennedy	Taft
Clark	Mansfield	Tower
Cook	Mathias	Tunney
Cranston	McGee	Weicker
Dole	McGovern	Williams
Domenici	Metcalf	Young
Dominick	Mondale	
Fannin	Montoya	

NOT VOTING—9

Beall	Griffin	Saxbe
Cannon	Magnuson	Sparkman
Eagleton	Pearson	Stennis

So Mr. PROXMIRE's amendment No. 96 (previously numbered 78) was rejected.

Mr. PELL. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. PASTORE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

FOUR-YEAR TERMS FOR THE HEADS OF THE EXECUTIVE DEPARTMENT

The PRESIDING OFFICER (Mr. DOMENICI). Under the previous order, the Chair lays before the Senate S. 755, which will be stated by title.

The assistant legislative clerk read as follows:

A bill (S. 755) to provide 4-year terms for the heads of the executive departments.

The Senate proceeded to consider the bill, which had been reported from the Committee on Government Operations with amendments on page 1, line 6, after the word "President", insert "appointing such department head"; and, on page 2, line 6, after the word "department", strike out "shall" and insert "may"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) notwithstanding any other provision of law, the head of any executive department shall serve for a term of four years beginning at noon on January 20 of the year in which the term of the President *appointing such department head* begins, except that (1) the term of the head of any executive department serving on the date of the enactment of this Act shall begin on such date and shall expire at noon on January 20, 1977, and (2) the head of any such department appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall serve only for the unexpired portion of such term. Upon the expiration of his term, the head of any executive department *may* continue to serve until his successor has been appointed, been confirmed, and has qualified.

(b) Nothing in this Act shall be construed to affect the power of the President to remove the head of any executive department.

(c) For the purpose of this Act, the term "executive department" means any of the executive departments set forth in section 101 of title 5 of the United States Code.

Mr. MANSFIELD. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the distinguished minority leader may be recognized for a minute or so.

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

ORDER OF BUSINESS

Mr. SCOTT of Pennsylvania. Mr. President, I ask the distinguished majority leader what the order of business is.

Mr. MANSFIELD. Mr. President, in response to the question raised, the yeas and nays have been ordered on S. 755, the pending business. There will be a 10-minute rollcall vote.

I ask unanimous consent that the amendment to be offered by the distin-

guished Senator from Wisconsin (Mr. PROXMIRE) have a time limitation of 30 minutes, the time to be equally divided between the sponsor of the amendment and the manager of the bill, the Senator from Rhode Island, and that there be a time limitation of 5 minutes on a side with respect to amendments thereto, if there are any.

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

Mr. MANSFIELD. It is anticipated that that may well be the last amendment—I am not certain—but it is our intention to go through with final passage of this bill this afternoon, if at all possible.

Mr. SCOTT of Pennsylvania. Mr. President, I should like to make the point that I have discussed with the distinguished Senator from North Carolina his proposal to bring up the House bill pertaining to the confirmation of the nomination of the Director of the Office of Management and Budget. He has agreed, in view of the request by the Senator from Michigan, who wishes to be heard tomorrow, that the bill will not come up before tomorrow. I make the statement for the benefit of Senators.

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

Mr. MANSFIELD. I yield.

Mr. JAVITS. Mr. President, I just wish to suggest to the majority leader that as far as the Senator from Rhode Island (Mr. PELL) and I know there is only one other amendment, other than the amendment of the Senator from Wisconsin (Mr. PROXMIRE). We hope to be able to get together with the mover of that amendment. If the Senator from Montana would ask if there are other amendments, that might give Senators an indication of what time we are likely to be finished with the bill.

Mr. MANSFIELD. Are there amendments on the part of Senators?

There do not seem to be.

Mr. JAVITS. I thank the Senator.

Mr. MANSFIELD. I assume that after the disposition of the Proxmire amendment the vote will be on final passage. I ask for the yeas and nays on final passage.

The yeas and nays were ordered.

Mr. MANSFIELD. In view of the fact that this statement has been made, with a time limitation on the Proxmire amendment, and very likely an agreement will be reached between the two parties on the basis of the amendment to be offered by the Senator from Maine (Mr. HATHAWAY), I ask unanimous consent that upon the disposition of those two amendments the vote be taken on final passage.

The PRESIDING OFFICER. Without objection, it is so ordered; rule XXII will be waived.

FOUR-YEAR TERMS FOR THE HEADS OF THE EXECUTIVE DEPARTMENTS

The Senate continued with consideration of the bill (S. 755) to provide 4-year terms for the heads of the executive departments.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the committee amendments be agreed to en bloc. They are minor amendments, and they were reported unanimously by the committee.

The PRESIDING OFFICER. Without objection, the committee amendments are considered and agreed to en bloc.

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

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, shall it pass? On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Missouri (Mr. EAGLETON), the Senator from Washington (Mr. MAGNUSON), and the Senator from Alabama (Mr. SPARKMAN) are necessarily absent.

I further announce that the Senator from Nevada (Mr. CANNON) is absent on official business.

I also announce that the Senator from Mississippi (Mr. STENNIS) is absent because of illness.

I further announce that, if present and voting, the Senator from Washington (Mr. MAGNUSON) would vote "yea."

Mr. SCOTT of Pennsylvania. I announce that the Senator from Maryland (Mr. BEALL), the Senator from Michigan (Mr. GRIFFIN), and the Senator from Kansas (Mr. PEARSON) are absent on official business.

The Senator from Ohio (Mr. SAXBE) is necessarily absent.

The Senator from Arizona (Mr. GOLDWATER) is detained on official business.

The result was announced—yeas 73, nays 17, as follows:

[No. 111 Leg.]

YEAS—73

Abourezk	Gurney	Moss
Allen	Hart	Muskie
Bayh	Hartke	Nelson
Bentsen	Haskell	Nunn
Bible	Hatfield	Pastore
Biden	Hathaway	Pell
Brock	Hollings	Percy
Brooke	Huddleston	Proxmire
Burdick	Hughes	Randolph
Byrd, Harry F., Jr.	Humphrey	Ribicoff
	Inouye	Roth
Byrd, Robert C.	Jackson	Schweiker
Case	Javits	Stafford
Chiles	Johnston	Stevens
Church	Kennedy	Stevenson
Clark	Long	Symington
Cook	Mansfield	Taft
Cranston	Mathias	Talmadge
Dole	McClellan	Thurmond
Dominick	McGee	Tower
Eastland	McGovern	Tunney
Ervin	McIntyre	Weicker
Fong	Metcalf	Williams
Fulbright	Mondale	Young
Gravel	Montoya	

NAYS—17

Aiken	Cotton	Hruska
Baker	Curtis	McClure
Bartlett	Domenici	Packwood
Bellmon	Fannin	Scott, Pa.
Bennett	Hansen	Scott, Va.
Buckley	Helms	

NOT VOTING—10

Beall	Griffin	Sparkman
Cannon	Magnuson	Stennis
Eagleton	Pearson	
Goldwater	Saxbe	

So the bill (S. 755) was passed.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES AMENDMENTS OF 1973

The Senate continued with the consideration of the bill (S. 795) to amend the National Foundation on the Arts and the Humanities Act of 1965, and for other purposes.

The PRESIDING OFFICER. Pursuant to the previous order, the Senator from Wisconsin (Mr. PROXMIRE) is recognized for the purpose of offering an amendment.

Mr. PROXMIRE. Mr. President, I had intended to offer an amendment to the pending bill. I think that amendment is right, because it would accept the administration's budget figure for the arts and humanities program. It would provide a full authorization of a nice increase, from $80 to $153 million for 1974 and then no authorization in 1975 and in 1976, when the bill would provide an increase to $280 million in 1975 and $400 million in 1976. That is such a mammoth increase in a program increasing now that I strongly felt we should have a year to look at it and not have the Appropriations Committee under the gun and not increase the amount at breakneck speed.

However, I have talked with a number of Senators who voted with the committee on the last amendment, and I concluded there is no way I can win on that amendment. I might pick up two or three votes, but I would not win.

I congratulate the Senator from Rhode Island (Mr. PELL) and the Senator from New York (Mr. JAVITS). I hope the program is successful.

Mr. President, for the reasons I have stated, I will not call up my amendment, and I yield the floor.

Mr. PELL. Mr. President, I thank the Senator.

The PRESIDING OFFICER. Pursuant to the previous order, the Chair recognizes the Senator from Maine (Mr. HATHAWAY) for the purpose of offering an amendment.

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

The PRESIDING OFFICER. The Senator from Maine has the floor. Does he yield for that purpose?

Mr. PROXMIRE. I beg the Senator's pardon. I did not see him.

Mr. HATHAWAY. 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. TOWER. 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. TOWER. Mr. President, I call up my amendment, which is at the desk, and ask that it be stated.

The PRESIDING OFFICER. The amendment of the Senator will be stated.

The assistant legislative clerk read the amendment, as follows:

On page 13, strike out lines 7 through 11, and insert in lieu thereof "(b)(1) Sums appropriated pursuant to subsection (a) for any fiscal year shall remain available for obligation and expenditure until expended."

Mr. TOWER. Mr. President, what my amendment does is simply strike from section (b) (1) on page 13 lines 8 through 10, "notwithstanding any other provision of law, unless such provision is enacted in express limitation of this subsection."

All this does is to make the accumulative availability of unexpended appropriations under the authority of this act available for obligation and expenditure. However, it does not mandate that it be available for obligation and expenditure.

I have discussed the amendment with the manager of the bill, and I understand that he is prepared to accept the amendment.

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

Mr. TOWER. I yield.

Mr. JAVITS. Mr. President, this is an amendment which deals with the anti-impoundment provision in the bill. The head of the Endowment of the Arts, Miss Nancy Hanks, does not feel that she wants this provision in the bill especially for her agency; hence, this amendment. I am prepared to yield to her views on that score and I am willing to accept the amendment.

Mr. PELL. Mr. President, I, too, am prepared to accept the amendment. However, I would not want this to be considered as a precedent. As a general rule I will endeavor to see that anti-impoundment provisions be included in all legislation with which I am associated. However, in this case I have agreed to accept the amendment and suggest that my colleagues agree to it.

Mr. TOWER. Mr. President, I thank the distinguished Senators.

I move the adoption of the amendment.

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

The amendment was agreed to.

Mr. HATHAWAY. Mr. President, I call up an amendment I have at the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk proceeded to state the amendment.

Mr. HATHAWAY. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

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

The amendment is as follows:

At the end of the bill add the following: Paragraph (2) of subsection (c) of section 5 is amended by striking out "in many areas of the country" and adding "for geographic or economic reasons;" add a new subsection to subsection (c) of section 7 as follows:

"(7) insure that the benefit of its programs will also be available to our citizens where such programs would otherwise be unavailable due to geographic or economic reasons."

Mr. HATHAWAY. Mr. President, my amendment, which amends section 5 and section 7 of the act, insures that the benefits of the program will be available not only to citizens in areas that are geographically dislocated, but also for economic reasons.

The purpose of the amendment is to make sure that the lower income people in our Nation become involved in programs in both the National Foundation of the Arts and the National Foundation of Humanities.

A lot has been said on the floor both today and yesterday in regard to where the money is being spent. I am sure that the author of the bill, the Senator from Rhode Island (Mr. PELL) will agree with me that one of the purposes is to make sure that those who are economically deprived have an opportunity to participate and are encouraged to participate in the programs.

Mr. PELL. Mr. President, that is very much the case. The main thrust of the legislation is to increase the quality in both the arts and the humanities in our Nation. However, a byproduct, and a very important one, is to open up the vistas or opportunities to bring the arts and humanities to all our people.

I believe that the thrust of the amendment is a good one. I am prepared, after consultation with my colleague, to accept the amendment.

Mr. JAVITS. Mr. President, if the Senator will yield. When we originally started in this, the whole idea was to extend the program to those who were not theretofore reached and who could be reached by Government help. That, in my mind, included not only geographic restrictions but also economic.

It is my belief that that has been the purpose and thrust and aim of both endowments, the Endowment for the Arts and the Endowment for the Humanities.

I thoroughly agree with the desire of the Senator from Maine (Mr. HATHAWAY) to have a new extension of the language so as to make that crystal clear by actually writing it in so many words in the law. I therefore join with the Senator from Rhode Island in recommending that we accept the amendment.

Mr. HATHAWAY. Mr. President, the Senator from Maine appreciates very much the remarks of both the Senator from Rhode Island and the Senator from New York. I am very happy that both Senators have agreed to accept the amendment.

Mr. President, I move the adoption of the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Maine.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on agreeing to the committee amendment in the nature of a substitute as amended.

The committee amendment was agreed to.

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

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

Mr. JAVITS. 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. TOWER. 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. JACKSON. Mr. President, as we consider S. 795 today, the reauthorization legislation for the National Foundation on the Arts and the Humanities, I believe it is quite appropriate that we should give a portion of our attention to those enduring values that shape a country, and which will in time determine how our Nation will be remembered.

I want to give my strong support to the work of this very small and young governmental agency, the National Foundation on the Arts and the Humanities; and I would encourage this body to vote in favor of the full authorization figure called for in S. 795 so that the agency can continue and increase its contribution to the quality of life for all Americans.

Earlier this year my friend, Mr. Glynn Ross, the very able general director of the Seattle Opera Association, testified before the Brademas Select Committee on Education of the House Education and Labor Committee in support of additional funds for the arts and humanities. So that you might have the benefit of reading Mr. Ross' comments regarding the need to authorize additional funds for the National Foundation on the Arts and the Humanities, I ask unanimous consent that the entire text of his testimony before the House Education and Labor Committee be inserted in the CONGRESSIONAL RECORD at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. JACKSON, Mr. President, in my own State, as has occurred all across the Nation, grants from the National Endowment for the Arts have brought poets, filmmakers, and other artists into the schools of our communities to teach and to work with the children—to help open their eyes to beauty and their lives to the joy of creativity.

The art endowment has made it possible for great dance companies like the American Ballet Theater to visit Washington State, and for the Joffrey Ballet to spend a week's residency in Seattle including open rehearsal for advanced dance students and local dance teachers. Also, the Seattle and Spokane Symphony Orchestras have been given assistance. This year, for example, the Seattle Symphony will receive $100,000 for support of their "human-art" concerts involving coordinated presentation of music, literature, architecture, sculpture, and painting at primary and secondary schools.

I could name many worthwhile projects the endowment has assisted in my State. The projects have been wide ranging, and the endowment programs have meant much to the citizens of Washington—as I am sure they have to other States.

Mr. President, we look to the future of this country and think about the kind of America we want for our children and theirs, and I think we should give our support to this agency which is doing so much to encourage what I consider

to be the enduring values of our civilization.

EXHIBIT 1

TESTIMONY OF GLYNN ROSS

Culture, if it means anything, must mean the binding of the individual into the social fabric. And the social fabric of the United States is what I believe the National Endowment for the Arts and Humanities is all about.

If someone, earlier in my life, had told me that I would see the day when we have an ongoing program in the arts by the federal government, I would not have believed it. As a farmer and breadwinner in the depression years, I learned never to depend on the hopes of a crop until I'd cashed the check. Then, if and when I did find myself with something—to be grateful. Gentlemen of the government, let me extend my compliments and gratitude to you for your awareness of the arts in view of the many serious problems that compete for your time; problems which each of us face daily on the street and in the news and kick under the rug as an inevitable by-product of our fast-changing environment. In your wisdom, you have created a National Endowment for the Arts and Humanities.

This may not be the answer to the police blotters, to the alienated youth, to ecology, but it may reveal that the quality of our life is a nebulous and spiritual thing related to the arts as the prime ingredient and many of our troubles are the by-products. I thank you from the bottom of my heart.

As we are all in the situation of continually being sold something, we have had to become remote, removed, depersonalized. It is common usage to refer to ourselves in a mechanical term—"we turn off". We turn off from everything—from toothpaste to mass-murder. Nothing can reach us, let alone harm us. If our home burns down, it doesn't matter, it's insured. As we move from one community of working colleagues to another, from one city to another, from ones neighbors—nothing is missed because we're part of an unplanned conspiracy for isolation. We are not our neighbors' keeper because we hardly even *know* our neighbor—and it works vice versa.

I am here today to make the strongest statement I know how to make in praise of the National Endowment for the Arts and Humanities. To ask for your continued support on a Federal level and to recognize this seemingly minuscule portion of our national budget as a step in the right direction to bring people together.

You are dealing in an area critical to the quality of life in America and it is apt to be measured, by implication, in very small dollars and cents. I believe this is the small string that could bring us to the potential new lifeline for the United States as it moved toward its third century. No priority can be higher right now. Read the Wall Street Journal of March 6th. A documented story on an alienated people and the state of our union.

I am in the opera business—I am in public service—and when I say "public", I don't mean a super small elitist, idiosyncratic set of people I mean that almost two percent of Seattle goes to the opera. I mean that opera in Seattle is meaningful, available and known to every segment of our population. Opera in Seattle is a public service—like the library, the greater service we provide to the greater number of people—the greater are our costs.

The Arts inherently are a deficit operation because we present people, creative individuals who, as a group, are committed to their efforts and as a result present a memory-making experience, an experience, that gives greater meaning to life—an experience that is bigger than the daily sidewalk events of life—an ecumenical experience that relates beyond barriers of race, language, religion—events that give definition to living and create a human compassion.

To document this statement, let me give you immediate facts of the Seattle story. You all know that we have been through a 15% unemployment problem, the most disasterous of any area of the nation. You know of our Neighbors in Need program which actually distributed food from all over the United States (and also from a city in Japan) to waiting breadlines. Some wag put up a sign saying "Will the last person to leave Seattle turn out the light". Yet, in these winters of dire and deep discontent, people from all walks of life, rearranged their priorities, their budgets, their needs, to set the highest attendance record in Seattle Opera's history. Somebody needed us more than ever before as they lived through the experience of being part of a "depressed area". Moreover, at this time, I, the director of the opera, was honored as Seattle's "Man of the Year".

Possibly we gave them something else that I had not mentioned earlier—pride. To have national tears spilled on your behalf is not a pleasant sensation. Perhaps we were what the church bell was to the small Sicilian town in "A Bell for Adano". Perhaps this was why post-war Vienna placed the restoration of their opera house as the top priority post-war need.

As the United States has gone through our eras from Beatniks to Hippies, we've found a perceptible change in peoples' values—what people decide is important to their life.

Business, with decisions based on its quarterly reports, has been the first to adjust. Markets have changed. Needs for commodities have become smaller. And the public market for those experiences an individual cannot buy, such as clean air, a forest, a museum, a symphony, an opera house, a ballet, etc., have created a burgeoning new major trend, industry, and responsibility for those administering public funds.

Corporations, created for individual gain and the profit motive, have made major contributions to the arts, because they and their stockholders have decided this is a good business decision. The arts today create the quality of life in which they operate. As the private market shifts to the public market, the private slice of the pie is reduced and the public responsibility grows accordingly.

Seattle Opera's budget approximates one million and a quarter. Of that, about 60% comes from ticket sales, about 20% comes from private contributions, 5% is earned income other than ticket sales, and 15% is from city, county, state and federally funded programs.

Our expenses for production cost is about the same as our box office—60%, our administration cost is about equal to our contribution and earned incomes, 25%; and our special programs are direct expenses, 15%.

We represent a minority, but a substantial and very meaningful minority. Our public is incisive, decisive and adventurous; a new kind of pioneer looking for a meaningful life, for something more than the big sky. The nature of creating anything is that it takes time—we cannot mass produce and take operas "off the shelf", therefore, we plan and contract two and three years in advance. This means we must believe in what we are doing, we must believe in our audience and we must believe in you.

THE VALUE OF THE WORK OF THE NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

Mr. MOSS. Mr. President, the growth of the National Foundation on the Arts and the Humanities is the handiwork of this Congress, responding to national needs that we have identified and verified year after year.

Congress has authorized that growth and funded it, with strong bipartisan support and the full backing of two Presidents.

The two endowments have been subjected to unusually careful scrutiny. Because the Foundation is not a permanent agency, its existence must be extended through reauthorizing legislation. This was done in 1968, again in 1970, and it is the purpose of S. 795.

On each of these occasions—this year, in March—subcommittees of the Senate and House take testimony from the chairman of the two endowments and from the public. They question the chairman closely as to past performance and future plans. They have available extensive data and they call on witnesses from leading institutions; and, of course, they draw on their own knowledge of the state of the arts and the humanities, derived in part from reactions of their constituents.

The committee report summarizes this factual record, and the details can be found in the published record of the hearings.

The fact is that S. 795 represents a carefully considered and bipartisan compromise between the bills originally introduced by Senators PELL and JAVITS, S. 795 proposes authorized funding levels for fiscal year 1974 that fall between the original Pell bill and the President's budget request of $72.5 million for each endowment—$145 million for the foundation. The amendment proposed by Senator PROXMIRE would reduce the authorized funding levels to $60 million for each endowment, that is, $20 million below S. 795 and $12.5 million below the President's budget request, for fiscal year 1974.

Such drastic cuts would be a setback to the development of the endowments, that is, to the people of this country whose needs are served by arts and humanities programs.

Congress saw these needs in establishing the endowments. Congress has watched and monitored the public response, and decided on a steady increase in funding to meet it. This action has been conservative, staying well within the needs as they have become better defined.

The existence of the Humanities Endowment, for example, has uncovered a growing constituency all across the Nation, on campuses and off, through the mass media and small-town meetings. Every year, the number of applications has gone up; in the last fiscal year—1972—the endowment received some 4,500, an increase of 34 percent from the previous year. The number of grants it could make—to the successful competitors—was 1,100. In value, these grants totaled approximately $24.5 million in outright funding plus $7 million in gifts and matching funds. The increase in number of grants was 68 percent over the last year's figures. But of the 3,400 applications that had to be turned down, a substantial number deserved support that lack of funds made impossible.

The Congress has thus received constant encouragement, from public re-

sponse, in support of the declaration of purpose stated in the act of 1965—which says in part that—

A high civilization must not limit its efforts to science and technology alone but must give full value and support to the other great branches of man's scholarly and cultural activity in order to achieve a better understanding of the past, a better analysis of the present, and a better view of the future.

S. 795 does not determine what moneys will be available to the foundation—that is done through appropriations—but only establishes ceilings the Senate committee considers to be in keeping with progress already made and with unfilled needs which it has examined carefully.

It is clear that the Arts and the Humanities Endowments are still in a growth phase. A perspective on funding levels would have to take account of the fact that total Federal outlays for research and development—exclusive of physical plant—are at a level of $17 billion annually; or on a less cosmic level, that the National Science Foundation's annual budget is over $60 million, and the Office of Education's comes to several billions. The funding levels proposed for the National Foundation on the Arts and the Humanities are certainly not at a disproportionately high level; in fact, as the deeper needs of our society and Nation are becoming better understood, it is more likely that they are too low, even as stated in S. 795.

In that context, the authorized funding levels for fiscal years 1975 and 1976—as well as fiscal year 1974—in S. 795 are fully justified as a projection of what ought to be done. We should hold up those goals when we try to reorder the national priorities which are so much discussed in this body.

We are talking about programs that are still very new, but which have already proved themselves. What is remarkable is the evidence that these programs reach all the States, all social classes, all ethnic groups, and all ages—they reach the American people, democratically. But even more important, they are concerned with the health of the human spirit and with the very essence of the problems we face every day in this body—that is, with values and goals, with the right priorities for the Nation. These programs promote rationality in public discourse: We certainly need to support that. They enliven the use of our best instincts; they draw upon our great knowledge resources; they promise that national decisions on great issues will be increasingly well informed, in the interest of social justice.

It often helps to bring the abstract work of Federal agencies down to the level of specific examples of their activities. I know Utah better than any State, so I will draw my examples from there.

What have these programs meant to the citizens of my State? For the rural people of southern Utah, 250 miles away from Salt Lake City, it has meant that the Utah Repertory Dance Theater will come to give performances and then stay for a number of days giving demonstrations, lessons, lectures, and further performances. This group, functioning out of the University of Utah, gives students in the rural area of the State a chance to live with, and learn from, the best talent available in the area.

Support from the Endowment for the Arts also means that people in surrounding States in the entire intermountain region can benefit from performances of the Utah Symphony Orchestra and Ballet West. Grants enable these fine performing groups to tour the region and to maintain a stable base in Salt Lake City. The combined grants of $125,000 for these two organizations is a very small price to pay for the cultural opportunities of residents of the entire Western United States.

The effort of the endowment under its expansion arts program has already had impact in my State. The Utah Ballet Folklorico Co. has received $10,000 to help hire a director, organize and develop dance workshops in public schools, and enhance their general activity. Art is for all sectors of society, and this program is helping to make that promise come true.

The examples I have cited are State, regional, and national in scope. The same kind of outreach program represented by the activities of Utah Repertory Dance Theater is carried on by 50 other companies in the United States, reaching 150 communities nationally in 40 different States.

Programs of the foundation mean better life for America. They have been carefully nurtured and are now providing beneficial fruits for all America. To restrict this vision and narrow its scope would be shortsighted and unwise. Let us help the foundation go forward.

Mr. KENNEDY. Mr. President, I fully support S. 795 to extend and increase funding for the National Endowment for the Arts and the National Endowment for the Humanities. Since 1965, when the National Endowment for the Arts was established, we have been privileged to have the commitment and dedication of Directors Roger Stevens and Nancy Hanks. Today, we have an opportunity with this legislation to assure that the growth and success of the endowments in which all Americans have shared will continue.

I ask unanimous consent to insert at this point in the RECORD lists of the programs supported by the Massachusetts Council on the Arts and Humanities under the matching grant funding by the national endowments.

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

COUNCIL-SUPPORTED PROGRAMS IN FISCAL 1971

Since July 1, 1970 the Council has provided financial assistance to the following Massachusetts arts organizations for special projects:

Artists in Action, Inc., Boston, $5,000 to develop and tour a play for elderly people in Greater Boston.

Berkshire Theatre Festival, Stockbridge, $3,000 for a series of winter workshops for playwrights.

Black Harambee Holiday, Springfield, $2,500 for arts programs and performances in its summer festival.

Boston Ballet Company, $15,000 to produce and tour in the schools Carnival of the Animals.

Boston Committee of Young Audiences, $4,000 for a special series of musical experiences in several school systems.

Boston Philharmonic Society, $6,000 to enable the Society to repeat three of its concerts in communities outside Boston.

Busch-Reisinger Museum, Cambridge, $3,318 for a concert series of contemporary music performed by the Boston Musica Viva.

Caravan Theatre, Cambridge, $1,500 for the development of a new play, Jason/Medea.

Ethnic Dance Arts, Barnstable, $4,075 to tour a program of dance performances, lecture-demonstrations, and master classes in the various forms of ethnic dance.

Fine Arts Work Center, Provincetown, $5,000 for its winter program for artists and writers.

Leverett Craftsmen and Artists, Leverett Center, $4,000 to develop a year-round program for a regional arts center.

Library Creative Drama, Boston, $5,000 for its program of drama workshops for children in the public libraries.

Massachusetts Committee of Guild Music Schools, Boston, $1,500 for four inter-school concerts around the state.

Mount Holyoke College Choral Series, South Hadley, $4,000 for a special series for the Connecticut Valley region.

Museum of Fine Arts, Boston, $1,250 to present an "Air Event" as part of the exhibition Elements of Art: Earth, Air, Fire, Water.

New England Regional Opera, Middleboro, $2,320 to mount and tour to schools a production of The Little Sweep.

Pembroke Arts Festival, $500 for an exhibition, a glassmaking demonstration and music performances.

Pittsfield Afro-American Society, $3,500 for drama workshops and the mounting of a new play.

Theatre Workshop, Boston, $2,000 for a new work for environmental theatre.

COUNCIL ANNOUNCES PROGRAM SUPPORT FOR FISCAL 1972

The following list is the result of the Council vote on applications for support submitted by March 15, 1971. The funding for these projects is for the fiscal year 1972, starting July 1, 1971.

Alliance of Cambridge Settlement Houses, Cambridge—$1,000 for a theater workshop for children at the Cambridge Art Center.

Amherst Art Center, Amherst—$1,000 for Project Weaving: to provide instruction in contemporary developments of the art of weaving as well as the basic skills of the craft.

Associated Artists Opera Co. of New England, Boston—$2,500 to help continue and strengthen a local repertory opera company.

Berkshire Civic Ballet, Inc., Pittsfield—$500 to help stimulate audience development; the money will be used to underwrite free tickets for students.

Black Harambee Holiday, Springfield—$1,500 for Black Harambee Holiday Week, a Black culture and arts festival including an art show, dance, theater, and jazz.

Boston Center for the Arts, Boston—$3,000 for scholarships for South End children to all Center activities ($1,000); to hire a stage manager/technical administrator for the Center ($2,000).

Boston Committee of Young Audiences, Inc., Boston—$2,000 for expansion of the music-in-the-classroom program: to expand the kinds of programs as well as increase the number of communities reached outside the Boston area.

Boston Foundation, Inc., Boston—$3,000 for *Summerthing*, the neighborhood arts program in Boston.

The Boston Musica Viva, Newton Center—$2,000 for continuance of concerts of 20th century music.

Boston Negro Artists Association, Boston—$1,000 for a summer graphics workshop for young people.

Boston Public Library, Boston—$1,000 for

conducting and taping interviews pertaining to the Sacco-Vanzetti case.

Cambridge Community Schools Program, Cambridge—$1,000 for music/drama workshops for children conducted by the Cambridge Opera Workshop.

The Camerata, Museum of Fine Arts, Boston—$3,500 to inaugurate a series of concerts to bring rarely-heard medieval and renaissance music to communities outside the Boston area.

Cantata Singers, Inc., Boston—$1,000 to embark on a 6-concert tour to towns outside the Boston area.

Children's Museum, Boston—$1,000 to make the materials in the Museum's Resource Center available to the public through a new classification and information dispersal system.

The Creative Center, Marshfield—$800 to continue arts classes for children and to expand the program to include introductory evening classes for adults and teenagers.

Fine Arts Work Center, Provincetown—$2,000 for support of a painters' and writers' internship program.

Freetown Elementary School, East Freetown—$500 for a series of informal programs by visiting professionals in music, drama, dance, and art.

Garrett Players, Inc., Methuen—$1,000 for support of a theatre program for children.

Institute of Contemporary Art, Boston—$1,500 for an exhibition in Boston by the faculty of the Art Department of the University of Massachusetts/Amherst.

Library Creative Drama, Boston—$2,000 to continue a program of drama workshops for children.

Museum of Afro-American History, Roxbury—$1,200 to introduce Lewis Middle School students to the resources of the Museum by training them as Junior Curators.

New England Regional Opera, Middleboro—$1,750 to continue the touring program for children.

Pembroke Arts Festival, Pembroke—$500 for a three-day outdoor arts festival.

Plymouth Chamber of Commerce, Plymouth—$500 for the Plymouth Outdoor Art Show 1971.

Plymouth Philharmonic Orchestra, Plymouth—$500 for an outdoor concert to be coordinated with Plymouth's 350th Anniversary celebration.

City of Somerville—$2,000 for "Somerfest," Somerville's neighborhood arts festival.

Springfield Dunbar Players, Springfield—$2,500 for professional theatre consultants to provide technical assistance and training for company members.

Store-Front Learning Center, Boston—$2,000 for an arts and Black/Puerto Rican studies project.

Technical Development Corporation, Bedford—$3,000 for an art instruction program at state prisons.

Theatre Company of Boston, Boston—$6,000 for a summer workshop program for young people in all phases of theatre production.

Urban Coalition, Pittsfield—$2,000 for summer workshops in theatre for young people: including Acting, Playwriting, Design, Photography and Cinemotography workshops.

WGBH Educational Foundation, Boston—$1,000 for continuation and expansion of "The Poet Speaks," the radio series in which poets read and discuss their own works.

Wheaton Trio, Norton—$3,000 for expansion of the existing program to present instrumental music to elementary school children and for day-long "Trio-in-residence" programs at high schools and colleges in Southeastern Massachusetts.

Williams College Concerts, Williamstown—$2,000 for a 3-day residence of the Detroit Symphony Orchestra in Williamstown.

Youth Concerts at Symphony Hall, Inc., Boston—$1,500 for expansion of its existing program, to provide concerts for grade six students from low-income areas of cities outside of Boston.

Mr. KENNEDY. Mr. President, several years ago during hearings on the establishment of the national foundation, I testified that I felt it was essential to encourage the development of culture, its expression of truth, and its broadening of all men. It is in the development of this wisdom that the humanities and the arts have such a vital role.

President Kennedy who cared so deeply that this Government should support the arts and humanities in our country said:

> I am certain that, after the dust of centuries has passed over our cities, we will be remembered not for our victories or defeats in battle or politics, but for our contribution to the human spirit.

And it is in the interest of the human spirit that we act on this legislation today.

One gift separates all that is human from all that is not—and that is creativity. Creative energy has molded cultures and civilizations, developed and led nations, shaped philosophy and history, and brought us to the ends of the Earth and beyond.

One human quality survives and overcomes hunger and disease and war and desperation, and that is the knowledge that we have the opportunity to create a better moment for the human spirit today or tomorrow, in a small and unheralded way or in a broad and public way.

One bond unites all persons and makes them free—whether they are behind bars or sailing the seas, whether they are hungry or wealthy, whether they are lonely or well-loved—and that is the wisdom that to be human is to create and shape your own world.

There is a force that runs the length of history and the breadth of the human race, and it is the driving force of creative energy that awakens and rejuvenates the human spirit. Artistic creation or artistic appreciation are neither dulling nor tranquilizing. Both tell us the worst about ourselves as well as the best—illuminating the lost possibilities as well as outlining our power to shape the future.

We cannot measure the contribution we make today to the expansion of the human spirit in assuring adequate funds for the endowments for the next 3 years. But we can know with certainty that by supporting the National Endowments for the Arts and Humanities we have renewed our commitment to the best in ourselves and we have made slightly more possible the peace and happiness that only artistic and humanistic achievements will ultimately give us.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass? 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 Missouri (Mr. EAGLETON), the Senator from Washington (Mr. MAGNUSON), and the Senator from Alabama (Mr. SPARKMAN), are necessarily absent.

I further announce that the Senator from Nevada (Mr. CANNON) is absent on official business.

I also announce that the Senator from Mississippi (Mr. STENNIS) is absent because of illness.

I further announce that, if present and voting, the Senator from Washington (Mr. MAGNUSON) would vote "yea."

Mr. SCOTT of Pennsylvania. I announce that the Senator from Maryland (Mr. BEALL), the Senator from Michigan (Mr. GRIFFIN), and the Senator from Kansas (Mr. PEARSON) are absent on official business.

The Senator from Ohio (Mr. SAXBE) is necessarily absent.

The Senator from Arizona (Mr. GOLDWATER) is detained on official business.

The result was announced—yeas 76, nays 14, as follows:

[No. 112 Leg.]

YEAS—76

Abourezk	Fong	Montoya
Aiken	Fulbright	Moss
Allen	Gravel	Muskie
Baker	Gurney	Nelson
Bayh	Hansen	Nunn
Bellmon	Hart	Packwood
Bennett	Hartke	Pastore
Bentsen	Haskell	Pell
Bible	Hatfield	Percy
Biden	Hathaway	Randolph
Brock	Hruska	Ribicoff
Brooke	Huddleston	Schweiker
Buckley	Hughes	Scott, Pa.
Burdick	Humphrey	Stafford
Byrd, Robert C.	Inouye	Stevens
Case	Jackson	Stevenson
Chiles	Javits	Symington
Church	Kennedy	Taft
Clark	Long	Thurmond
Cook	Mansfield	Tower
Cranston	Mathias	Tunney
Curtis	McGee	Weicker
Dole	McGovern	Williams
Domenici	McIntyre	Young
Dominick	Metcalf	
Fannin	Mondale	

NAYS—14

Bartlett	Ervin	McClure
Byrd, Harry F., Jr.	Helms	Proxmire
	Hollings	Roth
Cotton	Johnston	Scott, Va.
Eastland	McClellan	Talmadge

NOT VOTING—10

Beall	Griffin	Sparkman
Cannon	Magnuson	Stennis
Eagleton	Pearson	
Goldwater	Saxbe	

So the bill (S. 795) was passed, as follows:

S. 795

An act to amend the National Foundation on the Arts and the Humanities Act of 1965, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Foundation on the Arts and the Humanities Amendments of 1973".

AMENDMENTS TO THE NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES ACT OF 1965

SEC. 2. (a) The National Foundation on the Arts and the Humanities Act of 1965 is amended in the following respects:

(1) Clause (7) of section 2 of such Act is amended by striking out all that appears after "a National Foundation on the Arts and the Humanities" and inserting in lieu thereof a period.

(2) Subsection (d) of section 3 of such Act is amended by striking out "renovation, or construction" and by adding at the end thereof the following new sentence: "Such term also includes—

"(1) the renovation of facilities if (A) the amount of the expenditure of Federal funds for such purpose in the case of any project does not exceed $250,000, or (B) two-thirds of the members of the National Council on the Arts (who are present and voting) approve of the grant or contract involving an expenditure for such purpose; and

"(2) the construction of facilities if (A) such construction is for demonstration purposes or under unusual circumstances where there is no other manner in which to accomplish an artistic purpose, and (B) two-thirds of the members of the National Council on the Arts (who are present and voting) approve of the grant or contract involving an expenditure for such purpose.".

(3) (A) That part of subsection (c) of section 5 of such Act which precedes clause (1) is amended by striking out "the Federal Council on the Arts and the Humanities and".

(B) In clauses (1) and (2) of such subsection (c) such Act is amended by striking out "production" each time it appears and inserting in lieu thereof "projects and productions"; and, in clause (3) of such subsection, such Act is amended by striking out "projects" and inserting in lieu thereof "projects and productions".

(C) Clause (5) of such subsection (c) is amended by striking out "and planning in the arts" and inserting in lieu thereof ", planning, and publications relating to the purposes of this subsection".

(D) Such subsection (c) is amended by adding at the end thereof the following new sentence: "In the case of publications under clause (5) of this subsection such publications may be supported without regard for the provisions of section 501 of title 44, United States Code, only if the Chairman consults with the Joint Committee on Printing of the Congress and the Chairman submits to the Committee on Labor and Public Welfare of the Senate and the Committee on Education and Labor of the House of Representatives a report justifying any exemption from such section 501.".

(4) (A) Paragraph (1) of subsection (g) of section 5 of such Act is amended by striking out "the Federal Council on the Arts and the Humanities and".

(B) That part of paragraph (2) which precedes clause (A) of such subsection (g) is amended (i) by striking out "such assistance" and inserting in lieu thereof "assistance under this subsection" and (ii) by striking out "prior to the first day of such fiscal year" and inserting in lieu thereof "at such time as shall be specified by the Chairman".

(C) Such subsection (g) is amended by striking out paragraphs (3) and (4) and inserting in lieu thereof the following:

"(3) The sums appropriated to carry out the purposes of this subsection shall be allotted among the States in equal amounts.

"(4) (A) The amount of each allotment to a State for any fiscal year under this subsection shall be available to each State which has a plan approved by the Chairman to pay more than 50 per centum of the total cost of any project or production described in paragraph (1), except that the amount of any such allotment for any fiscal year which exceeds $125,000 shall be available, at the discretion of the State agency, to pay up to 100 per centum of such cost of projects and productions if such projects and productions would otherwise be unavailable to the residents of that State: *Provided*, That the total amount of any such allotment for any fiscal year which is excepted from such 50 per centum limitation shall not exceed 20 per centum of the total of such allotment for such fiscal year.

"(B) Funds made available under this subsection shall not be used to supplant non-Federal funds.".

(D) Subsection (j) of section 5 of such Act is amended to read as follows:

"(j) It shall be a condition of the receipt of any grant under this section that the group or individual of exceptional talent or the State or State agency receiving such grant furnish adequate assurances to the Secretary of Labor that all laborers and mechanics employed by contractors or subcontractors on construction projects assisted under this section shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended. The Secretary of Labor shall have with respect to the labor standards specified in this subsection the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (5 U.S.C. 913) and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c).".

(5) Subsection (f) of section 6 of such Act is amended, in the third sentence thereof—

(A) by striking out "$10,000" and inserting in lieu thereof "$15,000"; and

(B) by striking out the period at the end thereof and inserting in lieu thereof the following: ": *Provided*, That the terms of any such delegation of authority shall not permit obligations for expenditure of funds under such delegation for any fiscal year which exceed an amount equal to 10 per centum of the sums appropriated for that fiscal year pursuant to subparagraph (A) of paragraph (1) of section 11(a).".

(6) (A) That part of subsection (c) of section 7 of such Act which precedes clause (1) is amended by striking out "the Federal Council on the Arts and the Humanities and".

(B) Clause (2) of such subsection is amended by adding at the end thereof the following: "any loans made by the Endowment shall be made in accordance with terms and conditions approved by the Secretary of the Treasury.".

(C) Clause (6) of such subsection (c) is amended by striking out all that follows "the humanities" and inserting in lieu thereof a period.

(D) Such subsection (c) is amended by adding at the end thereof the following new sentence: "In the case of publications under clause (6) of this subsection such publications may be supported without regard for the provisions of section 501 of title 44, United States Code, only if the Chairman consults with the Joint Committee on Printing of the Congress and the Chairman submits to the Committee on Labor and Public Welfare of the Senate and the Committee on Education and Labor of the House of Representatives a report justifying any exemption from such section 501.".

(7) Subsection (f) of section 8 of such Act is amended, in the third sentence thereof—

(A) by striking out "$10,000" and inserting in lieu thereof "$15,000,"; and

(B) by striking out the period at the end thereof and inserting in lieu thereof the following: ": Provided, That the terms of any such delegation of authority shall not permit obligations for expenditure of funds under such delegation for any fiscal year which exceed an amount equal to 10 per centum of the sums appropriated for that fiscal year pursuant to subparagraph (B) of paragraph (1) of section 11(a).".

(8) Section 9(b) of such Act is amended to read as follows:

"(b) The Council shall be composed of the Chairman of the National Endowment for the Arts, the Chairman of the National Endowment for the Humanities, the United States Commissioner of Education, the Secretary of the Smithsonian Institution, the Director of the National Science Foundation, the Librarian of Congress, the Director of the National Gallery of Art, the Chairman of the Commission of Fine Arts, the Archivist of the United States, the Commissioner, Public Buildings Service, General Services Administration, a member designated by the Secretary of State, and a member designated by the Secretary of the Interior, a member designated by the Chairman of the Senate Commission on Art and Antiquities, and a member designated by the Speaker of the House.

The President shall designate the Chairman of the Council from among the members. The President is authorized to change the membership of the Council from time to time as he deems necessary to meet changes in Federal programs or executive branch organization.".

(9) Clause (2) of subsection (a) of section 10 of such Act is amended by inserting after "purposes of the gift" the following: ", except that a Chairman may receive a gift without a recommendation from the Council to provide support for any application or project which can be approved without Council recommendation under the provisions of sections 6(f) and 8(f), and may receive a gift of $15,000, or less, without Council recommendation in the event the Council fails to provide such recommendation within a reasonable period of time".

(10) Section 11 of such Act is amended by striking out subsections (a) and (b) and inserting in lieu thereof the following:

"SEC. 11. (a) (1) (A) For the purpose of carrying out section 5(c), there are authorized to be appropriated to the National Endowment for the Arts, $59,000,000 for the fiscal year ending June 30, 1974, $105,750,000 for the fiscal year ending June 30, 1975, and $152,500,000 for the fiscal year ending June 30, 1976.

"(B) For the purposes of carrying out section 7(c), there are authorized to be appropriated to the National Endowment for the Humanities $70,000,000 for the fiscal year ending June 30, 1974, $125,000,000 for the fiscal year ending June 30, 1975, and $180,000,000 for the fiscal year ending June 30, 1976.

"(C) For the purpose of carrying out section 5(g), there are authorized to be appropriated to the National Endowment for the Arts $11,000,000 for the fiscal year ending June 30, 1974, $19,250,000 for the fiscal year ending June 30, 1975, and $27,500,000 for the fiscal year ending June 30, 1976.

"(2) There are authorized to be appropriated for each fiscal year ending prior to July 1, 1976, to the National Endowment for the Arts and to the National Endowment for the Humanities, an amount equal to the total amounts received by each Endowment under section 10(a)(2), except that the amount so appropriated for any fiscal year shall not exceed the following limitations:

"(A) For the fiscal year ending June 30, 1974, $20,000,000.

"(B) For the fiscal year ending June 30, 1975, $30,000,000.

"(C) For the fiscal year ending June 30, 1976, $40,000,000.

"(b) (1) Sums appropriated pursuant to subsection (a) for any fiscal year shall remain available for obligation and expenditure until expended.

"(2) (A) Unless the Congress, during the period beginning July 1, 1975, and ending July 1, 1976, passes or formally rejects legislation extending the authorizations of appropriations in subsection (a), each of such authorizations of appropriations is hereby automatically extended for the fiscal year beginning on such latter date at the level provided for each of such authorizations for the preceding fiscal year.

"(B) For the purposes of subparagraph (A), legislation shall not be considered as having been passed by Congress until it has become law.

"(3) In order to afford adequate notice to interested persons of available assistance

under this Act, appropriations authorized under subsection (a) are authorized to be included in the measure making appropriations for the fiscal year preceding the fiscal year for which such appropriations become available for obligation.".

(11) Sections 13 and 14 of such Act are repealed.

(b) The amendments made by subsection (a) shall be effective on and after July 1, 1973.

AMENDMENT TO THE LIBRARY SERVICES CONSTRUCTION ACT, INCLUDING RESEARCH LIBRARIES IN THE DEFINITION OF "PUBLIC LIBRARY"

SEC. 3. (a) Section 3(5) of the Library Services and Construction Act is amended by adding at the end thereof the following new sentence: "Such term also includes a research library, which, for the purposes of this sentence, means a library which—

"(A) makes its services available to the public free of charge;

"(B) has extensive collections of books, manuscripts, and other materials suitable for scholarly research which are not available to the public through public libraries;

"(C) engages in the dissemination of humanistic knowledge through services to readers, fellowships, educational and cultural programs, publication of significant research, and other activities; and

"(D) is not an integral part of an institution of higher education.".

(b) The amendment made by subsection (a) shall be effective on June 30, 1973, and only with respect to appropriations for fiscal years beginning after such date.

HUMANITIES GRANTS

SEC. 4. Section 7(d) of the National Foundation on the Arts and the Humanities Act of 1965 is amended by adding after the phrase "Federal programs" a comma and then the words "designated State humanities agencies".

AMENDMENTS WITH RESPECT TO EXPANDING ARTS AND HUMANITIES AUTHORITY

SEC. 5(a) Section 5(c)(2) of the National Foundation on the Arts and the Humanities Act of 1965 is amended by striking out "in many areas of the country" and inserting in lieu thereof "for geographic or economic reasons".

(b) Section 7(c) of such Act is amended by striking out "and" at the end of paragraph (5), by striking out the period at the end of paragraph (6) and inserting in lieu thereof "; and", and by adding the following new paragraph:

"(7) insure that the benefit of its programs will also be available to our citizens where such programs would otherwise be unavailable due to geographic or economic reasons."

Mr. PELL. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. JAVITS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. PELL. Mr. President, I ask unanimous consent that the Secretary of the Senate be authorized to make clerical and technical corrections in the engrossment of the text of S. 795.

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

VOTER REGISTRATION ACT

The PRESIDING OFFICER. Under the previous order, the Senate will now resume the consideration of the unfinished business, S. 352, which will be stated by title.

The legislative clerk read as follows:

A bill (S. 352) to amend title 13, United States Code, to establish within the Bureau of the Census a Voter Registration Administration for the purpose of administering a voter registration program through the Postal Service.

The Senate proceeded to consider the bill.

The PRESIDING OFFICER. What is the will of the Senate?

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. McGEE. 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. McGEE. Mr. President, may I inquire what the parliamentary situation is?

The PRESIDING OFFICER. The unfinished business, S. 352, is before the Senate. The question is on passage.

Mr. McGEE. Mr. President, we have had a conversation among those involved with the bill. As I understand it, the Senator from Alabama has a motion to make and some remarks to make, and I am glad to yield the floor.

Mr. ALLEN. I thank the distinguished Senator from Wyoming, the chief sponsor of the bill, for allowing me to speak at this time.

Mr. President, the bill under consideration, S. 352, a bill to provide for a system of registration of voters by post card, has been before the Senate as the pending business, and subsequently the unfinished business, since April 6. Since that time, however, other matters have been taken up on the call of the calendar prior to the unfinished business being laid before the Senate; and by unanimous consent of all those involved in the entire Senate, the Senate has been allowed to proceed to matters of considerable moment pending before the Senate.

For example, the arts and humanities bill was allowed to proceed to final passage by unanimous consent, despite the pendency of S. 352 as the unfinished business. Also, the bill of the distinguished Senator from West Virginia (Mr. ROBERT C. BYRD), to set 4-year terms for Cabinet officers, was allowed to proceed to a vote. All this was done by unanimous consent. But the fact remains that since the day following the original laying before the Senate of S. 352—that is, on April 7—this bill has been the unfinished business before the Senate.

Mr. President, yesterday the Senator from Alabama made a motion to displace S. 352 from its position as the unfinished business and to displace it with S. 373, Calendar No. 115, a bill to insure the separation of Federal powers and to protect the legislative function by requiring the President to notify the Congress whenever he impounds funds, or authorizes the impounding of funds, and to provide a procedure under which the Senate and House of Representatives may approve the President's action or require the President to cease such action.

Under the Senate rules, since the bill was laid aside temporarily and the arts and humanities bill became the pending business before the Senate, the motion made yesterday by the Senator from Alabama died with the adjournment on yesterday evening. That, therefore, makes it imperative that the Senator from Alabama refile or reassert his motion, which I shall do toward the end of my remarks and before yielding the floor.

Why should the U.S. Senate occupy its time considering such trivia as S. 352, when many matters pending before the Nation and pending before the Senate should be occupying the time of the U.S. Senate? We have heard much talk in the Senate and in the media that Congress should assert or reassert itself so as not to allow further concentration of power in the executive departments, and that Congress should be the branch of Government that should set the spending priorities of the Nation.

Therefore, Mr. President, when the President of the United States impounded certain funds in certain areas of Government activity that had been appropriated by Congress, much is said about a need for a bill that would prevent such impoundment without the approval of Congress. Over in the House the matter was approached from the standpoint of requiring that in cases where the President impounded funds the President should have that right unless a majority of the House and the Senate by resolution within 60 days, I believe, should come in and say that the President should not have that power.

On the other hand, S. 373, the bill by the Senator from North Carolina (Mr. ERVIN) and other Senators, approaches this matter from just the reverse position, saying that impoundment should stop unless a majority of the House and the Senate authorizes the impoundment, which is exactly the opposite approach.

So, Mr. President, it seems to me that this bill is of much greater importance, and I refer to S. 373, than the so-called post card registration bill, and the purpose of the motion made yesterday by the Senator from Alabama was merely to say, "Let us lay aside the post card registration bill, let us send it back to the calendar, this bill that we have no need for, this bill that sets up an expensive echelon of Federal bureaucracy, let us send that back to the calendar. Do not necessarily kill it at this time, but wait until later to do that. But send it back to the calendar and take up something of real importance that the Senate is going to have to face some time."

This motion is a method by which Senators can say what they think is important to the Nation. Is it important to broadcast tens and even hundreds of millions of post cards through the Postal System throughout the country to induce people to register, when all they have to do now is to go down to the registration office, present themselves, and register? Is it more important to consider a bill of that sort than to consider a bill that goes to the very foundation of our Republic, the very foundation of the separation of powers on which our Constitution is based? Which of these bills should the

Senate consider as more important? Should we continue on with the bill that we have been on since April 6, where the Senate on Monday said it did not want to stop debate, let the debate continue, a bill that was defeated by a rollcall vote in the Senate during the last Congress—should the time of the Senate be occupied with a bill of this sort when we have bills having to do with the most important subjects and the most important issues facing the Nation?

Mr. President, if debate should continue later in the afternoon I shall discuss the details of the bill at somewhat greater length and, of course, I am prepared to do so on short notice. But at this time, Mr. President, in order that this issue may be brought before the Senate, to let the Senate decide whether it is concerned with the separation of powers as between the executive branch and the legislative branch of our Government, or whether it wants to keep on considering a bill that already has been turned down by the Senate on one occasion and on another occasion the Senate stated it did not wish to end debate on the bill, I shall make a motion.

The effect of the motion that was made yesterday by the Senator from Alabama was merely to put S. 352 back on the calendar and to then put the Senate to work considering S. 373, which is on the first page of the calendar.

Mr. President, at this time, I move that the Senate proceed to the consideration of S. 373, Calendar Order No. 115 on today's calendar, a bill to insure the separation of Federal powers and to protect the legislative function by requiring the President to notify the Congress whenever he impounds funds, or authorizes the impounding of funds, and to provide a procedure under which the Senate and the House of Representatives may approve the President's action or require the President to cease such action.

The PRESIDING OFFICER. The question is on agreeing to the motion.

Mr. ALLEN. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is not a sufficient second.

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

Mr. McGEE. Does the Senator wish to do that now or does he wish me to discuss the matter?

Mr. ALLEN. I withdraw the suggestion of a quorum.

The PRESIDING OFFICER. The Senator from Wyoming is recognized.

Mr. McGEE. Mr. President, I appreciate the cooperativeness of my colleague, the Senator from Alabama.

To set the record straight, while S. 352 has been before the Senate as the pending business since the 6th day of April, the only reason that it has been the pending business since the 6th day of April is that my colleague from Alabama has sought not to permit an up-and-down vote. The Senate has been ready to vote in terms of testing the issue itself. The Senator from Wyoming did not keep this as the pending business since April 6. The Senator from Wyoming offered to vote on April 7, on April 8, and whatever day one cares to mention between April 6 and this day. I renew that pledge now.

As a matter of fact, as a gesture of good will on my part, the Senator from Alabama is very much interested, as I am, in S. 373 on the impoundment question. It is a very critical matter. I am very much interested in S. 352 and a great many Senators think it is also an important issue. I would like to pledge myself with reference to both of those bills this afternoon. If the Senator from Alabama will help me pass my bill I will help him pass his bill.

If the Senator will help me pass my bill, I will help him pass his bill, and in this way we will get the best of both worlds. That is the simplest way to avoid problems. We will avoid the problems tomorrow. I do not know how to be more generous than that.

We pass many bills in the course of a session of Congress. We are going to have more than S. 373 this year. All I am offering is that we get rid of these two bills this afternoon. That would make quite a day in the U.S. Senate.

I appreciate the fact that the Senator from Alabama believes the bill to be trivia, although it did not sound like that when he told us of the horrendous things that were likely to happen under S. 352. I am not sure it is trivia when the Senate addresses the question why 62 million Americans of age did not vote last November. Is that trivia?

Mr. President, I submit there is something basically wrong in the system when that kind of nonperformance arises in what we loosely call the world's greatest democracy. When we remember that approximately 70 million people voted and 62 million did not vote, we can grasp the dimensions of the problem.

So I would submit that is hardly trivia; that, if anything, it is a serious indictment of something in a system that holds itself out to the rest of the world as the way to do, as the kind of government to encourage, as the sort of citizenship responsibility to uphold. And because of the difficulties that make up the mixed bag of explanations as to why the 62 million who were of age but did not vote, we have sought to approach one of those factors. One factor was at least to reduce the obstacles in registration.

Mr. President, merely registering will not guarantee that they will vote, but believe me, the record shows that it does make a significant and constructive step toward encouraging them to vote.

It just behooves us to try. We are required in this body, it seems to me, especially in this time of history and this day, to make it possible, to make it easier, for more people to vote.

All the post card system does is permit an individual to apply, to request, the chance to register by post card. That is all it does. And, given the obstacles which are quite variable, of limited hours in some registration places, some remaining open only from 9 to 5, some requiring that one register at the courthouse, some at city hall, some areas being rather far removed—in my own State some voters would have to go 100 miles to register; I am sure that is true in the State of Alaska and others of the Western States—there ought to be a way to facilitate registration, and this is one of those ways. That is hardly trivia, Mr. President. So I renew my offer. There were 56 Senators here Monday who thought this bill was important enough to move it along. There were 31 Members of this body who thought it was not important enough to move it along.

Let me remind Senators of that vote again. It was 56 to 31. That is a fair majority, I would say. That is why it is important that we permit the Senate to express its will; and that will dare not be cloaked behind the veil of a parliamentary device designed to prevent standing up and being counted on an issue that is of deep concern to most Americans. In these times, whatever else we do, we ought to avoid the shadows of covering up where a man stands on an issue of grave public concern.

All we ask is that there be a showing of the stature of the Senate, the posture of each spokesman here as he represents his State and his Nation on the question of extending the base and the procedures of the process of registration. That is all we ask.

The sentiment of this body has been made clear again and again on each of the many times we have been engaged in this procedure since April 6, including the vote in this body as recently as Monday of this week; 56 to 31, in my judgment, is a popular mandate for action, a popular mandate that the Senate of the United States move.

So we have in mind, I would say again to the distinguished Senator from Alabama, that it would be dramatic this afternoon in this body, at this relatively late hour, if we could walk down to the well of the Senate, arm in arm, and let this body know that we are going to pass two significant measures today—his and mine. I do not know whether he has the votes for his, because a vote has not been tried; but I am willing to help, and that is as fair as one can be, as I see it. I am not asking that he not call his up. I am not asking that he withdraw it from the calendar. I am not saying we are going to filibuster it or talk about it at great length to prevent action. I think it is an important bill. I think we ought to have had it up on the 7th of April, the day after the Senator permitted mine to pass. But that was not his decision. He chose otherwise. So I make the reciprocal offer that we do both. I think it would be a memorable day in the history of this body if the Senator from Alabama (Mr. ALLEN) and the Senator from Wyoming could join in a mutual effort to deliver both measures as an act of this body in the same afternoon.

I would be willing to agree to a time limitation on both bills. I think we could allow 15 minutes on each bill and vote on one at a quarter of 4, and on the other by 4:15. This, likewise, would demonstrate who is willing to move and who is willing to go into action.

Therefore, in the light of the pending business that is before this body, it is my understanding that the leadership—wherever it may be—intends to offer a motion to table the motion by the Sena-

tor from Alabama. I would suspect that the leadership is in the Democratic caucus, down the hall, right now, while we are holding the floor right here. And I would suppose that this may be an appropriate moment for the quorum call that was originally requested by my friend, the Senator from Alabama.

If it is agreeable, I suggest the absence of a quorum so that we can recruit leadership.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. FONG. 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. FONG. Mr. President, I cannot let this occasion go by without answering some of the comments of the distinguished Senator from Wyoming who tells us that 62 million Americans did not vote in the election of 1972.

The Senator from Wyoming seems to conclude that the reason 62 million Americans did not vote in 1972 was because we have such onerous and obstructive State voter-registration laws.

Mr. President, we know very well that the primary reason why most of these 62 million Americans did not vote is because they were not interested in voting. I say that they were not interested in voting because the facts bear me out. The fact that they are registered does not mean that they will vote.

Many of them do not register because they do not care to vote. It is probably correct that a greater percentage of those who register will vote than is the case with those who do not register. If a man registers, there is greater possibility that he will vote.

However, Mr. President, a survey was made in 1968 of 50,000 households in the United States and, as I have said, 50,000 households represent probably 150,000 Americans. That poll, Mr. President, is much larger than the Harris poll or the Gallup poll which survey approximately 1,500 Americans in each poll. Here we have a survey that was made in 1968 of 50,000 households or approximately 150,000 Americans. These people were asked whether they registered to vote; 26,000 of the 50,000 households, or more than 50 percent, of the 50,000 households said that they had not registered to vote. The 50 percent that did not register to vote were then asked for the reasons why they had not registered to vote. Approximately 10 percent said they had not registered because they were not eligible to register, either because they were aliens or did not meet the requirements of residence or other standard requirements.

Mr. President, of the 26,000 households that responded that they had not registered to vote, 53.3 percent said they had not registered to vote because they were not interested in politics. When we eliminate the 10 percent who could not register because they did not meet the necessary citizen requirements, the 53.3 percent increases to 60 percent of those households that had not registered. They did say that they were not interested in politics.

Mr. President, I bring this fact up to show that it is not because of the present State voter registration laws that people do not register. It is because these people do not care to vote.

Mr. President, I go further to prove my statement. In the State of Texas, where one can register simply by clipping a coupon from an advertisement in the local newspaper and sending that coupon in to the registrar. That is the way the people of Texas have been registering to vote for 30 years. We find that 55 percent of the eligible voters in the State of Texas did not vote in the 1972 election.

Mr. President, let us go to the State of North Dakota where there is absolutely no preregistration. The citizens of North Dakota go to the voting booth on election day and vote. They have no preregistration whatsoever in that State. And what do we find there? We find that 31 percent of the people in North Dakota did not vote in the last election. That is not because they were barred by restrictive State voter registration laws. It is not because they could not get down to the registrar to register. It is not because they were impeded in registering. These people do not have any registration requirements. Yet, 31 percent of the citizenry of North Dakota who were eligible to vote did not vote.

Mr. President, I point to my State of Hawaii. In the State of Hawaii, everything is done during the election period to get out the votes, and to get the people registered. The citizen is exhorted by radio, television ads, newspaper ads, and by many of their friends to come out and register.

Registrars are deputized by the Republican Party, by the Democratic Party, and by the clerk of registration. They sit at street corners. They go into supermarkets and sit at tables. A citizen can register in the supermarket. One can register at a street corner. The registrars even go from house to house.

Mr. President, many of these registrars are paid by the number of registrants they can secure. The registration office is open until 12 o'clock at night. It is open on Saturdays. Still, what do we find in the State of Hawaii? We find that approximately one-half of the people of Hawaii who were eligible to vote did not vote. That is not because they were barred by restrictive State registration laws. It is because they did not care to vote, as shown by the 1968 survey conducted by the Bureau of the Census.

Mr. President, when we say that these people do not care to vote—and that this fact has been proven by a survey—it means that we are being called upon to expend great sums of money in this registration system which the proponents are trying to get the Senate to adopt. We will have to spend approximately $100 million every mailing. That means we are really using a cannon to shoot a fly. We are really wasting a lot of money, $100 million, and that is especially serious in these days when our Government is so deeply in debt. This money will go for a program, the value of which is very dubious.

Mr. President, I am quite sure that we will be able to get some more people to register if we pass this bill. However, we will not get them to register in substantial numbers. It has been proven that even where the laws are easy, and where there is no requirement for registration, that people have not come out as they should to register.

It is for these reasons that we are against this measure. We are saying that we would spend approximately $100 million at least every 2 years to distribute approximately 300 millions cards to 88 million addresses in the United States, and for what?

For what? When the registration laws are so lenient, when it is so easy for the citizen who wishes to register to register. There is no need for this law. If we had onerous laws, if we had laws which prohibited people from registering, if we had laws which prevent them from registering when they want to register, then I would say there is some argument for the passage of this bill. But we do not have such onerous laws; and, when we can show that in States where the laws are so easy for the voters to comply with that all they have to do is go to a registrar at the street corner, or stay at their homes when a registrar comes to ask them to register, or go down to the registrar's office and spend a few minutes, this expenditure of tremendous amounts of money to get a few of them to register when they are not interested in politics is just a waste of money.

That is the reason we are against this bill. Moreover, we are against it because it offers tremendous opportunities for fraud. A man can sign his name to a card, or a woman can sign a card, or any child can sign a card and send it in and say he is qualified to vote. The registrar returns to him a receipt showing he is registered, and that receipt, according to the terms of the bill, is prima facie evidence that he is a lawful, registered, and qualified voter.

He can send in any number of registration cards and receive any number of receipts. Whether he signs his name as John Doe, John Smith, or Henry Smith, he will receive as many receipts as he can send in cards, and can take those receipts and vote on each receipt, because the receipt will be prima facie evidence that he is a registered and lawful voter.

When we consider that this would provide tremendous opportunities for fraud, with a possibility of registering tombstones, people who are not of age, or people who are nonexistent, and of giving addresses where there are no people living, we will really give to those who want to commit fraud, under this kind of system, a great opportunity for fraud.

The proponents will tell you, "We have set up penalties for this type of fraudulent action." But I ask them, how are you going to catch the person? He only presents himself at the voting booth on election day, and on election day you do not have the time to question him.

I would say, Mr. President, that this

is a very bad bill from the standpoint of fraud; and from the standpoint of expenditure. It would expend a great deal of money to do an almost useless task.

Mr. McGEE. Mr. President, I do not intend to proceed at any great length, but just for a very few moments I would like to respond to my colleague, the ranking minority member of the Post Office and Civil Service Committee which reported out this bill, to say that I applaud the State of Hawaii, his State, for the many innovative ways it uses to reach voters, though despite all those liberal efforts, only 50 percent of the people otherwise eligible bother to vote. That happens in many parts of the United States; it is not unique in Hawaii. It is more particularly true, of course, in some of the Western States, rather than the more heavily populated areas.

But what disturbs and continues to disturb me is that low-voter turnout is not true in any other country of the Western World. Does that mean that the people of Wyoming, or Hawaii, or Alaska are not well-motivated citizens? Does it mean that something is lacking in the American fiber that the French have, the Belgians have, the Canadians have, the British have, and the Germans have?

That would be one obvious conclusion, but I just do not happen to think it is true, Mr. President. I think our people are made of as tough and responsible a fiber as the citizens of any other country in the world, but if that is true, something is missing in the way we do it now. What is missing is what we are trying to determine. When only 50 or 55 percent of our otherwise eligible voters turn out to vote in a Presidential election, in which 62 million do not bother to vote, then there is something else that is wrong, if you are not willing to blame it on the caliber of the American people, and I do not place the blame there.

My colleague from Hawaii knows well, from the testimony in the hearings and from the correspondence we have had from individuals, that we have large cities in America where it is still required that you go down to the city hall to register, and that is a long way for some people. It is not easy. Likewise, there are some offices that stay open from 9 to 5—they are not all as liberal in this regard as they are in Hawaii—and a workingman cannot get off before 5 and, therefore, it is just plain complicated to get registered during those hours.

In other cities there were instances in which there were no offices open on Saturday, on Sunday, or on evenings during the week. These are the kinds of obstacles that already exist. Not every State is like Wyoming or Hawaii, where they make a genuine effort in that regard.

We are talking now about the great mass of otherwise eligible American voters. We are addressing ourselves to the 62 million. Why, of course, a lot of those people never will vote—never. They could care less. But many millions of them, we have reason to believe, would register if we made it a little less difficult, a little less complicated to get on the register.

That is precisely what this bill strikes at.

My friend from Hawaii continues to speak from the same figures that he used a year ago, the famous census figures of 1968. If I may remind him, there has been an election since then—in fact, a couple of them. We had an election in this country last November in which barely more than 50 percent of the American voters showed up to vote. We also know why many of them did not vote. There have been honest efforts—not by the Bureau of the Census; the Census Bureau has not done anything about studying that election in complete depth yet—but we have had concerned Americans so upset by that bad performance, by that exceptionally low track record, that they sought to find out why individuals did not vote in 1972—not away back in the dark ages of 1968.

What they found out, the League of Women Voters said in 1972, after they examined several hundred different American communities in all areas, was that a large percentage did not vote because of the variable obstacles to registration. The National League of Municipalities reached the same conclusion.

All we are saying in this bill, Mr. President, is that we ought to remove that as an excuse. We ought to remove it as an alibi. We ought to remove it as a barrier, as an inconvenience, and go to work on closing the rest of the gap through genuine efforts that motivate people to go to the polls, but we have no excuse—I repeat, no excuse—for the Senate to remain inattentive to the mechanical and physical obstacles to the chances of an individual's registering to vote.

That is the reason I hope that this body will decide to proceed to vote cloture on this measure tomorrow, or better that we have the general acceptance of the distinguished Senator from Alabama to my proposal, that I will help him pass his bill, if he will help me to pass mine, under the time limitation; but it is now my understanding that the leadership will offer a motion to table, and if it is agreeable, I will now yield the floor for that purpose.

Mr. ROBERT C. BYRD. Mr. President, I am about to offer a tabling motion. I do it with apologies to the distinguished Senator from Alabama (Mr. ALLEN) who is my friend and who knows that I am his friend. I support the bill which is involved in his motion, S. 373, and I intend to support and vote for it, and speak for it if necessary.

May I say that I regret that he and I are on different sides of the question with respect to the pending unfinished business, but at some future time he and I undoubtedly will be on the same side of some question. So I know that I have his understanding.

Mr. President, I move to table the motion which has been offered by the distinguished and able Senator from Alabama (Mr. ALLEN).

The PRESIDING OFFICER. The question is on agreeing to the motion to table the motion of the Senator from Alabama (Mr. ALLEN). The motion is not debatable.

Mr. ALLEN. Mr. President, I call for the yeas and nays.

There was not a sufficient second.

Mr. ALLEN. 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.

Mr. ALLEN. Mr. President, I call for the yeas and nays on the motion to table.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion to table the motion of the Senator from Alabama (Mr. ALLEN).

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Missouri (Mr. EAGLETON), the Senator from Maine (Mr. HATHAWAY), the Senator from Washington (Mr. MAGNUSON), the Senator from South Dakota (Mr. McGOVERN), and the Senator from Alabama (Mr. SPARKMAN) are necessarily absent.

I further announce that the Senator from Nevada (Mr. CANNON) is absent on official business.

I also announce that the Senator from Mississippi (Mr. STENNIS) is absent because of illness.

I further announce that, if present and voting, the Senator from Washington (Mr. MAGNUSON) and the Senator from South Dakota (Mr. McGOVERN) would each vote "yea."

Mr. SCOTT of Pennsylvania. I announce that the Senator from Maryland (Mr. BEALL), the Senator from Michigan (Mr. GRIFFIN), and the Senator from Kansas (Mr. PEARSON) are absent on official business.

The Senator from Oregon (Mr. HATFIELD), the Senator from Illinois (Mr. PERCY), the Senator from Ohio (Mr. SAXBE), the Senator from Alaska (Mr. STEVENS), and the Senator from South Carolina (Mr. THURMOND) are necessarily absent.

The Senator from Arizona (Mr. GOLDWATER) is detained on official business.

On this vote, the Senator from Illinois (Mr. PERCY) is paired with the Senator from South Carolina (Mr. THURMOND). If present and voting, the Senator from Illinois would vote "yea" and the Senator from South Carolina would vote "nay."

The result was announced—yeas 59, nays 25, as follows:

[No. 113 Leg.]

YEAS—59

Abourezk	Fulbright	Montoya
Aiken	Gravel	Moss
Bayh	Hart	Muskie
Bellmon	Hartke	Nelson
Bennett	Haskell	Nunn
Bentsen	Hollings	Pastore
Bible	Huddleston	Pell
Biden	Hughes	Proxmire
Brock	Humphrey	Randolph
Brooke	Inouye	Ribicoff
Burdick	Jackson	Roth
Byrd, Robert C.	Javits	Schweiker
Case	Johnston	Scott, Pa.
Chiles	Kennedy	Stevenson
Church	Long	Symington
Clark	Mansfield	Taft
Cook	Mathias	Talmadge
Cranston	McGee	Tunney
Dole	McIntyre	Williams
Dominick	Mondale	

NAYS—25

Allen	Eastland	McClure
Baker	Ervin	Metcalf
Bartlett	Fannin	Packwood
Buckley	Fong	Scott, Va.
Byrd, Harry F., Jr.	Gurney	Stafford
	Hansen	Tower
Cotton	Helms	Weicker
Curtis	Hruska	Young
Domenici	McClellan	

NOT VOTING—16

Beall	Hathaway	Sparkman
Cannon	Magnuson	Stennis
Eagleton	McGovern	Stevens
Goldwater	Pearson	Thurmond
Griffin	Percy	
Hatfield	Saxbe	

So the motion to table Mr. ALLEN's motion was agreed to.

Mr. ALLEN. Mr. President, I move that the bill be committed to the Committee on Rules and Administration. I would like to be heard on the motion.

The PRESIDING OFFICER. The question is on agreeing to the motion to refer the bill to the Committee on Rules and Administration.

Mr. ALLEN. Mr. President, this bill remains before the Senate even though the motion that was just laid on the table would have provided that the Senate proceed to the consideration of S. 373 instead of the bill to register voters by post card.

It is interesting to note that there are 56 sponsors of S. 373, the bill dealing with preventing impoundment of funds by the President, or at least providing a method whereby Congress would have the right to review such impoundment. So the large majority, more than a two-thirds majority of the Senate, has voted to continue with its deliberations of the post card registration bill.

Now, Mr. President, of course, at any time prior to passage of the bill it can be committed to another committee, to the committee to which it should have been committed at the outset. One would wonder, it seems to the Senator from Alabama, why this bill dealing with registration of voters to participate in Federal elections should have gone in the first place to the Committee on Post Office and Civil Service. It seems a far-fetched committee to which to send this bill for consideration.

However, if one looks a little beneath the surface it would seem that the only reason that would justify the bill going to the Committee on Post Office and Civil Service is the fact that the chief sponsor of the bill is the distinguished Senator from Wyoming (Mr. MCGEE), who happens to be the chairman of that committee.

This bill provides for registration by post card. The post card does not have to go through the mails, but I assume or supposedly that is the justification for sending the bill to the Committee on Post Office and Civil Service. It would be just as easy to provide that these post cards would be in various public offices in addition to sending hundreds of millions of them through the mails. It seems to the Senator from Alabama that the Postal Service does not need this additional business.

This bill should have been sent to the Committee on the Judiciary or the Committee on Rules and Administration.

Mr. President, I ask unanimous consent to have printed in the RECORD section (p)(1) (A) through (F) of rule XXV.

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

Committee on Rules and Administration, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

(A) Matters relating to the payment of money out of the contingent fund of the Senate or creating a charge upon the same; except that any resolution relating to substantive matter within the jurisdiction of any other standing committee of the Senate shall be first referred to such committee.

(B) Except as provided in paragraph (o)8, matters relating to the Library of Congress and the Senate Library; statuary and pictures; acceptance or purchase of works of art for the Capitol; the Botanic Gardens; management of the Library of Congress; purchase of books and manuscripts; erection of monuments to the memory of individuals.

(C) Except as provided in paragraph (o)8, matters relating to the Smithsonian Institution and the incorporation of similar institutions.

(D) Matters relating to the election of the President, Vice President, or Members of Congress; corrupt practices; contested elections; credentials and qualifications; Federal elections generally; Presidential succession.

(E) Matters relating to parliamentary rules; floor and gallery rules; Senate Restaurant; administration of the Senate Office Buildings and of the Senate wing of the Capitol; assignment of office space: and services to the Senate.

(F) Matters relating to printing and correction of the Congressional Record.

Mr. ALLEN. Mr. President, let us read in the rules what they say about this committee, the committee that should be considering this bill. It states:

Committee on Rules and Administration, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

Then, dropping down to subsection (D) states:

Matters relating to the election of the President, Vice President, or Members of Congress; corrupt practices; contested elections; credentials and qualifications; Federal elections generally, presidential succession.

That is what this is all about, the registration of voters. So anything having to do with the election of the President, the Vice President, or Members of Congress, corrupt practices, contested elections, credentials, and voter registration—Federal elections generally, anything having to do with credentials or qualifications—all those matters go to the Committee on Rules and Administration.

Let us see what the Committee on Post Office and Civil Service has to do. This is on page 37 of the rules and it is also under rule XXV, section (n). I ask unanimous consent that the entire section to which I have alluded be printed in the RECORD.

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

(n) Committee on Post Office and Civil Service, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. The Federal civil service generally.
2. The status of officers and employees of the United States, including their compensation, classification, and retirement.
3. The postal service generally, including the railway mail service, and measures relating to ocean mail and pneumatic-tube service; but excluding post roads.
4. Postal-savings banks.
5. Census and the collection of statistics generally.
6. The National Archives.

Mr. ALLEN. Mr. President, these are the matters that go to the committee of which the distinguished Senator from Wyoming (Mr. MCGEE) is the very able chairman:

The Federal civil service generally.

The status of officers and employees of the United States, including their compensation, classification, and retirement.

Civil service, naturally; those matters would go to that committee.

The postal service generally, including the railway mail service, and measures relating to ocean mail and pneumatic tube service; but excluding post roads.

So if they have anything dealing with pneumatic tube service, under the rules of the Senate that bill should go to the committee headed by the distinguished Senator from Wyoming. This bill does not say anything about pneumatic tube service. If it did, it probably should have gone to that committee.

Postal-Savings Banks.

Census and the Collection of Statistics Generally.

The National Archives.

That is the end of its jurisdiction. The word "election" is not mentioned. The words "Federal election" are not mentioned. The words "qualification of registration" are not mentioned.

I am sorry the distinguished Senator is leaving, because I wanted to analyze these matters of jurisdiction——

Mr. MCGEE. Mr. President, if the Senator will yield, the Senator from Wyoming will stay for that purpose. He was going to call his wife on the phone.

Mr. ALLEN. To see whether or not we could locate some reason why this bill had been sent to the distinguished Senator's committee. I have been unable to find it, though I report it sorrowfully to the distinguished Senator. However, I find the Rules Committee has jurisdiction of this express item of business, and I would certainly feel that it would be proper that, at this late date, under the rules with which all Senators are familiar, this bill could be sent at this time to the proper committee for its consideration.

What is the bill? A bill to provide for the registration of voters to vote in Federal elections. Mr. President, I submit that under three items of the Standing Rules, this bill should go to the Rules Committee, under the provisions stating that bills having to do with the following items should go to the Rules Committee:

Matters relating to the election of the President, Vice President, or Members of Congress . . . credentials and qualifications; Federal elections generally . . .

That is exactly what the bill is purported to cover. That is the real thrust of it. Going through the post office is something that was just put in there, at a cost

of $50 million to $100 million, and the only useful purpose, it would seem to the Senator from Alabama, of putting it through the post office is to give some little measure of reason for sending it to the distinguished Senator's committee. I believe that is a pretty heavy cost for the taxpayers of this country to have to pay.

This bill could go back to the Rules Committee. The very same result the Senator states he seeks to accomplish by the bill could be accomplished by carving out of the bill this tremendous broadcast of post cards throughout the country, without regard to whether the recipients are voters or not, without regard to whether anybody lives at the place, or whether it is an office or factory. The cards would be sent just like junk mail, with no name attached to them. They would just be dumped throughout the country.

Hundreds of thousands would be sent out to Utah, which already has 98.4 percent of its people over 18 registered.

So it seems to the Senator from Alabama that the bill should be sent to the Rules Committee as the committee to which it should have been assigned originally, and the Rules Committee would work on this bill. We cannot rewrite the bill here on the floor. The distinguished Senator from Wyoming, having the votes marshaled against any amendment of substance, can defeat any amendment that is offered; but the Rules Committee, acting under the power given it under the rules themselves, not just something that I say about it, but what the rules say, could take out the offending sections about sending millions, and hundreds of millions, of these cards throughout the country, further overburdening an already overburdened postal system.

The Senator from Wyoming, being chairman of the Committee on Post Office and Civil Service, possibly gets a little better service in Wyoming than the Senator from Alabama, not being on that committee, is able to get from the Post Office Department or Postal Service in the State of Alabama, so he might not be worried about the hundreds of millions of additional items of business being handled by the Post Office Department. I dislike to see the Post Office Department overburdened.

Mr. President, they say this is a bill to provide registration by post card. Why coud not a post card be left at the mayor's office, the office of the chief of police, the tax collector's office, the corner grocery, the corner drugstore, the local whisky store which, I will say to the distinguished Senator from Wyoming, might be patronized by some who might want to get a post card? Cards could be kept at those places. They could be kept at the office of the registrar for automobile tags.

Mr. McGEE. Mr. President, will the Senator yield for a very brief comment?

Mr. ALLEN. I yield.

Mr. McGEE. The Senator has referred to the fact that my mail service may be better than his by virtue of the fact that I am chairman of the Committee on Civil Service and Post Office, but I can report to him that I do not even have mail service. I get no mail delivered to me whatever. I have to go 16 miles to the little town of Dubois to get my mail. So I hand-retrieve it or, if I can, get a neighbor to get it for me.

I would think that the distinguished Senator would have good mail service inasmuch as the first boss of the Postal Service was Mr. Blount of Alabama. I would have the feeling that he would get better service than I do.

I merely wanted the record to show that I get no preference. I do not even get the mail delivered to me.

Mr. ALLEN. I thank the Senator for that explanation, but when he goes 16 miles to retrieve the mail that goes to him, if this bill passes he will find with his official mail, his personal mail, and his junk mail a number of these post cards, because it is within the jurisdiction of the postmaster to leave a "sufficient number." That is what the bill says without further elaboration. He would have to leave it at every address. So I would think the postman would think that the Senator from Wyoming should get a sufficient number of post cards, so he would find a large number of them even though I assume the distinguished Senator is already registered. I know that he is.

I object to the broadcasting of these cards throughout the country as often as the Federal bureau would desire. There is no limitation whatsoever on the number of times they can send these cards out in a mass mailing, a junk mail approach. There is no limitation on the number of times they can have a national mailing. They can have one as often as they want.

I would feel that it would be a matter of economy and a matter of efficiency to leave supplies of these cards at various places frequented by those who are not now eligible to vote.

Mr. President, I do not care to discuss the merits of the bill a great deal more at this time, other than to make the point that it is quite clear that the Committee on Rules and Administration, with its jurisdiction as set forth in rule XXV, should have an opportunity to consider this bill.

That is the reason why the Senator from Alabama has filed this motion to recommit the bill at this time to the Committee on Rules and Administration.

Mr. President, I ask for the yeas and nays.

Mr. MANSFIELD. Mr. President, I move to table the motion.

Mr. ALLEN. Mr. President, I ask for the yeas and nays on that motion.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second. The yeas and nays are ordered. The question is on agreeing to the motion to table the motion to recommit. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Missouri (Mr. EAGLETON), the Senator from Washington (Mr. MAGNUSON), the Senator from South Dakota (Mr. McGOVERN), and the Senator from Alabama (Mr. SPARKMAN) are necessarily absent.

I further announce that the Senator from Nevada (Mr. CANNON) is absent on official business.

I also announce that the Senator from Mississippi (Mr. STENNIS) is absent because of illness.

I further announce that, if present and voting, the Senator from South Dakota (Mr. McGOVERN) and the Senator from Washington (Mr. MAGNUSON) would each vote "yea."

Mr. SCOTT of Pennsylvania. I announce that the Senator from Maryland (Mr. BEALL), the Senator from Michigan (Mr. GRIFFIN) and the Senator from Kansas (Mr. PEARSON) are absent on official business.

The Senator from Oregon (Mr. HATFIELD), the Senator from Illinois (Mr. PERCY), the Senator from Alaska (Mr. STEVENS) and the Senator from South Carolina (Mr. THURMOND) are necessarily absent.

The Senator from Arizona (Mr. GOLDWATER) is detained on official business.

On this vote, the Senator from Illinois (Mr. PERCY) is paired with the Senator from South Carolina (Mr. THURMOND). If present and voting, the Senator from Illinois would vote "yea" and the Senator from South Carolina would vote "nay."

The result was announced—yeas 54, nays 32, as follows:

[No. 114 Leg.]

YEAS—54

Abourezk	Gravel	Mondale
Aiken	Hart	Montoya
Bayh	Hartke	Moss
Bellmon	Haskell	Muskie
Bennett	Hathaway	Nelson
Bentsen	Hollings	Packwood
Bible	Huddleston	Pastore
Biden	Hughes	Pell
Brock	Humphrey	Proxmire
Brooke	Inouye	Randolph
Burdick	Jackson	Ribicoff
Byrd, Robert C.	Javits	Roth
Case	Johnston	Saxbe
Chiles	Kennedy	Schweiker
Church	Mansfield	Stevenson
Clark	Mathias	Symington
Cranston	McGee	Tunney
Fulbright	McIntyre	Williams

NAYS—32

Allen	Dominick	McClure
Baker	Eastland	Metcalf
Bartlett	Ervin	Nunn
Buckley	Fannin	Scott, Pa.
Byrd, Harry F., Jr.	Fong	Scott, Va.
	Gurney	Stafford
Cook	Hansen	Taft
Cotton	Helms	Talmadge
Curtis	Hruska	Tower
Dole	Long	Weicker
Domenici	McClellan	Young

NOT VOTING—14

Beall	Hatfield	Sparkman
Cannon	Magnuson	Stennis
Eagleton	McGovern	Stevens
Goldwater	Pearson	Thurmond
Griffin	Percy	

So Mr. MANSFIELD's motion to lay Mr. ALLEN's motion to refer on the table was agreed to.

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

The PRESIDING OFFICER (Mr. BIDEN). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. MONDALE. Mr. President, when 62 million otherwise eligible Americans fail to vote in a presidential election year, as happened in 1972, we have a problem.

It seems to me the problem can be largely described by the following facts:

First, in 1968, 47 million voting age Americans did not vote. The President received only 31 million votes.

Second, in 1972, 62 million voting age Americans did not vote. Nixon received 47 million votes out of 77,460,000 total votes cast. This means 55 percent of voting age Americans voted in 1972. It also means that President Nixon was elected by one-third of the voting age population.

Third, roughly only 60 percent of voting age Americans voted in the past four presidential elections, while 75 percent of Canada's voting age citizens cast their ballots; 80 percent of England's voting age citizens cast their ballots and 85 percent of Germany's voting age citizens cast their ballots.

It is my conviction that a large part of this dismal record has been caused by our prior voter registration system. For example:

First, 9 out of 10 registered Americans vote.

Second, only 6 out of 10 voting age Americans vote.

Third, 80 percent of voting age Americans voted in 1876, before registration laws were adopted.

Fourth, 48 percent of voting age Americans voted in 1924, after registration laws were adopted. In short, one-third of America in 1924 stopped voting.

Fifth, the Gallup poll concluded in December, 1969 that:

> It was not a lack of interest, but rather the residency and other registration qualifications that proved to be the greatest barrier to wider voter participation in our Nation.

Not only has prior registration served to discourage full participation in the electoral processes, but as you all well know, most of our present registration system is expensive to the States and localities. Moreover, you also know it is cumbersome and frustrating for those of you who are in charge. I believe we can do something about those problems as well.

I am sure we can all agree that the problem is a grave one; indeed, a threatening one. It seems to me much of America's great strength and most promising capability has been our capacity to actively open up our system of participation. Of course, we have always tempered the changes we have made as a nation by balancing our hopes and expectations against our experience. For this reason, the changes we have made over the past decades have been largely workable.

If S. 352 is passed, there would be established in the Bureau of the Census a National Voter Registration Administration. The National Voter Registration Administration would be run by a bipartisan group of three administrators, each appointed for 4-year terms. The Postal Service will deliver postcard registration forms to every household in the country. If citizens wish to register through the card, they can fill out the appropriate blanks and return them to their local registration official.

S. 352 has a number of provisions to prevent fraud. The State laws concerning fraud will still be appropriate. The National Voter Registration Administration will give reasonable and expeditious assistance to local officials upon request. The National Voter Registration Administration may, upon determination, request the U.S. Attorney General to bring legal action. The penalties for fraud can amount to as much as $10,000 or imprisonment for not more than 5 years or both.

Perhaps the most important part of the voter registration bill is the assistance it offers to the States. The fact that national voter registration forms will be mailed to every household is not only a convenience for the unregistered voter, but should serve to shrink the time, energy, and money presently being spent by many States to secure new registrants. In addition, the bill provides assistance to State officials in terms of technical and manpower assistance for the registration-by-mail program and election problems generally.

The National Voter Registration Administration will pay the States a fair and reasonable cost for processing registration postcards. Roughly, that payment will be based on the cost of each card processed. Furthermore, the bill proposes to pay any State which adopts the national registration form and system for its own State elections, as contrasted with Federal elections, a grant or stipend up to and including 30 percent of the State's cost of processing the total number of national registration cards in that State.

The matter of voter fraud has been raised. Frankly, in my own mind, I do not see fraud as a serious problem. In the first place, fraud in our election system is infrequent. In the second place, when it does occur, it is most often at the election-day point—not at the prior registration point. In the third place, for a number of years, Texas has practiced printing registration forms in newspapers which can then be returned to the registrar. This system of registration has brought on no increase in fraud in the State of Texas. In the fourth place, North Dakota has no prior registration system. A study by the University of North Dakota in 1970 concluded:

> Fraud-free elections are possible without voter registration.

And in the last place, S. 352 provides for Federal antifraud assistance to State and local officials. Our current system does not provide at all for such assistance.

Perhaps some foresee another problem based on the fear that the national voter registration bill will cause additional burdens for local registration agencies. I do not think so. For one thing, the postcard system should be much less cumbersome than the sworn affidavits, roving registrars, and, in some cases, duplicate lists for Federal and local elections that are currently used. It seems to me that the technical and personnel help from the Voter Registration Administration would help to relieve some of the pressures registrars currently experience. And certainly the financial assistance from the National Voter Registration should also be helpful.

TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that there now be a period for the transaction of routine morning business of not to exceed 15 minutes, with statements therein limited to 3 minutes.

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

COMMUNICATIONS FROM EXECUTIVE DEPARTMENTS, ETC.

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

REPORTS OF OFFICERS ON DUTY WITH HEADQUARTERS, DEPARTMENT OF THE ARMY, AND DETAILED TO ARMY GENERAL STAFF

A letter from the Secretary of the Army, transmitting, pursuant to law, reports on the number of officers on duty with Headquarters, Department of the Army, and detailed to the Army General Staff, as of March 31, 1973 (with accompanying reports). Referred to the Committee on Armed Services.

REPORT ON STRATEGIC AND CRITICAL MATERIALS STOCKPILING PROGRAM

A letter from the Acting Director, Office of Emergency Preparedness, Executive Office of the President, transmitting, pursuant to law, a report on the strategic and critical materials stockpiling program, for the 6-month period ended December 31, 1972 (with an accompanying report). Referred to the Committee on Armed Services.

REPORT ON FEDERAL CONTRIBUTIONS PROGRAM EQUIPMENT AND FACILITIES

A letter from the Director, Defense Civil Preparedness Agency, transmitting, pursuant to law, a report on Federal contributions program equipment and facilities, for the quarter ended March 31, 1973 (with an accompanying report). Referred to the Committee on Armed Services.

REPORT ON PENN CENTRAL TRANSPORTATION CO.

A letter from the Secretary of Transportation, transmitting, pursuant to law, a report on Penn Central Transportation Co. (with an accompanying report). Referred to the Committee on Commerce.

PROPOSED LEGISLATION FROM THE SECRETARY OF TRANSPORTATION

A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to amend the Rail Passenger Service Act of 1970, as amended, to provide financial assistance to the National Railroad Passenger Corporation, and for other purposes (with an accompanying paper). Referred to the Committee on Commerce.

A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to amend the act of June 21, 1940, as amended, to remove the ninety day requirement for the submission of general plans and specifications for altering a bridge in accordance with an order of the Secretary of Transportation (with accompanying papers). Referred to the Committee on Commerce.

PROPOSED LEGISLATION FROM THE DISTRICT OF COLUMBIA GOVERNMENT

A letter from the Mayor-Commissioner, the District of Columbia, Washington, D.C.,

transmitting a draft of proposed legislation to amend the District of Columbia Income and Franchise Tax Act of 1947 to provide a property tax credit to certain senior citizens, and for other purposes (with an accompanying paper). Referred to the Committee on the District of Columbia.

REGULATIONS OF DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

A letter from the Secretary of Health, Education, and Welfare, transmitting, pursuant to law, regulations on social services of the Department of Health, Education, and Welfare (with accompanying papers). Referred to the Committee on Finance.

REPORT OF COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report entitled "Need For Improved Inspection and Enforcement in Regulating Transportation of Hazardous Materials", Department of Transportation, dated May 1, 1973 (with an accompanying report). Referred to the Committee on Government Operations.

PROPOSED CONTRACT WITH GENERAL ELECTRIC CO., PLEASANTON, CALIF.

A letter from the Deputy Assistant Secretary of the Interior, transmitting, pursuant to law, a proposed contract with General Electric Co., Pleasanton, Calif., for a research project entitled "Track Etch Dosimeters" (with accompanying papers). Referred to the Committee on Interior and Insular Affairs.

PROPOSED LEGISLATION FROM ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

A letter from the Director, Administrative Office of the United States Courts, transmitting a draft of proposed legislation to amend section 5031 of title 18, United States Code, with respect to the applicability of juvenile delinquency proceedings in petty offense cases (with an accompanying paper). Referred to the Committee on the Judiciary.

THIRD PREFERENCE AND SIXTH PREFERENCE CLASSIFICATIONS FOR CERTAIN ALIENS

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

REPORT ENTITLED "FEDERAL SUPPORT TO UNIVERSITIES, COLLEGES, AND SELECTED NONPROFIT INSTITUTIONS, FISCAL YEAR 1971"

A letter from the Director, National Science Foundation, transmitting, pursuant to law, a report entitled "Federal Support to Universities, Colleges, and Selected Nonprofit Institutions, fiscal year 1971" (with an accompanying report). Referred to the Committee on Labor and Public Welfare.

INTERNATIONAL LABOR ORGANIZATION RECOMMENDATION

A letter from the Acting Assistant Secretary for Congressional Relations, Department of State, transmitting, pursuant to law, an International Labor Organization Recommendation, No. 137, (with an acompanying document). Referred to the Committee on Labor and Public Welfare.

PROPOSED LEGISLATION FROM DEPARTMENT OF LABOR

A letter from the Secretary of Labor, transmitting a draft of proposed legislation to amend the Age Discrimination in Employment Act of 1967 to extend the act to State and local governments (with accompanying papers). Referred to the Committee on Labor and Public Welfare.

REPORT ON PURCHASE CONTRACTS FOR CERTAIN PROJECTS

A letter from the Acting Administrator, General Services Administration, reporting, pursuant to law, on certain purchase contracts in Arizona, Texas, and Washington (with accompanying papers). Referred to the Committee on Public Works.

PROSPECTUS RELATING TO CONSTRUCTION OF BUILDINGS AT TOPEKA, KANS.

A letter from the Acting Administrator, General Services Administration, transmitting, pursuant to law, a prospectus relation to the proposed construction of a courthouse and Federal office building and parking facility at Topeka, Kans. (with accompanying papers). Referred to the Committee on Public Works.

REPORT OF VETERANS' ADMINISTRATION

A letter from the Administrator of Veteran's Affairs, transmitting, pursuant to law, a report of that administration, for the year 1972 (with an accompanying report). Referred to the Committee on Veterans' Affairs.

PETITIONS

Petitions were laid before the Senate and referred as indicated:

By the PRESIDENT pro tempore:

A joint resolution of the Legislature of the State of Montana. Referred to the Committee on Finance:

"SENATE JOINT RESOLUTION 14

"A joint resolution of the Senate and the House of Representatives of the State of Montana requesting and urging that the Congress of the United States take effective action to restore to the State of Montana the full amount of the funds which have been legally apportioned to the State but which have been improperly reduced and curtailed by the executive branch of the Federal Government through the device of 'contract controls' and 'limitations of obligation'

"Whereas, the several states are charged with the responsibility for highway construction within their borders, and

"Whereas, the United States secretary of transportation by law apportions amounts to the several states from the highway trust fund for reimbursement for the federal share of the cost of the system of interstate and defense highways, and

"Whereas, the executive branch of federal government has arbitrarily directed that the various apportionments be limited by 'contract controls' and 'limitations of obligations' thereby curtailing proper use of the apportioned funds by the several states, and

"Whereas, further reductions in federal moneys may be attempted, and

"Whereas, such reduction seriously curtails the highway construction program in the state of Montana, as well as in the nation, thereby seriously affecting employment and the production and sale of supplies, materials and equipment used for highway construction purposes, and

"Whereas, reduction in federal highway construction funds has resulted in an equivalent reduction of the current highway safety program for eliminaitng unsafe and hazardous sections of highway, thereby contributing to accidents involving serious injury, loss of life and property damage, and to a new traffic fatality toll in 1972, and

"Whereas, the state of Montana has developed long-range highway construction programs based on utilization of the full apportionment of federal funds to the states.

"Now, therefore, be it resolved by the Senate and the House of Representatives of the State of Montana: That the President and the Congress of the United States is hereby respectfully requested and urged to take effective action to restore to the state of Montana for expenditure the full amount of federal funds authorized by congress and legally apportioned heretofore by the United States secretary of transportation, and

"Be it further resolved, that the secretary of state forward a duly certified copy of this resolution to the President of the United States and the Secretary of the United States Senate and the Speaker of the House of Representatives of the United States and to the Honorable Mike Mansfield and Lee Metcalf, Senators from the state of Montana, and the Honorable John Melcher and Richard Shoup, Congressmen from the State of Montana."

A joint resolution of the Legislature of the State of New York. Referred to the Committee on Commerce:

"JOINT RESOLUTION NO. 12

"Joint Resolution of the Legislature of the State of New York requesting the Congress to exempt from interstate commerce provisions mass transit services operated wholly within the state by any state mandated transportation authority

"Whereas, Under existing judicial precedents as well as specific provisions of the Interstate Commerce Act, the Railway Labor Act of May 20, 1926 and other congressional enactments, it has been determined that urban and suburban transit systems whose operations are carried on exclusively within the geographical confines of New York State are nevertheless still to be construed as interstate in character and therefore subject to all the restrictive inhibitions of federal regulations, supervision and control with respect to operational procedures, labor practices and transit services generally; and

"Whereas, Presidential Emergency Boards No. 170 created May 12, 1967, No. 173 created April 21, 1969 and Special Board of Adjustment No. 756, created June 4, 1969 all found as a fact that passenger operations of the Long Island Railroad were a de facto integral part of the New York Metropolitan Transit System and the latter Board noted that such carrier was no more engaged in interstate commerce nor did its operations affect interstate commerce than the operations of the New York rapid transit system; and

"Whereas, All commuter bus and rail transit operations now or hereafter to be conducted by transportation authorities throughout the entire State of New York are of a nature totally dissimilar to and incompatible with the history, custom, tradition and usage of trunk line railroads which were originally intended to be subject to the jurisdiction of the Interstate Commerce Commission, the Railway Labor Board and other Federal regulatory agencies; and

"Whereas, Under recognized principles of the United States Constitution, the aforesaid transit operations will all continue to be subservient to already and hereafter enacted federal laws relating to interstate commerce with the result that bus and rail mass transit activities which continue to be operated by transportation authorities throughout New York State will be subject to federal statutes conflicting with state laws thus hampering efficient authority operation and being detrimental to the public welfare and incompatible with the best interests of those desiring to use such transit facilities as well as those employees and others engaged in their operation; now, therefore, be it

"Resolved, That the Congress of the United States be, and it hereby is requested to enact remedial legislation national in scope or in such other manner as to have the effect of entirely removing from the field of interstate commerce all bus and rail mass transit services operated wholly within the State of New York by any transportation authority created under the mandate of the New York State Legislature; and be it further

"Resolved, That copies of this resolution be transmitted to the Congress of the United States by forwarding one copy thereof to the Secretary of the Senate, one copy to the Clerk of the House of Representatives and one copy to each member of the Congress from the State of New York."

A resolution adopted by the Board of Com-

missioners for the County of Allegan, Michigan, expressing appreciation for passage of the general revenue sharing bill. Ordered to lie on the table.

NOTE

Senator KENNEDY submitted the following bill which will be numbered and referred tomorrow.

Mr. KENNEDY. Mr. President, I am presenting for introduction today a bill to provide emergency relief to those civilian workers who will lose their jobs as a result of the recent base closing decision by the Department of Defense affecting 274 facilities in 32 States. Senators PASTORE, PELL, HATHAWAY, CRANSTON, TUNNEY, MUSKIE and BROOKE join me in introduction.

These decisions will create serious economic and social problems for workers, particularly during a period of high unemployment.

In my own State, the potential economic loss to the State has been estimated as high as $1.7 billion. The cost to the more than 13,000 workers affected is more serious. They will lose their present jobs, jobs which in many cases they have held for their entire working lives. Although some will have the option to be transferred, 9,000 workers will be terminated.

In a State where the unemployment rate is 7.2 percent, the economic future for these men and women looks bleak indeed.

When 9,000 workers are added to the 185,000 jobless now searching the want ads and the employment office listings, the prospect for early relocation is not bright.

Across the country, whether in California, Georgia, or Texas or the other States where civilian jobs have been eliminated, the situation will be much the same. Ultimately the impact will be felt in all 32 States affected by these decisions.

In many States, this problem is compounded by the age of the workforce. Forty percent of the employees at the Boston Navy Yard are between the ages of 45 and 54. Another 28 percent are over 55. Their employment options are limited by their age and the reluctance of employers to hire older men and women.

Labor Department statistics demonstrate that it always has been the older worker who is unemployed the longest. And it is among this group that the largest portion of workforce dropouts occur.

The Defense Department states that some 41,350 civilian workers will be affected, including 28,363 civilian job eliminations. These cuts will occur in Alaska, California, District of Columbia, Florida, Georgia, Hawaii, Illinois, Kansas, Maryland, Massachusetts, Nebraska, New Hampshire, New Jersey, New Mexico, New York, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Utah, Virginia, and Puerto Rico. The Defense Department also estimates that their figures on job loss may be 5 to 8 percent shy of the actual number of jobs eliminated.

In addition to the jobs eliminated, many civilian employes given the option to transfer may be asked to accept lower grades and rates.

A study by the Arms Control and Disarmament Agency of base closings concluded:

> Displaced workers who decided to continue their careers as federal government employees experienced a marked change in their employment status . . . some had to accept lower grade positions in order to do so, and nearly all of the employees who continued to work for the federal government had to relocate outside the local labor market area.

This forced relocation carries with it obvious personal difficulties as individuals have to leave family, friends, and communities.

The workers at the 274 installations across the country are being asked to bear the burden of a decision that is believed to be in the national interest. For that reason, I believe that the nation has a responsibility to ease the burden as much as possible. In similar instances, for example, when it can be shown that tariff reductions have resulted in the closing of a domestic plant, both the plant owner and the workers are entitled to readjustment assistance.

The Trade Expansion Act of 1962 was designed to include readjustment assistance based on the view that individual workers should not have to absorb the economic and social impact of job loss as a result of a national free trade policy without some assistance from the government. I believe the provisions of that act were too narrowly interpreted in many cases to actually give effect to the underlying policy. However, the policy itself remains valid. When the Nation undertakes a policy which has a damaging impact on a small group of individuals, those individuals should receive all the help the Government can muster to ease their plight.

Therefore, I am introducing the Emergency Manpower and Defense Workers Assistance Act of 1973.

I am pleased to note that House Majority Leader THOMAS P. O'NEILL, JR., also will introduce this bill. It will do the following:

The Secretary of Labor will be authorized to establish an Defense Workers Manpower Assistance Agency in the Department of Labor;

Workers will be eligible to receive a readjustment allowance that will pay the difference between unemployment or pension benefits and 75 percent of their previous wage. This provision will essentially extend severance pay benefits up to one year for all workers;

Workers will be eligible for early retirement. Eligibility will be provided for workers 60 and older with 10 years of employment, workers 55 and older with 15 years, and workers 50 and older with 20 years. This will permit some 10 to 15 percent more workers than are now eligible to retire, raising this total to 40 percent;

The Secretary also will establish arrangements with the Civil Service Commission to insure that the health benefits these workers now have available will continue for 3 years following termination with the Federal Government providing at least 75 percent of the cost;

In addition, workers will be given relocation assistance for jobs in the private market comparable to the assistance they would receive if they were transferring to another Government post;

Workers also will be aided in obtaining jobs. First, communities will be eligible to receive public service employment funds to employ these workers in needed positions in hospitals, schools, police and fire departments, and city and State agencies. Second, the Secretary also will be responsible for expanding existing manpower programs and to establish special job bank and retraining programs aimed at the particular needs of these already skilled workers.

All of these programs of course relate to those individuals who are unable to acquire other suitable employment.

The estimated savings by the Defense Department as a result of the base closings is $3.5 billion over 10 years. On the basis of Defense Department statistics on the past experiences with base cloing and average length of unemployment for workers, it is estimated that the total cost of this program would be less than $150 million—less than one-half the amount DOD estimates it will save in 1 year.

This legislative relief is being filed in the event that efforts fail to obtain a reassessment of specific base closings. Members of the Massachusetts and Rhode Island congressional delegations are awaiting an answer to a request for a meeting with President Nixon seeking his personal review of the decision. Senator PELL and I have already filed a bill asking for a special commission to examine the closings in the light of maintaining some 2,000 military bases overseas.

I believe this program is a justifiable short-term effort to ease the transition for individuals whose lives are being disrupted by a decision of the Federal Government.

I ask unanimous consent that the bill be printed in the RECORD, along with the DOD base-closing announcement.

There being no objection, the text of the bill and the statement were ordered to be printed in the RECORD, as follows:

S. ——

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Emergency Manpower and Defense Workers Assistance Act of 1973".

DECLARATION OF FINDINGS

SEC. 2. The Congress hereby finds that—

(1) reductions in defense facilities place heavy economic, social and health burdens on the individuals affected;

(2) many of the workers affected by recent defense base closings are older workers who have the greatest difficulty in acquiring new employment; and

(3) to reduce unemployment it is essential that the government provide adversely affected workers with short-term assistance.

DEFINITIONS

SEC. 3. As used in this Act—

(1) "adversely affected worker" means an individual who has been totally or partially separated from employment by any department or agency of the Federal government at a facility of the Department of Defense on or after April 17, 1973 because of the transfer of activities from that facility or be-

cause of the cessation of activities at that facility, and who has not obtained other suitable employment;

(2) "Agency" means the Defense Workers Manpower Assistance Agency;

(3) "average weekly wage" means one-thirteenth of the total wages paid to an individual in the high quarter; for purposes of this computation, the high quarter shall be that quarter in which the individual's total wages were highest among the first 4 of the last 5 completed calendar quarters immediately before the quarter in which occurs the week with respect to which the computation is made, such week shall be the week in which total separation occurred, or, in cases where partial separation is claimed, an appropriate week, as defined in regulations prescribed by the Secretary;

(4) "Director" means the Director of the Defense Workers Manpower Assistance Agency;

(5) "partial separation" means, with respect to an individual who has not been totally separated, that he has had his hours of work reduced to 85 percent or less of his average weekly hours in a defense facility subject to this Act and his wages reduced to 85 percent or less of his average weekly wage in any such facility;

(6) "total separation" means the layoff or severance of an individual from employment in a defense facility subject to this Act;

(7) "remuneration" means wages and net earnings derived from services performed as a self-employed individual;

(8) "Secretary" means the Secretary of Labor;

(9) "State" means each of the several States, the District of Columbia, and the Commonwealth of Puerto Rico;

(10) "State law" means the unemployment insurance law of the State approved by the Secretary of Labor under section 3304 of the Internal Revenue Code of 1954;

(11) "unemployment insurance" means the unemployment insurance payable to an individual under any State law or Federal unemployment insurance law, including title XV of the Social Security Act and the Railroad Unemployment Insurance Act;

(12) "week" means a week as defined in the applicable State law; and

(13) "week of unemployment" means with respect to an individual any week for which his remuneration for services performed during such week is less than 75 percent of his average weekly wage and in which, because of lack of work—

(A) if he has been totally separated, he worked less than the full-time week (excluding overtime) in his current occupation, or

(B) if he has been partially separated, he worked 75 percent or less of his average weekly hours.

TITLE I—ESTABLISHMENT OF DEFENSE WORKERS MANPOWER ASSISTANCE AGENCY

AGENCY ESTABLISHED

SEC. 101. (a) The Secretary of Labor is authorized and directed to establish within the Department of Labor an agency, to be known as the Defense Workers Manpower Assistance Agency.

(b) (1) The Agency shall be headed by a Director who shall be appointed by the President, by and with the advice and consent of the Senate.

(2) The President shall appoint the first such Director as soon as possible but not later than 15 days after the date of enactment of this Act.

ADMINISTRATION AND COORDINATION

SEC. 102. (a) The functions of the Secretary under this Act shall be administered through the Agency.

(b) The Secretary is authorized to establish procedures of cooperation with appropriate agencies in the Department of Defense and with the Civil Service Commission to facilitate implementing the provisions of this Act.

ADMINISTRATIVE PROVISIONS

SEC. 103. In addition to any other authority vested in the Secretary by other provisions of this Act, in order to carry out his functions under this Act, the Secretary is authorized to—

(1) adopt, alter, and use a seal, which shall be judicially noticed;

(2) hold such hearings, sit and act at such times and places, and take such testimony, as he may deem advisable;

(3) request directly from any executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality information, suggestions, estimates, and statistics needed to carry out the purposes of this Act; and each department, bureau, agency, board, commission, office, establishment or instrumentality is authorized to furnish such information, suggestions, estimates, and statistics directly to the Secretary;

(4) acquire, in any lawful manner, any property (real, personal, or mixed, tangible or intangible) whenever necessary;

(5) appoint and fix the compensation of such personnel as may be necessary to carry out the provisions of this Act;

(6) obtain the services of experts and consultants in accordance with the provisions of section 3109 of title 5, United States Code, at rates for individuals not to exceed the rate prescribed for GS–18 in the General Schedule under section 5332 of title 5, United States Code;

(7) accept and utilize the services of voluntary and noncompensated personnel and reimburse them for travel expenses, including per diem, as authorized by section 5703 of title 5, United States Code;

(8) enter into contracts, grants or other arrangements, or modifications thereof to carry out the provisions of this Act, and such contracts or modifications thereof may, if necessary, be entered into without performance or other bonds, and without regard to section 3709 of the Revised Statutes, as amended (41 U.S.C. 5);

(9) provide for the making of such reports (including fund accounting reports) and the filing of such applications in such form and containing such information as the Secretary may reasonably require;

(10) make advances, progress, and other payments which the Secretary deems necessary under this Act without regard to the provisions of section 3648 of the Revised Statutes, as amended (31 U.S.C. 529); and

(11) establish such rules, regulations, and procedures as the Secretary deems necessary.

COMPENSATION OF THE DIRECTOR

SEC. 104. Section 5315 of title 5, United States Code (relating to level V of the Executive Schedule) is amended by adding at the end thereof the following new item:

"(98) Director, the Defense Workers Manpower Assistance Agency."

TITLE II—ECONOMIC AND MANPOWER ASSISTANCE TO WORKERS

PART A—AUTHORITY

APPLICATIONS

SEC. 201. (a) Any adversely affected worker may file an application with the Secretary for one or more of the forms of economic adjustment assistance provided under this title.

(b) Economic adjustment assistance under this title consists of—

(1) readjustment allowances;

(2) training and counseling benefits;

(3) relocation allowances;

(4) early retirement benefits; and

(5) health benefits.

(c) The Secretary shall determine whether an applicant is entitled to receive the economic adjustment assistance for which application is made and shall furnish such assistance if the applicant is so entitled. Such determination shall be made as soon as possible after the date on which application is filed but in any event not later than 30 days after such date.

PART B—READJUSTMENT ALLOWANCES

QUALIFYING REQUIREMENTS

SEC. 211. (a) Payment of a readjustment allowance shall be made to an adversely affected worker who applies for such allowance for any week of unemployment, subject to the requirements of subsections (b) and (c).

(b) Total or partial separation shall have occurred not more than 1 year prior to the date of the application for assistance under this title.

(c) Such worker shall have had—

(1) in the 156 weeks immediately preceding such total or partial separation, at least 78 weeks of employment at wages of $15 or more a week, or

(2) in the 52 weeks immediately preceding such total or partial separation, at least 26 weeks of employment at wages of $15 or more a week, or

if data with respect to weeks of employment are not available, equivalent amounts of employment computed under regulations prescribed by the Secretary.

WEEKLY AMOUNTS

SEC. 212. (a) Subject to the other provisions of this section, the readjustment allowance payable to an adversely affected worker for a week of unemployment shall be an amount equal to 75 percent of his average weekly wage, reduced by 50 percent of the amount of his remuneration for services performed during such week.

(b) Any adversely affected worker who is entitled to readjustment allowances and who is undergoing training approved by the Secretary, including on-the-job training, shall receive for each week in which he is undergoing any such training, a readjustment allowance in an amount (computed for such week) equal to the amount computed under subsection (a) or (if greater) the amount of any weekly allowance for such training to which he would be entitled under any other Federal law for the training of workers, if he applied for such allowance. Such readjustment allowance shall be paid in lieu of any training allowance to which the worker would be entitled under such other Federal law.

(c) The amount of readjustment allowance payable to an adversely affected worker under subsection (a) or (b) for any week shall be reduced by any amount of unemployment insurance which he has received or is seeking with respect to such week; but, if the appropriate State or Federal agency finally determines that the worker was not entitled to unemployment insurance with respect to such week, the reduction shall not apply with respect to such week.

(d) The amount of readjustment allowance payable to an adversely affected worker under subsection (a) or (b) for any week shall be reduced by any amount of retirement annuity which he has received.

(e) If unemployment insurance, a retirement annuity, or a training allowance under any other Federal law, is paid to an adversely affected worker for any week of unemployment with respect to which he would be entitled (determined without regard to subsection (c)) to a readjustment allowance if he applied for such allowance, each such week shall be deducted from the total number of weeks of readjustment allowance otherwise payable to him under section 213(a) when he applies for a readjustment allowance and is determined to be entitled to such allowance. If the unemployment insurance or the training allowance paid to such worker for any week of unemployment is less than the amount of the readjustment allowance to

which he would be entitled if he applied for such allowance, he shall receive, when he applies for a readjustment allowance and is determined to be entitled to such allowance, a readjustment allowance for such week equal to such difference.

(f) Whenever, with respect to any week of unemployment, the total amount payable to an adversely affected worker as remuneration for services performed during such week, as unemployment insurance, as severance pay as a training allowance referred to in subsection (d), and as a readjustment allowance would exceed his average weekly wage, his trade readjustment allowance for such week shall be reduced by the amount of such excess.

(h) The amount of any weekly payment to be made under this section which is not a whole dollar amount shall be rounded upward to the next higher whole dollar amount.

TIME LIMITATIONS ON READJUSTMENT ALLOWANCES

SEC. 213. (a) Payment of readjustment allowances shall not be made to an adversely affected worker for more than 52 weeks.

(b) A readjustment allowance shall not be paid for a week of unemployment beginning more than 1 year after the beginning of the appropriate week. The appropriate week for a totally separated worker is the week of his most recent total separation. The appropriate week for a partially separated worker is the week in respect of which he first receives a readjustment allowance following his most recent partial separation.

APPLICATION OF STATE LAWS

SEC. 214. Except where inconsistent with the provisions of this part and subject to such regulations as the Secretary may prescribe, the availability and disqualification provisions of the State law—

(1) under which an adversely affected worker is entitled to unemployment insurance (whether or not he has filed a claim for such insurance), or

(2) if he is not so entitled to unemployment insurance, of the State in which he was totally or partially separated, shall apply to any such worker who files a claim for readjustment allowances. The State law so determined with respect to a separation of a worker shall remain applicable, for purposes of the preceding sentence, with respect to such separation until such worker becomes entitled to unemployment insurance under another State law (whether or not he has filed a claim for such insurance).

PART C—JOB TRAINING AND COUNSELING

PURPOSE; APPLICATIONS

SEC. 221. (a) To assure that the readjustment of adversely affected workers shall occur as quickly and effectively as possible, with minimum reliance upon readjustment allowances under this title, every effort shall be made to prepare each such worker for full employment in accordance with his capabilities and prospective employment opportunities. To this end, and subject to this part, every adversely affected worker who applies for readjustment allowance under part B shall also apply for counseling, training, and placement assistance under this part. Any other adversely affected worker may apply for counseling, training, and placement assistance under this part. Each such applicant shall be furnished such counseling, training, and placement services as the Secretary determines to be appropriate.

(b) Insofar as possible, the Secretary shall provide assistance under subsection (a) through existing programs established by law. To the extent that assistance cannot be provided through any existing program, the Secretary is authorized to furnish such assistance through programs established by him for purposes of this part, including programs carried out through private nonprofit institutions and organizations.

(c) To the extent practicable, before adversely affected workers are furnished training, the Secretary shall consult with local governmental agencies, State agencies, unions, and private business organizations to develop a worker retraining plan which provides for training such workers to meet the areas's manpower needs. A worker retraining program shall, as far as practicable, include a list of jobs which will be available to the workers at the conclusion of the training program.

(d) To facilitate the provisions of this part, the Secretary shall require that businesses in the labor market affected by defense facility and activity realignments report job vacancies to the local employment service.

PAYMENTS RELATED TO TRAINING

SEC. 222. An adversely affected worker receiving training under section 221 shall be paid a travel allowance and a subsistence allowance, necessary to defray transportation expenses and subsistence expenses for separate maintenance, when the training is provided in facilities which are not within commuting distance of his regular place of residence. The Secretary shall by regulation prescribe the amount of such allowances for various areas of the United States.

PART D—RELOCATION ALLOWANCES

RELOCATION ALLOWANCES AFFORDED

SEC. 231. Any adversely affected worker may file an application for a relocation allowance, subject to the terms and conditions of this part.

QUALIFYING REQUIREMENTS

SEC. 232. (a) A relocation allowance may be granted only to assist an adversely affected worker in relocating within the United States and only if the Secretary determines that such worker—

(1) has obtained suitable employment affording a reasonable expectation of long-term duration in the area in which he wishes to relocate, or

(2) has obtained a bona fide offer of such employment.

(b) A relocation allowance shall not be granted to such worker unless—

(1) for the week in which the application for such allowance is filed, he is entitled (determined without regard to section 212 (c) and (e)) to a readjustment allowance or would be so entitled (determined without regard to whether he filed application therefor) but for the fact that he has obtained the employment referred to in subsection (a)(1); and

(2) such relocation occurs within a reasonable period after the filing of such application or (in the case of a worker who is being provided training under part (C)) within a reasonable period after the conclusion of such training.

RELOCATION ALLOWANCE DEFINED

SEC. 233. For purposes of this part, the term "relocation allowance" means—

(1) the reasonable and necessary expenses, as specified in regulations prescribed by the Secretary, incurred in transporting a worker and his family and their household effects; and

(2) such allowance shall be comparable to the relocation allowance provided Government employees of similar experience.

PART E—EARLY RETIREMENT

PROGRAM AUTHORIZED

SEC. 241. Notwithstanding any other provision of law, each adversely affected worker (1) who has attained 60 years of age and has 10 years of Government service; (2) who has attained 55 years of age and has 15 years of Government service; or (3) who has attained 50 years of age and has 20 years of Government service, is entitled to an annuity.

PART F—HEALTH BENEFITS

PROGRAM AUTHORIZED

SEC. 251. (a) Notwithstanding any other provision of law, the Secretary shall, in accordance with the provisions of this part, make whatever arrangements are necessary for the continuation of health benefits, or for obtaining similar health benefits, on such terms and conditions as he deems necessary for adversely affected workers after the date of separation if that separation occurred after April 1, 1973.

(b) In any such arrangement, provisions shall be made to insure that—

(1) a contribution by an adversely affected worker who has not obtained new employment shall not exceed 25 percent of the cost of such benefits; and

(2) such benefits so far as practicable, will be equivalent to the health benefits to which an adversely affected worker was entitled to receive prior to his separation.

(c) No arrangement entered into under this part shall provide for health benefits to any adversely affected worker for a period of more than three years following the date of his separation or for any period after such worker obtains new employment, whichever occurs first.

TITLE III—PUBLIC SERVICE EMPLOYMENT OPPORTUNITIES PROGRAM AUTHORIZED

SEC. 301. Notwithstanding any other provision of law, from sums appropriated pursuant to this Act, the Secretary is authorized to provide financial assistance to any State or locality for public service employment programs for adversely affected workers on terms and conditions as substantially similar to the provisions of sections 7, 8, and 12 of the Emergency Employment Act of 1971 as the Secretary determines to be consistent with the purposes of this Act.

TITLE IV—GENERAL PROVISIONS

LIABILITIES OF CERTIFYING AND DISBURSING OFFICERS

SEC. 401. (a) No person designated by the Secretary as a certifying officer, shall, in the absence of gross negligence or intent to defraud the United States, be liable with respect to the payment of any allowance certified by him under this Act.

(b) No disbursing officer shall, in the absence of gross negligence or intent to defraud the United States, be liable with respect to any payment by him under this Act if it was based upon a voucher signed by a certifying officer designated as provided in subsection (a).

PENALTIES

SEC. 402. Whoever makes a false statement of a material fact knowing it to be false, or knowingly fails to disclose a material fact, for the purpose of obtaining or increasing for himself or for any other person any payment or assistance authorized to be furnished under this Act shall be fined not more than $1,000 or imprisoned for not more than one year, or both.

REVIEW

SEC. 403. Except as may be provided in regulations prescribed by the Secretary to carry out his functions under this Act, determinations under this Act as to the entitlement of individuals for assistance under this Act shall be final and conclusive for all purposes and not subject to review by any court or any other officer.

APPROPRIATIONS AUTHORIZED

SEC. 404. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

SECRETARY OF DEFENSE ELLIOT L. RICHARDSON ANNOUNCES 274 ACTIONS AFFECTING MILITARY INSTALLATIONS

Secretary of Defense Elliot L. Richardson today announced details of 274 specific

actions to consolidate, reduce, realign or close military installations in the United States and Puerto Rico.

Secretary Richardson said these actions will result in a savings of approximately $3.5 billion over the next 10 years. Some 42,800 military and civilian positions will be eliminated. The actions affect 32 states, the District of Columbia and Puerto Rico.

These realignment actions are necessary in order to scale down the Department of Defense base structure commensurate with reduced force levels and training requirements resulting in large part from the end of the Vietnam conflict.

Army strength will be down from 1.6 million military personnel in 1968 to 804,000 in June 1974. Also, Army aviation training requirements will be reduced from 6,887 pilots in 1969 to 1,502 by June 1974.

The Navy's active fleet ship level will be down from 917 to 523 ships and active fleet aircraft from 5,014 to 3,956 between June 1964 and June 1974.

The number of active Air Force aircraft will be reduced from 12,535 during 1968 to 8,313 in 1974. Pilot training requirements will be down to a level of 3,425 from the peak 1972 requirement of 4,440.

In addition, these realignments are necessary to effect Defense economies in the future and to enable the use of scarce Defense resources to be devoted to high-priority areas, such as research and development, readiness and modernization of forces, and maintenance of strategic sufficiency.

Under the Department of Defense Program for Stability of Civilian Employment, every effort will be made to assist displaced civilian employees in obtaining other acceptable employment. Transportation and moving expenses will be paid for career employees who will be relocated to other Defense activities. Eligible career employees desiring placement assistance will be registered in the Department of Defense Priority Placement Program and the Civil Service Commissions' Displaced Employees Program for referral and consideration in other vacancies within the Department of Defense and by other federal departments and agencies.

Close liaison will also be maintained by the Department of Defense civilian personnel offices with the Department of Labor, state employment offices and private industry to help employees desiring placement assistance or retraining for positions in the private sector. Most career employees who do not elect to take other federal positions will be eligible for severance pay up to one year, based upon age and length of federal service, or for immediate retirement under one of the voluntary or involuntary options.

The President's Economic Adjustment Committee will bring the resources of the federal government to bear on alleviating problems of personnel and communities resulting from these realignments. Secretary Richardson chairs this inter-agency committee made up of 15 federal departments and agencies. The President has instructed all members of the committee to give "their full energies in this vital effort."

The committee works with state and local governments and the private sector to create new private-sector jobs to replace the Defense jobs that will be eliminated. Such economic adjustment efforts in the past have resulted in the creation of major new developments in such areas as industry, education, recreation, health and transportation.

Unless specifically indicated, the Department of Defense Reserve Component training activities are not significantly affected by the realignment actions.

The following is a summary of the principal actions to be taken by the three military departments in the United States and Puerto Rico:

DEPARTMENT OF THE ARMY

As part of the Army's Schools Realignment Plan, aviation pilot training activities will be realigned and consolidated at Fort Rucker, Ala., Fort Wolters, Tex., and Hunter Army Airfield, Ga., will be closed and placed in caretaker status.

Also under the Army's Schools Realignment Plan, signal training currently conducted at Fort Monmouth, N.J., will be relocated to Fort Gordon, Ga., and consolidated with the signal training activities conducted at that installation. In addition, military police training will be moved from Fort Gordon, Ga., to Fort McClellan, Ala.

Defense Language Institute activities, now conducted at various locations in the United States, will be consolidated at Fort Monmouth, N.J., except for the West Coast Branch of the Defense Language Institute at the Presidio of Monterey, Calif., which is not affected by this realignment.

Valley Forge General Hospital, Pa., will be closed.

Charleston Army Depot, S.C., will be placed in an inactive status.

Fort Story, Va., will be substantially reduced.

DEPARTMENT OF THE NAVY

Naval shipyards at Hunters Point, Calif., and Boston, Mass., will be closed.

The greater portion of the Naval complex at Long Beach, Calif., will be phased out by the reduction, realignment or disestablishment of activities. Scope of operations of the Naval Shipyard, Long Beach, will be increased.

The greater portion of the Naval complex at Boston, Mass., will be phased out by the reduction, realignment or disestablishment of activities.

Most of the Naval complex at Newport and Quonset Point, R.I., will be phased out by the reduction, realignment or disestablishment of activities. The Naval Construction Battalion Center, the Naval Schools Command and the Naval Underwater Systems Weapons Center in the complex will remain.

The Naval Station complex, Key West, Fla., will be disestablished. Scope of operations of the nearby Naval Air Station, Key West, will be substantially increased.

Significant reductions and realignments of activities will take place at the Naval complex, New York City, N.Y.

The Navy's Pacific Missile Range, Point Mugu, Calif., will be converted to a contractor operation.

Naval Air Station, Imperial Beach, Calif., will be closed.

Naval activities at the Naval Air Station, Alameda, Calif., will be reduced or realigned.

Naval Air Station, Albany, Ga., will be closed. Scope of operations of the nearby Marine Corps Supply Center will be increased.

Naval Air Station, Glynco, Ga., will be closed.

Naval Training Center, Bainbridge, Md., will be closed.

Naval Air Engineering Center at the Naval Shipyard, Philadelphia, Pa., will be disestablished and essential functions relocated to Naval activities. Marine Corps Supply Center, Philadelphia, Pa., will be closed and essential functions relocated to other Marine Corps supply facilities.

Naval Hospital, Portsmouth, N.H., will be closed.

Naval Hospital, St. Albans, N.Y., will be closed.

Naval Air Station, Lakehurst, N.J., will be substantially reduced. Scope of operations of the adjacent Naval Air Test Facility, Lakehurst, will be increased.

In addition, based upon the Fiscal Year 1974 Department of Defense budget, as currently constituted, a number of Naval ships homeported at some of the above Naval complexes will be inactivated. Announcement of these ship inactivations will be made as soon as plans are completed.

DEPARTMENT OF THE AIR FORCE

The Air Force will implement a new concept of depot repair within its Air Material Areas in order to improve management by reducing organization structure and overhead and increasing plant utilization. This new concept will apply to a broad range of aeronautical and support commodities but excludes aircraft and engine repair programs. The concept consolidates the repair of aeronautical hardware that requires like skills, facilities, tools and test equipment into specialized entities known as Technology Repair Centers.

The Air Force will realign its Air Material Areas by merging similar engineering, technical, management and repair resources and workloads. Ground Communications-Electronics-Meteorological (CEM) systems, equipment, and components currently managed primarily at Oklahoma Air Material Area, Tinker Air Force Base, Okla., and repaired primarily at Sacramento Air Material Area, McClellan Air Force Bases, Calif., will be consolidated at the Sacramento Air Material Area.

In addition, Airborne Generator and Components of the aircraft electrical systems, currently managed at San Antonio Air Material Area, Kelly Air Force Base, Tex., will be consolidated with the Ground Generator and Components systems equipment at that installation under a new generator management and repair center at the San Antonio Air Material Area, Kelly Air Force Base.

The Air Force will realign and consolidate its C–5 strategic aircraft operations at one location on each coast by relocating the 3rd Military Airlift Squadron with 13 C–5 aircraft from Charleston Air Force Base, S.C., to Dover Air Force Base, Del., and the remaining three C–5 aircraft from this squadron to Travis Air Force Base, Calif. In addition, the 20th Military Airlift Squadron at Dover Air Force Base with 18 C–141 aircraft will be relocated to Charleston Air Force Base.

Hamilton Air Force Base, Calif., will be closed, except for Air Force Reserve activities.

McCoy Air Force Base, Fla., will be closed.

Forbes Air Force Base, Kan., will be closed, except for the Strategic Air Command satellite mission and Air National Guard activities.

Westover Air Force Base, Mass., will be closed, except for a strategic communications and special production activity. Air Force Reserve activities will continue flying operations.

Laredo Air Force Base, Tex., will be closed.

Ramey Air Force Base, P.R., will be closed.

The Air Force will terminate flying operations at Hanscom Field, Mass.

INDIVIDUAL DEPARTMENT OF DEFENSE INSTALLATION AND ACTIVITY REDUCTION, REALIGNMENT AND CLOSURE ACTIONS BY STATE

ALABAMA

1. Anniston

At the Anniston Army Deport, the contingency supply package and petroleum stock missions with 13 civilian positions will be relocated from the Charleston Army Depot, Charleston, South Carolina, by July 1974.

2. Anniston

At the Army's Fort McClellan, the U.S. Army Military Police School, the Military Police Advanced Individual Training Brigade and the Military Police Combat Developments Activity with 964 military positions and 297 civilian positions will be relocated from Fort Gordon, Georgia, by June 1974, as part of the Army's Schools Realignment Plan.

3. Ozark

All Army aviation training activities will be consolidated at Fort Rucker by July 1974,

as part of the Army's Schools Realignment Plan. As a result of this action, the COBRA aircraft training activity at Hunter Army Airfield, Savannah, Georgia, and the primary helicopter training activity from Fort Walters, Texas, will be relocated to Fort Rucker, and the 72nd Aviation Company will be relocated to Fort Bragg, North Carolina, with a total of 68 military positions reduced and 23 civilian positions increased at Fort Rucker.

ALASKA

4. Fairbanks

The North portion of the Army's Fort Wainwright will be closed by July 1973, and reported to the General Services Administration for disposal—159 civilian positions will be reduced.

ARKANSAS

5. Jacksonville

At Little Rock Air Force Base, the 314th Tactical Airlift Wing will be increased by two C–130 squadrons—one from Forbes Air Force Base, Kansas, and one from a location in Southeast Asia—and manpower management adjustments will be made by June 1974—1,134 military positions and 124 civilian positions will be added.

CALIFORNIA

6. Adelanto

At George Air Force Base, the 561st Tactical Fighter Squadron with 24 F–105 aircraft will be relocated from McConnell Air Force Base, Kansas, and manpower management adjustments will be made by June 1974—915 military positions and 103 civilian positions will be added.

7. Alameda Naval Complex

The scope of operations at the Naval Air Station will be reduced by 233 military positions and 429 civilian positions by June 1974.

8

The Navy's Commander, Fleet Air, Alameda, organization will be disestablished by June 1974—19 military positions and two civilian position will be reduced.

9

The Navy's Flag Administrative Unit, Commander, Fleet Air, Alameda, will be disestablished by June 1974—60 military positions will be reduced.

10

The Navy's Detachment A, Flag Administrative Unit, Commander, Naval Air Forces, Pacific Fleet, will be disestablished by June 1974—10 military positions will be reduced.

11

Naval Construction Battalion Unit 409 will be disestablished by June 1974—46 military positions will be reduced.

12

The Naval Training Equipment Center Representative Office will be disestablished by June 1974—one military position will be reduced.

13

At the Naval Air Station, Aviation Squadron VR–30 and the Detachment of VR–21 with 323 military positions will be relocated to the Naval Air Station, Moffett Field, California, and VAQ–130 and required support personnel with 691 military positions will be relocated to the Naval Air Station, Lemoore, California, by June 1974. Naval Air Reserve activities are not affected.

14

Four Naval ships will be relocated from the Naval Base, Long Beach, California, with a new homeport at Alameda by June 1974—1,932 military positions will be added.

15

The scope of operations of the Naval Air Rework Facility at the Naval Air Station will be increased by June 1974—189 civilian positions will be added.

16. Atwater

At Castle Air Force Base, the 84th Fighter Interceptor Squadron with 18 F–106 aircraft and necessary support personnel will be relocated from Hamilton Air Force Base, California, the B–52 crew training authorizations will be adjusted and other manpower management adjustments will be made by June 1974—274 military positions and 173 civilian positions will be added.

17. Concord

The scope of operations of the Naval Weapons Station will be increased by the relocation of activities from the Naval Ammunition Depot, Oahu, Hawaii, by June 1974—111 civilian positions will be added.

18. Fairfield

At Travis Air Force Base, three C–5 aircraft will be relocated to the 60th Military Airlift Wing from Charleston Air Force Base, South Carolina; the 312th Military Airlift Squadron (associate), an Air Force Reserve unit, will be converted to C–5 aircraft from C–141 aircraft; the 710th Military Airlift Squadron (associate), an Air Force Reserve unit, will be activated under the 349th Military Airlift Wing (associate Air Force Reserve) as a C–141 aircraft unit and other manpower management adjustments will be made by June 1974—140 military positions will be reduced and 128 civilian personnel will be added.

19. Imperial Beach

At the Naval Air Station, the Naval Helicopter Squadrons and associated support elements with 3,013 military positions and 48 civilian positions will be relocated to the Naval Air Station, North Island, San Diego, California, and the Station closed by January 1975. In addition, support elements with 32 military positions and 45 civilian positions will be relocated to the Naval Air Station, Miramar, California. A total of 214 military positions and 33 civilian positions will be reduced. The Naval Air Reserve Helicopter units will also be relocated to the Naval Air Station, North Island, San Diego, California. The Air Station will be retained for Naval aviation training purposes.

20. Lemoore

The Naval Aviation Squadron VAQ–130 and required support elements with 691 military positions will be relocated to the Naval Air Station from the Naval Air Station, Alameda, California, by June 1974.

21. Long Beach Naval Complex

The Naval Base, Long Beach, will be disestablished by June 1974—22 military positions and 10 civilian positions will be reduced.

22

The Navy's Pacific Fleet Representative, Commander, Cruiser-Destroyer Force will be disestablished by June 1974—45 military positions will be reduced.

23

The Naval Ordnance Systems Command Support Office with one military position will be disestablished by June 1974.

24

The Naval Fleet Training Center will be disestablished by June 1974—41 military positions will be reduced.

25

The Navy's Mine Divisions 32, 33, 34 and 35 will be disestablished by June 1974—15 military poistions will be reduced.

26

The Navy's Food Management Team will be disestablished by June 1974—five military positions will be reduced.

27

The scope of operations of the Navy's Finance Center will be reduced by June 1974—three military positions and 12 civilian positions will be reduced.

28

The scope of operations of the Naval Communications Station will be reduced by June 1974—13 military positions and eight civilian positions will be reduced.

29

The scope of operations of the Naval Security Group will be reduced by June 1974—six military positions will be reduced.

30

The Navy Supply Center will be disestablished by June 1974—17 military positions and 535 civilian positions will be reduced.

31

The Naval Station will be disestablished by June 1974—109 military positions and 215 civilian positions will be reduced.

32

The Naval Hospital Annex (USS REPOSE) will be disestablished by June 1974—178 military positions will be reached.

33

The Navy's Cruiser-Destroyer Flotilla 3; Destroyer Squadrons 3, 9, 13, 19, 29, and 35; Mobile Technical Unit 11; and Amphibious Squadron 7 with 212 military positions will be relocated to the Naval Base, San Diego, California, by June 1974.

34

A total of 47 Naval ships with 16,616 military positions will be relocated by June 1974, to other homeports as follows: 31 ships to the Naval Base, San Diego, California; seven ships to the Naval Base, Pearl Harbor, Hawaii; four ships to the Naval Air Station, Alameda, California; one ship to the Naval Shipyard, Bremerton, Washington; three ships to the Naval Base, Charleston, South Carolina; and one ship to an as-yet-undetermined location.

35

At the Naval Shipyard, certain administrative elements with 220 civilian positions will be relocated from the Hunters Point Naval Shipyard, California, and the scope of operations will be increased by June 1974—1,040 civilian positions will be added.

36. Monterey

At the Army's Presidio of Monterey, the Defense Language Institute Systems Development Agency with five military positions and 75 civilian positions will be relocated to Fort Monmouth, New Jersey, by September 1974, as part of the Army's Schools Realignment Plan.

37. Mountain View

At the Naval Air Station, Moffett Field, Naval Aviation Squadrons VR–30 and a Detachment of VR–21 with 323 military positions will be relocated from the Naval Air Station, Alameda, California, by June 1974.

38. Novato

Hamilton Air Force Base will be closed by September 1973, except for Air Force Reserve activities. The 84th Fighter Interceptor Squadron with 18 F–106 aircraft and necessary support elements will be relocated to Castle Air Force Base, California, with 776 military positions and 102 civilian positions: the 41st Aerospace Rescue and Recovery Squadron and necessary support elements with 200 military positions and six civilian positions will be relocated to McClellan Air Force Base, California; and the 2nd Aircraft Delivery Group Detachment with 20 military positions will be relocated to Mather Air Force Base, California. Base support functions will be civilianized to the maximum extent; base responsibility will be transferred from the Air Defense Command to the 452nd Tactical Airlift Wing, an Air Force Reserve unit; and all military community support activities at the base terminated by the Air Force. Real property determined to be excess to Department of Defense requirements will be reported to the General

Services Administration for disposal. A total of 990 military positions and 453 civilian positions will be reduced in addition to the above relocations.

39. Pasadena

The Naval Undersea Center, Pasadena Laboratory, will be considered with the Center at San Diego, California, and the Laboratory will be closed by June 1974. A total of six military positions and 491 civilian positions will be relocated to the Naval Undersea Center at San Diego and 99 civilian positions will be reduced. Continued use of some of the facilities at the Pasadena Laboratory is under review by the Navy. Real property determined to be excess to Department of Defense requirements will be reported to the General Services Administration for disposal.

40. Point Mugu

The Navy's Pacific Missile Range will be converted to a contractor operation by December 1974—225 military positions and 1,448 civilian positions will be reduced. The contractor receiving this contract will be encouraged to rehire as many of the civilian Defense employees as possible.

41. Point Mugu

At the Naval Air Station, Naval Aviation Squadron VXE–6 with 367 military positions will be relocated from the Naval Air Station, Quonset Point, Rhode Island, by June 1974.

42. Port Hueneme

The Naval Civil Engineering Laboratory will be disestablished and its vital functions consolidated with other Naval activities by December 1973. A total of one military position and 157 civilian positions will be transferred to the Construction Battalion Center, Port Hueneme; five military positions and 139 civilian positions will be relocated to the Naval Undersea Center, San Diego, California, and nine military positions and 15 civilian positions will be relocated to the Naval Coastal Systems Laboratory, Panama City, Florida—two military positions and 69 civilian positions will be reduced. The Environmental Data Base Program Office in Hawaii, a component of the Naval Civil Engineering Laboratory, will remain in place; however, command responsibility will be shifted to another Naval activity.

43. Rosamond

At Edwards Air Force Base, the 6514th Test Squadron will be relocated to Hill Air Force Base, Utah, and manpower management adjustments will be made by June 1974—196 military positions and 40 civilian positions will be reduced.

44. Sacramento

At Mather Air Force Base, a Detachment of the 2nd Aircraft Delivery Group will be relocated from Hamilton Air Force Base, California; adjustments will be made in navigation training aircraft and manning of the 323rd Flying Training Wing; and other manpower management adjustments will be made by June 1974—184 military positions and seven civilian positions will be reduced.

45. Sacramento

At McClellan Air Force Base, the 41st Aerospace Rescue and Recovery Squadron is relocated from Hamilton Air Force Base; the Communications-Electronics Meteorological (CEM) Management functions will be relocated from Oklahoma City Air Material Area, Tinker Air Force Base, Oklahoma, and selected Electrical Control and Distribution Equipment Management functions will be relocated from San Antonio Air Material Area, Kelly Air Force Base, Texas; four Technology Repair Centers in fluid-driven accessories, flight control instruments, electrical components and ground CEM equipment are to be established over the next two-year period; one of the functions of the 1155th Technical Operations Squadron of the Air Force Technical Applications Center will be relocated to Patrick Air Force Base; and other manpower management adjustments will be made by June 1974—102 military positions and 249 civilian positions are added.

46. San Francisco

The scope of operations of the Twelfth Naval District will be reduced and certain functions with 13 military positions and 23 civilian positions will be relocated to the Eleventh Naval District, San Diego, California, by January 1974—10 military positions and 49 civilian positions will be reduced.

47. San Francisco

The Naval Shipyard, Hunters Point, will be closed and placed in caretaker status by June 1974, except for Drydock Number 4. Certain administrative functions and personnel will be relocated as follows: 220 civilian positions to the Naval Shipyard, Long Beach, California; 244 civilian positions to the Naval Shipyard, Mare Island, California; 62 civilian positions to the Naval Support Activity, Vallejo, California; nine civilian positions to the Naval Shipyard, Norfolk, Virginia; and 46 military positions to other locations—78 military positions and 4,649 civilian positions will be reduced.

48. San Diego Naval Complex

The scope of operations of the Eleventh Naval District will be increased by the transfer of certain functions with 13 military positions and 23 civilian positions from the Twelfth Naval District, San Francisco, by June 1974.

49

The Navy's Cruiser-Destroyer Flotilla 3; Destroyer Squadrons 3, 9, 13, 19, 29 and 35; Mobile Technical Unit 11; and Amphibious Squadron 7 with 212 military positions will be relocated from the Naval Base, Long Beach, California, by June 1974.

50

A total of 31 Naval ships with 11,077 military positions will be relocated to the Naval Base, San Diego, California, from the Naval Base, Long Beach, California, with a new homeport in San Diego by June 1974.

51

The Navy's Underwater Swimmer's School with 41 military positions and six civilian positions will be relocated from the Naval Station, Key West, Florida, by March 1974.

52

At the Naval Personnel and Training Research Laboratory, the residual functions of the Naval Personnel Research and Development Laboratory at the Navy Yard, Washington, D.C., with nine military positions and 76 civilian positions will be relocated by February 1974.

53

At the Naval Undersea Center, Point Loma, certain portions of the Naval Civil Engineering Laboratory, Port Hueneme, California, and the Naval Undersea Center Annex, Pasadena, California, with 11 military positions and 630 civilian positions will be relocated by June 1974.

54

At the Naval Air Station, North Island, the Naval Helicopter Squadrons and associated support elements with 3,013 military positions and 48 civilian positions will be relocated from the Naval Air Station, Imperial Beach, California, and the Naval Carrier Airborne Early Warning Squadrons 111, 112, 113, 114, 115, 116 and Squadron RVAW–110 with 1,003 military positions will be relocated to the Naval Air Station, Miramar, San Diego, California, by December 1974. In addition, the Navy's Management Systems Development Office Detachment with 19 civilian positions will be relocated from the Naval Air Station, Quonset Point, Rhode Island, by June 1974.

55

The scope of operations of the Naval Air Rework Facility at the Naval Air Station, North Island, will be increased by June 1974—756 civilian positions will be added.

56

At the Naval Air Station, Miramar, certain support elements with 32 military positions and 45 civilian positions will be relocated from the Naval Air Station, Imperial Beach, California, and the Naval Carrier Airborne Early Warning Squadrons 111, 112, 113, 114, 115, 116 and Squadron RVAW–110 with 1,003 military positions will be relocated from the Naval Air Station, North Island, San Diego, California, by December 1974.

57

At the Naval Electronics Laboratory Center, the vital functions from the Naval Electronics Systems Test and Evaluation Field, Webster Field, St. Inigoes, Maryland, with 16 military positions and 141 civilian positions will be relocated by December 1973.

58. Seal Beach

At the Naval Weapons Station, certain functions with 15 civilian positions will be relocated from the Naval Ammunition Depot, Oahu, Hawaii, by June 1974.

59. Vallejo

At the Naval Shipyard, Mare Island, certain administrative elements with 244 civilian positions will be relocated from the Naval Shipyard, Hunters Point, San Francisco, and the scope of operations will be increased by June 1974—1,769 civilian positions will be added.

60. Vallejo

The Navy's Mare Island Laboratories, Naval Shipyard, Mare Island, will be reduced and the rubber, paint and metallurgy and materials functions will be relocated with 80 civilian positions and consolidated with similar functions at the Naval Ship Research and Development Center, Annapolis, Maryland, by December 1973—100 civilian positions will be reduced.

61. Vallejo

At the Naval Support Activity, certain elements with 62 civilian positions will be relocated from the Naval Shipyard, Hunters Point, San Francisco, by June 1974.

DELAWARE

62. Dover

At Dover Air Force Base, the 4713th Defense Systems Evaluation Squadron with 18 EB–57 aircraft and necessary support elements will be relocated from Westover Air Force Base, Massachusetts; the 20th Military Airlift Squadron with 18 C–141 aircraft will be relocated to Charleston Air Force Base, South Carolina; the 3rd Military Airlift Squadron with 13 C–5A aircraft will be relocated from Charleston Air Force Base, South Carolina the 326th Military Airlift Squadron (Associate Air Force Reserve) will be converted from C–141 aircraft to C–5A aircraft; the 709th Military Airlift Squadron (Associate Air Force Reserve) will be activated and fly C–5A aircraft; and manpower management adjustments will be made by June 1974—643 military positions and 294 civilian positions will be added.

DISTRICT OF COLUMBIA

63

At the Naval Station, Anacostia, the Headquarters and East Coast Branch of the Defense Language Institute, for which the Army is the Executive Agent for the Department of Defense, with 53 military positions and 126 civilian positions will be relocated to the Army's Fort Monmouth, New Jersey, along with other elements of the Defense Language Institute from other locations in the United States by December 1974, as part of the Army's Schools Realignment Plan.

64

The Navy Personnel Research and Development Laboratory at the Navy Yard will be disestablished and residual functions with nine military positions and 76 civilians positions will be relocated to the Naval Personnel and Training Research Laboratory, San Diego, California, by February 1974—26 civilian positions will be reduced.

65

The Navy Experimental Diving Unit at the Navy Yard with 72 military positions and seven civilian positions will be relocated to the Naval Coastal Systems Laboratory, Panama City, Florida, by August 1974. A Detachment of the unit with 14 military positions and 40 civilian positions will remain at the Navy Yard.

66

The scope of operations of the Naval Training Publications Division at the Navy Yard will be reduced and 61 military positions and 106 civilian positions will be relocated to the new Naval Training Publications and Examining Center Naval Air Station, Pensacola, Florida, by March 1974—eight military positions and seven civilian positions will be reduced.

FLORIDA

67. Fort Lauderdale

The Navy's Atlantic Undersea Test and Evaluation Center, West Palm Beach Detachment, with two military positions and 45 civilian positions will be relocated to Fort Lauderdale from West Palm Beach, Florida, by December 1973.

68. Fort Walton Beach

At Eglin Air Force Base, a Tactical Air Command Weapons Systems Evaluation Program will be initiated; the aircraft equipment of the 33rd Tactical Fighter Wing will be increased by increasing the aircraft of the 58th and the 60th Tactical Fighter Squadrons from 18 to 24 F–4's each; the 55th Aerospace Rescue and Recovery Squadron will receive HH–53 and HH–3 helicopters. In addition, at Eglin Auxiliary Field Number 9, the manning of the United States Air Force Special Operations Force will be reduced; the 317th Special Operations Squadron will be phased out of C–123 aircraft and equipped with CH–3 aircraft; the 318th Special Operations Squadron with four C–130E aircraft will be relocated from Pope Air Force Base, North Carolina; the 603rd Special Operations Squadron with five C–47 aircraft will be activated; the 360th Tactical Electronic Warfare Squadron with six EC–47 aircraft will be activated, as will the 6994th Air Force Security Service Squadron. A total of 755 military positions and 26 civilian positions will be added to the Eglin Air Force Base complex by June 1974.

69. Homestead

At Homestead Air Force Base, the aircraft of the 307th and the 309th Tactical Fighter Squadrons will be increased from 18 to 24 F–4's each; a Detachment of the 552nd Airborne Early Warning and Control Squadron with EC–121 aircraft will be relocated from McCoy Air Force Base, Florida; and manpower management adjustments will be made by June 1974—417 military positions and 61 civilian positions will be added.

70

At the Naval Air Station, Cecil Field, Aviation Squadrons VS–22, 24, 30 and 31, along with necessary support elements, with 788 military positions and 49 civilian positions will be relocated from the Naval Air Station, Quonset Point, Rhode Island, and 29 military positions will be relocated from the Naval Air Station, Lakehurst, New Jersey, by June 1974—817 military positions and 49 civilian positions will be added.

71

At the Naval Air Station, Jacksonville, Helicopter Squadrons HS 1, 3, 7 and 11, along with necessary support elements, with 824 military positions and 48 civilian positions will be relocated from the Naval Air Station, Quonset Point, Rhode Island, and certain functions to include Helicopter Squadron HC–2 with 488 military positions and 14 civilian positions will be relocated from the Naval Air Station, Lakehurst, New Jersey, by June 1974—1,312 military positions and 62 civilian positions will be added.

72

The scope of operations of the Naval Air Rework Facility at the Naval Air Station, Jacksonville, will be increased by June 1974—33 civilian positions will be added.

73

The Naval Station will be disestablished and 101 military positions of the Naval Message Center will be relocated by March 1974, as follows: 84 military positions to the Naval Air Station, Key West, and 17 military positions to the Naval Communications Station, Puerto Rico—210 military positions and 359 civilian positions will be reduced.

74

The Naval Base will be disestablished by March 1974—11 military positions and six civilian positions will be reduced.

75

The Navy's Commander, Key West Force will be disestablished by March 1974—29 military positions will be reduced.

76

The Navy's Submarine Squadron 12 and Submarine Divisions 121 and 122 will be disestablished by March 1974—24 military positions will be reduced.

77

The Navy's Fleet Training Group will be disestablished by March 1974—one military position will be reduced.

78

The scope of operations of the Navy Commissary will be reduced by March 1974—six military positions will be reduced.

79

The scope of operations of the Navy Finance Office will be reduced by March 1974—10 civilian positions will be reduced.

80

The scope of operations of the Navy Publications and Printing Office will be reduced by March 1974—two civilian positions will be reduced.

81

The scope of operations of the Naval Hospital will be reduced by March 1974—64 military positions and 30 civilian positions will be reduced.

82

The scope of operations of the Naval Communications Station will be reduced by March 1974—46 military positions and two civilian positions will be reduced.

83

The Navy's Destroyer Squadron 18 with 15 military positions will be reloctated to the Naval Station, Mayport, Florida, by March 1974.

84

The Navy's Fleet Sonar School with 305 military positions and nine civilian positions will be relocated to the Naval Base, Norfolk, Virginia, by March 1974.

85

The Navy's Underwater Swimmer's School with 41 military positions and six civilian positions will be relocated to the Naval Base, San Diego, by March 1974.

86

One of the Navy's Submarine Rescue Detachments, along with other miscellaneous activities, Auxiliary Submarine Rescue Ship 16 and one submarine with 187 military positions will be relocated to the Naval Base, Norfolk, Virginia, by March 1974.

87

One of the Navy's Submarine Rescue Detachments, along with other miscellaneous activities, and one submarine with 103 military positions will be relocated to the Naval Base, Charleston, South Carolina, by March 1974.

88

At the Naval Air Station, aviation and support activities with 2,569 military positions and 71 civilian positions will be relocated from the Naval Air Station, Albany, Georgia; the Naval Air Test and Evaluation Squadron One with 348 military positions will be relocated to the Naval Air Station, Patuxent River, Maryland; and 84 military positions will be relocated from the Naval Station, Key West, by June 1974—2,305 military positions and 71 civilian positions will be added.

89. Mayport

The Navy's Destroyer Squadrons 10 and 12 and Service Squadron 2 and 10 Navy ships with 2,963 military positions will be relocated to the Naval Base, Mayport, from the Naval Base, Newport, Rhode Island, and Destroyer Squadron 18 with 15 military positions will be relocated from the Naval Base, Key West, Florida, by June 1974—2,978 military positions will be added.

90. Orlando

At the Naval Training Center, the Navy's Nuclear Power School with 118 military positions will be relocated from the Naval Training Center, Bainbridge, Maryland, by January 1975.

91. Orlando

McCoy Air Force Base, Taft, will be closed by June 1974. The 306th Bombardment Wing and the 36th Bombardment Squadron with a 15 B–52D aircraft will be inactivated; elements of the 306th Air Refueling Squadron with 10 KC–135 aircraft and 283 military positions and nine civilian positions will be relocated to McConnell Air Force Base, Kansas, and elements with 10 KC–135 aircraft and 289 military positions and 10 civilian positions will be relocated to Lockbourne Air Force Base, Ohio; a Detachment of the 552nd Airborne Early Warning Control Squadron with EC–121 aircraft and necessary support personnel with 187 military positions and six civilian positions will be relocated to Homestead Air Force Base, Florida; and the 42nd Air Division with 13 military positions and one civilian position will be relocated to Blytheville Air Force Base, Arkansas. The family housing and other necessary support facilities will be transferred to the Naval Training Center, Orlando. Real property determined to be excess to Department of Defense requirements will be reported to the General Services Administration for disposal. A caretaker force of 161 military positions and 160 civilian positions will remain until final disposal of the property. In addition to the personnel being relocated, a total of 1,086 military positions and 395 civilian positions will be elimnated upon completion of the action.

92. Panama City

At the Naval Coastal Systems Laboratory, certain functions of the Naval Civil Engineering Laboratory, Port Hueneme, California, with nine military positions and 15 civilian positions and the Navy Experimental Diving Unit, Navy Yard, Washington, D.C., with 72 military positions and seven civilian positions will be relocated by September 1974—81 military positions and 22 civilian positions will be added.

93. Pensacola

At the Naval Complex residual elements of the Naval Publications and Examining Center, Great Lakes, Illinois; Naval Correspondence Course Center, Scotia, New York; Naval Publications and Examining Center,

Memphis, Tennessee; and the Naval Training Publications Division, Washington, D.C., with 271 military positions and 317 civilian positions will be relocated and consolidated into a new Naval Publications and Examining Center to be established by March 1974. In addition, 286 military positions and six civilian positions will be relocated from the Naval Air Station, Glynco, Georgia, by December 1974. A total of 557 military positions and 323 civilian positions will be added.

The scope of operations of the Naval Air Rework Facility at the Naval Air Station will be increased by June 1974—79 civilian positions will be added.

95. Tampa

At MacDill Air Force Base, the 21st Tactical Air Support Squadron with 12 OV–12 aircraft will be activated; the aircraft of the 1st Tactical Fighter Wing will be increased from 60 to 72 F–4 aircraft, and manpower management adjustments will be made by June 1974—208 military positions and 139 civilian positions will be added.

96. West Palm Beach

The Navy's Undersea Test and Evaluation Center, West Palm Beach Detachment will be reduced and the residual functions with two military positions and 45 civilian positions will be relocated to Fort Lauderdale, Florida, by December 1973—one military position and 10 civilian positions will be reduced.

GEORGIA

97. Albany

At the Marine Corps Supply Center, the residual functions of the Marine Corps Supply Activity, Philadelphia, Pennsylvania, with 381 military positions and 948 civilian positions will be relocated by July 1976.

98. Albany

The Naval Air Station will be closed and placed in caretaker status by June 1974. The aviation activities and selected support elements with 2,569 military positions and 71 civilian positions will be relocated to the Naval Air Station, Key West, Florida. The family housing and required support facilities will be made available for use by the Marine Corps Supply Center, Albany, Georgia. A total of 648 military positions and 273 civilian positions will be eliminated.

99. Augusta

At the Army's Fort Gordon, the scope of operations of the Military Police activities will be reduced and the United States Army Military Police School, the Military Police Advanced Individual Training Brigade and the Military Police Combat Developments Activity with 964 military positions and 297 civilian positions will be relocated to Fort McClellan, Alabama, 18 military positions will be eliminated, and the essential elements of the United States Army Signal Center and School and the Communications and Electronics Combat Developments Activity with 922 military positions and 591 civilian positions will be relocated from Fort Monmouth New Jersey, and consolidated with the Army's Southeastern Signal School at Fort Gordon by June 1974, as part of the Army's Schools Realignment Plan—60 military positions will be reduced and 294 civilan personnel will be added.

100. Brunswick

The Naval Air Station, Glynco, will be closed by December 1974. Residual functions with 286 military positions will be relocated to the Naval Air Station, Pensacola, Florida; 442 military positions will be relocated to Dam Neck, Virginia; and 439 military positions and 31 civilian positions will be relocated to the Naval Air Station, Memphis, Tennessee. A total of 661 military positions and 308 civilian positions will be eliminated. Real property determined to be excess to Department of Defense requirements will be reported to the General Services Administration for disposal.

101. Columbus

At the Army's Fort Benning, the Headquarters and Headquarters Company, 214th Aviation Battalion, with 98 military positions will be relocated from Fort Stewart, Georgia, by July 1973.

102. Savannah

Hunter Army Airfield will be closed and placed in caretaker status by July 1973. The COBRA aircraft training with 87 military positions and 12 civilian positions will be relocated to Fort Rucker, Alabama, where all future Army aviation training will be consolidated; the 102nd Quartermaster Company (Petroleum) with 200 military positions will be relocated to Fort Campbell, Kentucky; the 238th Aviation Company with 140 military positions along with 301 military positions and 70 civilian positions will be relocated to Fort Stewart, Georgia, as part of the Army's Schools Realignment Plan. A total of 476 military positions and 388 civilian positions will be eliminated.

103. Savannah

At the Army's Fort Stewart, the 238th Aviation Company with 140 military positions, along with 301 military positions and 70 civilian positions will be relocated from Hunter Army Airfield; the 530th Composite Service Company (Light Maintenance) with 135 military positions will be relocated from Fort Knox, Kentucky; and the Headquarters and Headquarters Company, 214th Aviation Company with 98 military positions will be relocated to Fort Benning, Georgia, by July 1973—478 military positions and 70 civilian positions will be added.

104. Warner-Robins

At Robins Air Force Base, the 19th Bombardment Wing will be equipped with SRAM missiles; five Technology Repair Centers in airborne electronics, life support equipment, propellers, portable buildings and gyro instruments will be established over the next two-year period; and manpower management adjustments will be made by June 1974—182 military positions will be added and 383 civilian positions will be reduced.

HAWAII

105. Lualualei

The Naval Ammunition Depot, Oahu, will be closed and 230 military positions and 248 civilian positions will be relocated to other Pacific Fleet activities in Hawaii; 111 civilian positions will be relocated to the Naval Weapons Station, Concord, California; 90 civilian positions will be relocated to the Naval Torpedo Station, Keyport, Washington; 52 civilian positions will be relocated to the Naval Ammunition Depot, Crane, Indiana; and 15 civilian positions will be relocated to the Naval Weapons Station, Seal Beach California, by June 1974—17 military positions and 240 civilian positions will be reduced. All real property will be retained to meet other Department of Defense requirements.

106. Pearl Harbor

At the Navy's Pacific Fleet Activities, 230 military positions and 248 civilian positions will be relocated from the Naval Ammunition Depot, Oahu, Hawaii, by June 1974.

107. Pearl Harbor

At the Naval Base, seven Naval ships with 2,559 military positions will be relocated from the Naval Base, Long Beach, California, with a new homeport at Pearl Harbor by June 1974.

ILLINOIS

108. Great Lakes

The Naval Publications and Examining Center will be disestablished and 158 military positions and 85 civilian positions will be relocated to the new consolidated Naval Publications and Examining Center to be established at Pensacola, Florida, by March 1974—21 military positions and five civilian positions will be reduced.

109. Great Lakes

The Navy's Electronics Supply Office will be disestablished and 27 military positions and 540 civilian positions will be relocated to the Naval Ship Parts Control Center, Mechanicsburg, Pennsylvania, by December 1974—seven military positions and 190 civilian positions will be eliminated.

INDIANA

110. Crane

At the Naval Ammunition Depot, 52 civilian positions will be relocated from the Naval Ammunition Depot, Oahu, Hawaii, by June 1974.

KANSAS

111. Pauline

Forbes Air Force Base will be closed, except for Air National Guard and Strategic Air Command satellite mission activities by September 1973. The 313th Tactical Airlift Wing will be inactivated with the two C–130 aircraft squadrons relocated—one C–130 squadron with 619 military positions and 19 civilian positions will be relocated to Dyess Air Force Base, Texas, and one C–130 squadron with 616 military positions and 19 civilian positions will be relocated to Little Rock Air Force Base, Arkansas. In addition, one C–130 squadron currently in Southeast Asia programmed to return to Forbes Air Force Base will return to Little Rock Air Force Base, Arkansas with 615 military positions and 18 civilian positions. Further, the Military Airlift Command's Aerial Cartographic and Geodetic Squadron will be relocated to Keesler Air Force Base, Mississippi, and the 3301st School Squadron United States Air Force Skill Center (Project Transition) will be relocated to Kirtland Air Force Base, New Mexico. The Strategic Air Command satellite mission with KC–135's remains in place. In addition, the Air National Guard Bombardment Squadron remains. A total of 298 civilian positions will be converted to Air National Guard technician positions in order to civilianize remaining missions to maximum extent possible and all military community support activities (PX, commissary, etc.) will then be terminated by the active Air Force. In addition to the above actions, 1,241 military positions and 83 civilian positions will be reduced. Real property determined to be excess to Department of Defense requirements will be reported to the General Services Administration for disposal.

112. Wichita

At McConnell Air Force Base, elements of the 306th Air Refueling Squadron with 10 KC–135 aircraft will be relocated from McCoy Air Force Base, Florida; the 819th Air Force Civil Engineer Heavy Repair Squadron (RED HORSE) will be relocated from Westover Air Force Base, Massachusetts; the 561st Tactical Fighter Squadron will be relocated to George Air Force Base, California; and manpower management adjustments will be made by June 1974—83 military positions will be reduced and 107 civilian positions will be added.

KENTUCKY

113. Hopkinsville

At the Army's Fort Campbell, the 102nd Quartermaster Company (Petroleum) with 200 military positions will be relocated from Hunter Army Airfield, Georgia, by July 1973.

114. Louisville

At the Army's Fort Knox, the 530th Composite Service Company (Light Maintenance) with 135 military positions will be relocated to Fort Stewart, Georgia, and the 13th Engineer Company (Construction) will be relocated from Fort George G. Meade, Maryland, and reorganized with 177 military positions by July 1973—42 military positions will be added.

LOUISIANA

115. Alexandria

At England Air Force Base, the 4410th Special Operations Training Group and the

548th Special Operations Training Squadron will be inactivated and manpower management adjustments will be made by June 1974—365 military positions will be reduced and 65 civilian positions will be added.

116. Bossier City

At Barksdale Air Force Base, the 3097th Aviation Depot Squadron will be relocated from Westover Air Force Base, Massachusetts, and manpower management adjustments will be made by June 1974—18 military positions will be reduced and 74 civilian positions will be added.

117. New Orleans

The scope of operations of the Eighth Naval District will be increased by the relocation of functions from the Fifth Naval District, Norfolk, Virginia, by January 1974—10 military positions and 10 civilian positions will be added.

MAINE

See Portsmouth, New Hampshire.

MARYLAND

118. Annapolis

At the Naval Ship Research and Development Center, the rubber, paint, metallurgy and materials functions of the Navy's Mare Island Laboratories, Naval Shipyard, Mare Island, California, with 80 civilian positions will be relocated and consolidated with similar functions by December 1973.

119. Bainbridge

The Naval Training Center will be disestablished by January 1975, except for the Naval Academy Preparatory School. A total of 113 military positions and seven civilian positions will be relocated to other Naval training activities in the United States; the Navy's Nuclear Power School with 118 military positions will be relocated to the Naval Training Center, Orlando, Florida; and 277 military positions and 551 civilian positions will be reduced.

120. Frederick

At the Army's Fort Detrick, the United States Army Medical Material Agency with 27 military positions and 98 civilian positions, including an associated Air Force unit, will be relocated from the Army's Valley Forge Hospital, Phoenixville, Pennsylvania, by June 1974.

121. Indian Head

The Naval Research and Development Office at the Naval Ordnance Station will be reduced and its project work assigned to the Naval Ordnance Laboratory, White Oak, Maryland, by December 1973—five civilian positions will be reduced. Residual functions of the office will remain at the Naval Ordnance Station.

122. Odenton

The Army's 13th Engineer Company (Construction) at Fort George G. Meade with 127 military positions will be relocated to Fort Knox, Kentucky, by July 1973, where it will be reorganized.

123. Patuxent River

At the Naval Air Test Center, the essential functions of the Naval Air Engineering Center, Philadelphia, Pennsylvania, with three military positions and 202 civilian positions will be relocated by December 1974.

124. Patuxent River

At the Naval Air Station, Naval Air Test and Evaluation Squadron One with 348 military positions will be relocated from the Naval Air Station, Key West, Florida, by June 1974.

125. St. Inigoes

The Naval Electronics Systems Test and Evaluation Facility, Webster Field, will be closed by December 1973. Essential functions with 16 military positions and 141 civilian positions will be relocated to the Naval Electronics Laboratory Center, San Diego, California, and 15 military positions and 14 civilians positions will be reduced. Real property determined to be excess to Department of Defense requirements will be reported to the General Services Administration for disposal.

MASSACHUSETTS

126. Bedford

The Air Force will terminate flying activities at Laurence G. Hanscom field and turnover complete maintenance and operations of the airfield to the Massachusetts Port Authority. The aircraft of the Air Force's Electronic Systems Division will be relocated to Kirkland Air Force Base, New Mexico; the 901st Tactical Airlift Group (Air Force Reserve) will be relocated to Westover Air Force Base, Massachusetts; the 3501st Recruiting Group will be relocated from Westover Air Force Base, Massachusetts; and other manpower management adjustments will be made by June 1974—237 military positions and 536 civilian positions will be reduced. These actions will not affect United States Army Reserve training activities at Laurence G. Hanscom Field.

127. Boston Naval Complex

The Naval Shipyard will be closed and placed in caretaker status by January 1975. Certain administrative functions and personnel will be relocated as follows: 392 civilian positions to the Naval Shipyard, Philadelphia, Pennsylvania; 191 civilian positions to the Naval Supply Center, Norfolk, Virginia; 25 civilian positions to the Naval Supply Center, Charleston, South Carolna: three civilian positions to the Naval Shipyard, Norfolk, Virginia; and 126 military to various other locations—13 military positions and 4,708 civilian positions will be reduced.

128

The Naval Support Activity will be disestablished by December 1974—80 military positions and 72 civilian positions will be reduced.

129

The Navy's Reserve Supplement Headquarters will be disestablished by January 1974. Certain functions with 222 military positions and 12 civilian positions will be relocated to the Third Naval District, New York, New York, and 10 military positions and 18 civilian positions will be reduced. The Naval Reserve training activities in the Boston area will not be significantly affected.

130

The Naval Hospital, Chelsea, will be disestablished by December 1974. Hospital activities with a total of 246 military positions and 129 civilian positions will be relocated to other Naval hospitals and 226 military positions and 195 civilian positions will be reduced. Real property determined to be excess to Department of Defense requirements will be reported to the General Services Administration for disposal.

131

The Naval Area Audit Office will be disestablished by January 1975—four military positions and 49 civilian positions will be reduced.

132

The Naval Finance Office will be disestablished by January 1975—six military positions and 25 civilian positions will be reduced.

133

The Naval Electronics Office will be disestablished by January 1975—one military position and 61 civilian positions will be reduced.

134

The scope of operations of the First Naval District will be reduced and certain functions will be relocated to the Third Naval District, New York, New York, by January 1975—48 military positions and 53 civilian positions will be reduced.

135

The Navy's Supervisor of Shipbuilding Office will be disestablished by January 1975—two military positions and 46 civilian positions will be reduced.

136

The Naval Courier Service Detachment will be disestablished by January 1975—13 military positions will be reduced.

137

The Navy's Exchange will be disestablished by January 1975—two military positions will be reduced.

138

The Navy Band will be disestablished by January 1975—21 military positions will be reduced.

139

The Navy's Correctional Center will be disestablished by January 1975—32 military positions will be reduced.

140

The Navy's Fleet Supply Operations Assistance team and other miscellaneous activities will be disestablished by January 1975—three military positions and 14 civilian positions will be reduced.

141

The scope of operations of the Naval Investigative Office and Armed Forces Police Detachment will be reduced by January 1975—nine military positions and 23 civilian positions will be reduced.

142

The Marine Barracks will be disestablished by January 1974—82 military positions will be reduced.

143. Chicopee Falls

Westover Air Force Base will be closed by June 1974, except for Reserve activities and some limited active Air Force requirements. The 99th Bombardment Wing, its two squadrons of B–52D aircraft and support elements will be inactivated. The following activities will be relocated: elements of the 99th Air Refueling Squadron with 10 KC–135 aircraft and associated support, with 289 military positions and 10 civilian positions to Plattsburgh Air Force Base, New York; elements of the 99th Air Refueling Squadron with five KC–135 aircraft and 207 military positions and eight civilian positions to Pease Air Force Base, New Hampshire; the 4713th Defense Systems Evaluation Squadron and its 18 EB–57 aircraft and associated support elements with 432 military positions and 41 civilian positions to Dover Air Force Base, Delaware; the 819th Civil Engineer Heavy Repair Squadron (RED HORSE) with 459 military positions and 15 civilian positions to McConnell Air Force Base, Kansas; the 3501st Recruiting Group with 35 military positions and seven civilian positions to Laurence G. Hanscom Field, Massachusetts; the 590th Air Force Band with 51 military positions to McGuire Air Force Base, New Jersey; and the 3097th Aviation Depot with 116 military positions and five civilian positions to Barksdale Air Force Base, Louisiana. In addition, the 901st Tactical Airlift Group (Air Force Reserve) with five military positions and 149 Air Force Reserve civilian technicians will be relocated from Laurence G. Hanscom Field, Massachusetts, to Westover Air Force Base. The 18th Communications Squadron and the Air Force Special Project Production Activity will remain. The support elements will be civilianized to the maximum extent possible and the responsibility for the base transferred to the Air Force Reserves by June 1974. Upon completion of the civilianization, all military community support at Westover Air Force Base will be terminated by the Air Force. A total of 1,300 military positions and 163 civilian positions will be reduced in addition to the personnel relocated. Real property determined to be excess to Department

of Defense requirements will be reported to the General Services Administration for disposal.

144. Falmouth

At Otis Air National Guard Base, the Strategic Air Comand activity will be inactivated; the support functions will be civilianized by the Air Force in order to make the Massachusetts Air National Guard unit self-sufficient; responsibility for the entire base will be transferred to the Massachusetts Air National Guard and all military community support will be terminated by the active Air Force by December 1973—377 military positions and 297 civilian positions will be reduced. United States Army Reserve Component training activities at adjacent Camp Edwards will not be affected by these actions.

145. South Weymouth

At the Naval Air Station, Naval Reserve Helicopter Squadron HS–74 with 51 military position; elements of the Naval Air Reserve Training Detachment with 18 military positions; and required support elements with four military positions and 14 civilian positions will be relocated from the Naval Air Station, Quonset Point, Rhode Island, by June 1974.

MISSISSIPPI

146. Biloxi

At Keesler Air Force Base, the First Aerial Cartographic and Geodetic Squadron with four RC–130A aircraft will be relocated from Forbes Air Force Base, Kansas; the 53rd Weather Reconnaissance Squadron with seven WC–130B aircraft will be relocated from Ramey Air Force Base, Puerto Rico; all foreign pilot training activities will be terminated; technical training activities will be reduced; and manpower management adjustments will be made by June 1974. These actions are not expected to change the current Department of Defense population at Keesler Air Force Base.

NEBRASKA

147. Omaha

The Naval Support Activity at Fort Omaha will be disestablished by January 1974—56 military positions and 49 civilian positions will be reduced. The Department of Defense Reserve Component training activities at Fort Omaha will not be significantly affected. Real property determined to be excess to Department of Defense requirements will be reported to the General Services Administration for disposal.

NEW HAMPSHIRE

148. Newington

At Pease Air Force Base, elements of the 99th Air Refueling Squadron with five KC–135 aircraft will be relocated from Westover Air Force Base, Massachusetts, and other manpower management adjustments will be made by June 1974—127 military positions and 88 civilian positions will be added.

149. Portsmouth Naval Complex

The Naval Disciplinary Command will be disestablished by June 1974. A total of 10 military positions will be relocated to other Defense activities and 77 military positions and 41 civilian positions will be reduced. Real property determined to be excess to Department of Defense requirements will be reported to the General Services Administration for disposal.

150

The Naval Hospital will be disestablished by December 1974. Hospital activities with a total of 53 military positions and 31 civilian positions will be relocated to other Naval hospitals and 85 military positions and 55 civilian positions will be reduced. Real property determined to be excess to Department of Defense requirements will be reported to the General Services Administration for disposal.

151

The Navy Exchange will be disestablished by December 1974—four military positions will be reduced.

152

The Marine Barracks and Detachment will be disestablished by June 1974. A total of 83 military positions will be relocated to other Marine Corps activities and 236 military positions will be reduced.

NEW JERSEY

153. Bayonne

At the Naval Ammunition Depot, Earle, the Naval Ship USS NITRO (AE-23) with 310 military positions will be relocated from Newport/Quonset Point, Rhode Island by June 1974.

154. Lakehurst

The scope of operations of the Naval Air Station will be reduced by June 1974. A total of 233 military positions and 392 civilian positions will be relocated to the Naval Air Test Facility, Lakehurst, New Jersey; 735 military positions will be relocated to the Naval Air Station, Norfolk, Virginia, including Helicopter Squadrons HS–15 and HSL–30 and 32; 488 military positions and 14 civilian positions will be relocated to the Naval Air Station, Jacksonville, Florida, including Helicopter Squadron HC–2; 29 military positions will be relocated to the Naval Air Station, Cecil Field, Florida; and 94 military positions will be reduced. Flying operations will continue. The Army activities located at the Naval Air Station remain. Department of Defense Reserve Component activities will continue to use the facilities at the Naval Air Station.

155. Lakehurst

At the Naval Air Test Facility, support functions with 233 military positions and 392 civilian positions will be relocated from the Naval Air Station, Lakehurst, New Jersey, and essential elements with 16 military positions and 898 civilian positions will be relocated from the Naval Air Emergency Center, Philadelphia, Pennsylvania, by December 1974.

156. Lakehurst

The Marine Barracks at the Naval Air Station will be disestablished by January 1974—70 military positions will be reduced.

157. Red Bank

At the Army's Fort Monmouth, the United States Army Signal Center and School and the Communications and Electronics Combat Developments Activity with 922 military positions and 591 civilian positions will be relocated and consolidated with the United States Army Southeastern Signal School and 905 military positions and 470 civilian positions will be reduced by June 1974. In addition, Defense Language Institute activities, for which the Army is the Executive Agent for the Department of Defense, will be relocated to Fort Monmouth with 90 military positions and 424 civilian positions by September 1975, as follows: the Headquarters and East Coast Branch from the Naval Station, Anacostia, Washington, D.C.; the Systems Development Agency from the Presidio of Monterey, California; and the English Language Branch from Lackland Air Force Base, Texas. The West Coast Branch of the Defense Language Institute remains at the Presidio of Monterey, California. These actions are a part of the Army's Schools Realignment Plan.

158. Wrightstown

At McGuire Air Force Base, the 590th Air Force Band will be relocated from Westover Air Force Base and manpower management adjustments will be made by June 1974—294 military positions and 87 civilian positions will be reduced.

NEW MEXICO

159. Alamogordo

At Holloman Air Force Base, Bare Base Equipment sets, along with the required personnel, will be relocated from Shaw Air Force Base, South Carolina, and Seymour-Johnson Air Force Base, North Carolina, and manpower management adjustments will be made by June 1974—299 military positions and 110 civilian positions will be added.

160. Albuquerque

At Kirtland Air Force Base, the 3301st School Squadron United States Air Force Skill Center (Project Transition) will be relocated from Forbes Air Force Base, Kansas; the aircraft of the Air Force's Electronic Systems Division will be relocated from Laurence G. Hanscom Field, Massachusetts; the 188th Tactical Fighter Squadron, New Mexico Air National Guard, will be converted from 24 F–100 to 18 A–7D aircraft and manpower management adjustments will be made by June 1974—seven military positions will be added and 40 civilian positions will be reduced.

161. Albuquerque

The Naval Weapons Evaluation Facility will be reduced and become a component of the Naval Missile Center, Point Mugu, California, by August 1973—10 civilian positions will be reduced.

NEW YORK

162. Bethpage

The scope of operations of the Navy's Plant Representative, Bethpage, Long Island, will be reduced by four military positions by December 1974.

163. New York Naval Complex

The Naval Strategic Systems Navigation Facility, Brooklyn, will be disestablished by June 1974. Essential functions with 271 civilian positions will be relocated to the Naval Air Development Center, Warminster, Pennsylvania, and three military positions and 63 civilian positions will be reduced. The buildings housing this activity will be retained and used as the Naval Station Annex, Brooklyn, New York, to accommodate the consolidated Naval activities in New York City.

164

The Naval Support Activity will be reduced and relocated to the Naval Station Annex, Brooklyn, New York, with 111 military positions and 329 civilian positions and 42 military positions and 43 civilian positions will be reduced by December 1974.

165

The scope of operations of the Third Naval District will be reduced by 36 military and 15 civilian positions and certain functions with 22 military positions and 12 civilian positions will be relocated from the First Naval District and other activities in Boston, Massachusetts, by December 1974.

166

The scope of operations of the Military Sealift Command, Atlantic, will be reduced and the activity, with 57 military positions and 363 civilian positions, will be relocated to the Naval Station Annex, Brooklyn, New York, by December 1974—one military position and 42 civilian positions will be reduced.

167

The scope of operations of the Office of the Commander, Eastern Sea Frontier, will be reduced by 11 military positions by December 1974.

168

The Navy Exchange will be relocated with one military position and 109 civilian positions to the Naval Station Annex, Brooklyn, New York, by December 1974—one military position will be reduced.

169

The scope of operations of the Navy Finance Office will be reduced and the office, with one military position and 22 civilian positions, will be relocated to the Naval Station Annex, Brooklyn, New York, by December 1974—12 military positions and 20 civilian positions will be reduced.

170

The Navy Recruiting District Office with 51 military positions and nine civilian positions will be relocated to the Naval Station Annex, Brooklyn, New York, by December 1974.

171

The scope of operations of the Naval Investigative Service will be reduced by nine military positions by December 1974.

172

The Navy's Public Affairs Office, East Coast, will be disestablished by December 1974—six military positions and one civilian position will be reduced.

173

The Navy's Armed Forces Police Detachment will be disestablished by December 1974—18 military positions will be reduced.

174

The Navy's Office of the Assistant Supervisor of Salvage will be disestablished by December 1974—one military position and one civilian position will be reduced.

175

The Navy's New York Detachment of the Inactive Ships Maintenance Activity, Philadelphia, will be disestablished by December 1974—17 military positions will be reduced.

176

The Naval Audit Office will be disestablished by December 1974—five civilian positions will be reduced.

177

The Office of Naval Research, Area Representative in New York will be disestablished by December 1974—21 military positions will be reduced.

178

The Naval Oceanographic Office, New York Representative, will be disestablished by December 1974—three military positions and one civilian position will be reduced.

179

The Marine Barracks will be disestablished by January 1974—134 military positions will be reduced.

180. Plattsburgh

At Plattsburgh Air Force Base, elements of the 99th Air Refueling Squadron with 10 KC–135 aircraft and required support personnel will be relocated from Westover Air Force Base, Massachusetts; the F–111 aircraft at the Base will receive new missiles, and manpower management adjustments will be made by June 1974—264 military positions and 76 civilian positions will be added.

181. St. Albans

The Naval Hospital will be closed by March 1974. Hospital activities with 90 military positions and 59 civilian positions will be relocated to the Naval Hospital, Portsmouth, Virginia; 53 military positions and 35 civilian positions will be relocated to the Naval Hospital, Philadelphia, Pennsylvania; 25 military positions and 23 civilian positions will be relocated to the Naval Hospital, Charleston, South Carolina. In addition, 349 military positions and 269 civilian positions will be reduced. Real property determined to be excess to Department of Defense requirements will be reported to the General Services Administration for disposal.

182. Scotia

The Naval Correspondence Course Center will be closed by March 1974. A total of 29 military positions and 99 civilian positions will be relocated to the Naval Training Publications and Examining Center, Pensacola, Florida, and six military positions and nine civilian positions will be reduced.

NORTH CAROLINA

183. Cherry Point

The scope of operations at the Naval Air Rework Facility, Marine Corps Air Station, will be increased by the relocation of certain elements with 84 civilian positions from the Naval Air Rework Facility, Naval Air Station, Quonset Point, Rhode Island, by June 1974.

184. Fayetteville

At the Army's Fort Bragg, the 72nd Aviation Company with 212 military positions will be relocated from Fort Rucker, Alabama, by July 1973.

185. Goldsboro

At Seymour-Johnson Air Force Base, the Bare Base Equipment sets will be relocated to Holloman Air Force Base, New Mexico, and manpower management adjustments will be made by June 1974—108 military positions will be reduced and 58 civilian positions will be added.

186. Springlake

At Pope Air Force Base, the 318th Special Operations Squadron with 4 C–130E aircraft will be relocated to the Air Force's Elgin Auxiliary Field Number 9, Florida, and manpower management adjustments will be made by June 1974—336 military positions will be reduced and 81 civilian positions will be added.

OHIO

187. Lockbourne

At Lockbourne Air Force Base, elements of the 306th Air Refueling Squadron with 10 KC–135 aircraft will be relocated from McCoy Air Force Base, Florida; the Air Force Reserve Special Operations Group will be converted to a Tactical Airlift Group equipped with 16 C–123 aircraft instead of C–119 aircraft; the Ohio Air National Guard Tactical Fighter Squadron will be converted from F–100 to A–7 aircraft and manpower management adjustments will be made by June 1974—203 military positions and 93 civilian positions will be added.

OKLAHOMA

188. Oklahoma City

At Tinker Air Force Base, selected Communications Electronics Meteorological (CEM) management functions will be relocated to the Sacramento Air Material Area, McClellan Air Force Base, California; three Technology Repair Centers in constant speed drives/pneumatics, oxygen equipment and automatic pilot control and engine instruments will be established over the next two-year period; and manpower management adjustments will be made by June 1974—25 military positions will be added and 1,671 civilian positions will be reduced.

PENNSYLVANIA

189. Mechanicsburg

At the Naval Ships Parts Control Center, the essential functions of the Naval Electronics Supply Office, Great Lakes, Illinois, with 27 military positions and 540 civilian positions will be relocated by December 1974.

190. New Cumberland

At the New Cumberland Army Depot, the rail stock storage mission of the Charleston Army Depot, South Carolina, with two civilian positions will be relocated by July 1974.

191. Phoenixville

The Army's Valley Forge Hospital will be closed by July 1974. The United States Army Medical Material Agency with 27 military positions and 98 civilian positions, including an associated Air Force unit, will be relocated to Fort Detrick, Maryland, and 298 military positions and 347 civilian positions will be relocated to other Army hospitals and activities. A total of 20 civilian personnel will remain as a caretaker force until December 1974, and 221 military positions and 490 civilian positions will be reduced. Real property determined to be excess to Department of Defense requirements will be reported to the General Services Administration for disposal.

192. Philadelphia Naval Complex

The scope of operations of the Fourth Naval District will be reduced by 40 military positions and 66 civilian positions by January 1974.

193

The Naval Air Engineering Center at the Naval Shipyard, will be closed by December 1974. Certain functions in aircraft launch, recovery and landing aids with 16 military positions and 898 civilian positions will be relocated to the Naval Air Test Facility, Lakehurst, New Jersey, and other elements with three military positions and 202 civilian positions will be relocated to the Naval Air Test Center, Patuxent River, Maryland. A total of 15 military positions and 911 civilian positions will be reduced. Another 240 civilian personnel at the Naval Air Engineering Center will remain at the Naval Shipyard facility.

194

At the Naval Shipyard, certain elements with 392 civilian positions will be relocated from the Naval Shipyard, Boston, Massachusetts, and the scope of operations will be increased by December 1974—a total of 1,112 civilian positions will be added.

195

At the Naval Hospital, activities from the Naval Hospital, St. Albans, Long Island, New York, with 53 military positions and 35 civilian positions will be relocated by March 1974.

196. Philadelphia

The Marine Corps Supply Activity will be closed by July 1976. Certain functions, with 381 military positions and 948 civilian positions will be relocated to the Marine Corps Supply Center. Albany, Georgia. The Fourth Marine Corps District will be relocated elsewhere in Philadelphia. A total of 50 military positions and 184 civilian positions will be reduced. Real property determined to be excess to Department of Defense requirements will be reported to the General Services Administration for disposal.

197. Warminster

At th Naval Air Development Center, certain functions from the Naval Strategic Systems Navigation Facility, Brooklyn, New York, with 271 civilian positions will be relocated by June 1974.

RHODE ISLAND

198. Newport Naval Complex

The Naval Supply Center will be disestablished by June 1974. A total of eight military positions and 188 civilian positions will be relocated to the Naval Schools Command, Newport, Rhode Island, and nine military positions and 335 civilian positions will be reduced. Real property determined to be excess to Department of Defense requirements will be reported to the General Services Administration for disposal.

199

Th Naval Station will be disestablished by June 1974. A total of 386 military positions and 197 civilian positions will be relocated to the Naval Schools Command, Newport, Rhode Island, and 81 military positions and 144 civilian positions will be reduced. Real property determined to be excess to Department of Defense requirements will be reported to the General Services Administration for disposal.

200

The Naval Public Works Center will be disestablished by June 1974. A total of 11 military positions and 560 civilian positions will be relocated to the Naval Schools Command, Newport, Rhode Island, and two military positions and 85 civilian positions will be reduced. Real property determined to be excess to Department of Defense requirements will be reported to the General Services Administration for disposal.

201

The Naval Base will be disestablished by June 1974—26 military positions and 28 civilian positions will be reduced.

202

The Navy's Mobile Technical Unit 8 will be disestablished and 17 military positions will be relocated to the Naval Base, Charleston, South Carolina, by June 1974—eight military positions will be reduced.

203

The Navy's Fleet Training Group and Center will be disestablished and 80 military positions will be relocated to the Naval Base, Norfolk, Virginia, by June 1974—162 military positions and five civilian positions will be reduced.

204

The Naval Ordnance Systems Command Office, Atlantic, will be disestablished by June 1974—one military position and 20 civilian positions will be reduced.

205

Naval Construction Battalion Unit 408 will be disestablished by June 1974—36 military positions will be reduced.

206

The Navy's Atlantic Fleet Combat Camera Group Detachment will be disestablished by June 1974—23 military positions will be reduced.

207

The Navy's Food Management Team will be disestablished by June 1974—four military positions will be reduced.

208

The Navy's Laundry Team will be disestablished by June 1974—four military positions will be reduced.

209

The scope of operations of the Naval Hospital will be reduced by June 1974—175 military positions and 71 civilian positions will be reduced.

210

The scope of operations of the Naval Communications Station will be reduced and 124 military positions and 31 civilian positions will be relocated to the Naval Schools Command, Newport, Rhode Island, by June 1974—24 military positions and three civilian positions will be reduced.

211

The scope of operations of the Navy Correctional Center will be reduced by June 1974—13 military postions will be reduced.

212

The scope of operations of the Naval Finance Office will be reduced by June 1974—nine military positions will be reduced.

213

The scope of operations of the Naval Dental Clinic will be reduced by June 1974—36 military and six civilian positions will be reduced.

214

The scope of operations of the Navy Commissionary store will be reduced by June 1974—22 civilian positions will be reduced.

215

The scope of operations of the Navy Exchange will be reduced by June 1974—one military position will be reduced.

216

The scope of operations of the Naval Schools Command and the Naval Justice School will be reduced by June 1974—117 military positions and six civilian positions will be reduced. In addition, support responsibility for the remaining Naval activities in the area, along with required personnel, will be transferred to the Naval Schools Command from the Naval Station, Naval Supply Center, Public Works Center and Naval Communications Station, Newport, Rhode Island. A total of 529 military positions and 976 civilian positions will be transferred.

217

Seven Navy Fleet Unit Staffs and 39 Naval ships with 12,694 military positions will be relocated by June 1974, to other homeports as follows: Commander, Cruiser-Destroyer, Atlantic; Commander, Cruiser-Destroyer Flotilla 2; Commander, Destroyer Squadron 24; Commander, Destroyer Development Group and 18 sihps to the Naval Base, Norfolk, Virginia; Commander, Destroyer Squadrons 10 and 12; Commander Service Squadron 2 and 10 ships to the Naval Base, Mayport, Florida; 10 ships to the Naval Base, Charleston, South Carolina; and one ship to the Naval Ammunition Depot, Earle, Bayonne, New Jersey.

218. Quonset Point Naval Complex

The Naval Air Station will be closed by June 1974. Certain support elements and personnel will be relocated as follows: four military positions and 14 civilian positions to the Naval Air Station, South Weymouth, Massachusetts; 42 military positions and 48 civilian positions to the Naval Air Station, Jacksonville, Florida; 42 military positions and 49 civilian positions to the Naval Air Station, Cecil Field, Florida; and 127 civilian positions to the Naval Construction Battalion Center Davisville, Rhode Island. A total of 800 military positions and 880 civilian positions will be reduced. Real property determined to be excess to Department of Defense requirements will be reported to the General Services Administration for disposal.

219

The Naval Air Rework Facility at the Naval Air Station will be disestablished by June 1974. Certain functions and personnel will be relocated as follows: 263 civilian positions to the Naval Air Rework Facility, Norfolk, Virginia; 84 civilian positions to the Naval Air Rework Facility, Cherry Point, North Carolina; 33 civilian positions to the Naval Air Rework Facility, Jacksonville, Florida; 79 civilian positions to the Naval Air Rework Facility, Pensacola, Florida; 189 civilian positions to the Naval Air Rework Facility, Alameda, California; 756 civilian positions to the Naval Air Rework Facility, San Diego, California; and five civilian positions to other locations. A total of nine military positions and 726 civilian positions will be reduced. Real property determined to be excess to Department of Defense requirements will be reported to the General Services Administration for disposal.

220

The Naval Weather Facility will be disestablished by June 1974—25 military positions and 14 civilian positions will be reduced.

221

The Naval Hospital will be disestablished by June 1974. Hospital activities with 80 military positions and 22 civilian positions will be relocated to other Naval hospitals. A total of 37 military positions and nine civilian positions will be reduced. Real property determined to be excess to Department of Defense requirements will be reported to the General Services Administration for disposal.

222

The Navy's Advance Underwater Warfare Detachment will be disestablished by June 1974—30 military positions will be reduced.

223

The Navy's Carrier Anti-Submarine Warfare Air Group, Quonset Point, will be disestablished by June 1974—13 military positions will be reduced.

224

The Navy's Commander, Fleet Air, Quonset Point, organization will be disestablished by June 1974—31 military positions will be reduced.

225

The Navy's Flag Administrative Unit, Commander, Fleet Air, Quonset Point, will be disestablished by June 1974—57 military positions will be reduced.

226

The Naval Air Maintenance Training Detachment will be disestablished by June 1974—53 military positions will be reduced.

227

The Navy's Commander, Anti-Submarine Warfare Group Four, Quonset Point, will be disestablished by June 1974—37 military positions will be reduced.

228

The Naval Air Reserve Training Detachment will be disestablished and 18 military positions will be relocated to the Naval Air Station, South Weymouth, Massachusetts, by June 1974—39 military positions will be reduced.

229

The Navy's Composite Squadron 2 Detachment will be disestablished by June 1974—53 military positions will be reduced.

230

The Navy Commissary Store will be disestablished by June 1974—24 military positions and 72 civilian positions will be reduced.

231

The Navy's Air Engineering Support Unit will be disestablished by June 1974—two military positions will be reduced.

232

The Navy Exchange will be disestablished by June 1974—three military positions will be reduced.

233

The Navy's Explosive Ordnance Detachment will be disestablished by June 1974—three military positions will be reduced.

234

The Marine Barracks will be disestablished by June 1974—89 military positions will be reduced.

235

The Navy's Management Systems Development Office Detachment with 19 civilian positions will be relocated to the Naval Air Station, North Island, San Diego, California, by June 1974.

236

At the Naval Construction Battalion Center, Davisville, support elements with 127 civilian positions will be transferred from the Naval Air Station, Quonset Point, Rhode Island, by June 1974.

237

At the Naval Air Station, Aviation Squadrons VS–22, 24, 30 and 31 with 746 military positions will be relocated to the Naval Air Station, Cecil Field, Florida, by June 1974.

238

At the Naval Air Station, Helicopter Squadrons HS–1, 3, 7 and 11, with 782 military positions will be relocated to the Naval Air Station, Jacksonville, Florida, by June 1974.

239

At the Naval Air Station, Helicopter Naval Reserve Squadron HS–74, with 51 military positions, will be relocated to the Naval Air Station, South Weymouth, Massachusetts, by June 1974.

240

At the Naval Air Station, Aviation Squadron VXE–6 with 367 military positions will be relocated to the Naval Air Station, Point Mugu, California, by June 1974.

241

At the Naval Air Station, various Air Fleet Staffs and Detachments with 66 military positions will be relocated to Norfolk, Virginia, by June 1974.

SOUTH CAROLINA

242. Charleston

The Charleston Army Depot will be reduced to inactive status by July 1974. The contingency supply package and petroleum stock missions with 13 civilian positions will be relocated to the Anniston Army Depot, Alabama, and the rail stock storage mission with two civilian positions will be relocated to the New Cumberland Army Depot, Pennsylvania. A total of 148 civilian positions will be reduced. A caretaker force of one military and 35 civilian personnel will remain until disposition is made of the real property. Real property determined to be excess to Department of Defense requirements will be reported to the General Services Administration for disposal. A total of five civilian positions will be located at the new Army Reserve Center currently under construction at the Depot. The Reserve Center will not be affected by the Depot inactivation.

243. Charleston Naval Complex

At the Naval Base, the following activities will be relocated by June 1974: Mobile Technical Unit 8 with 17 military positions from Newport, Rhode Island; a Submarine Rescue Detachment and other miscellaneous activities and one submarine with 103 military positions from Key West, Florida; 10 Naval ships with 2,821 military positions from Newport, Rhode Island; and three Naval ships with 205 military positions from Long Beach, California.

244

At the Naval Supply Center, certain functions with 25 civilian positions will be relocated from the Naval Shipyard, Boston, Massachusetts, by December 1974.

245

At the Naval Hospital, hospital activities with 25 military positions and 23 civilian positions will be relocated from the Naval Hospital, St. Albans, Long Island, New York, by March 1974.

246

At the Naval Shipyard, the scope of operations will be increased by December 1974—325 civilian positions will be added.

247. Charleston

At Charleston Air Force Base, the Third Military Airlift Squadron with 13 of its 16 C–5A aircraft will be relocated to Dover Air Force Base, Delaware, and the three remaining C–5A aircraft will be relocated to Travis Air Force Base, California; the 20th Military Airlift Squadron with 18 C–141 aircraft will be relocated from Dover Air Force Base, Delaware; the Air Force Reserve Associate Squadron at Charleston Air Force Base, will fly C–141 aircraft instead of being converted to C–5A aircraft and manpower management adjustments will be made by June 1974—684 military positions and 83 civilian positions will be reduced.

243. Sumter

At Shaw Air Force Base, the Bare Base Equipment sets, along with the required personnel, will be relocated to Holloman Air Force Base, New Mexico; the aircraft of the 704th Tactical Air Support Squadron will be decreased to 24 0–2 aircraft; the 703rd Tactical Air Support Squadron will be converted from eight CH–3 helicopters to four CH–3 and two CH–53 helicopters; and manpower management adjustments will be made by June 1974—259 military positions will be reduced and 13 civilian positions will be added.

TENNESSEE

249. Memphis

At the Naval Air Station, the Naval Publications and Examining Center will be disestablished and 23 military positions and 27 civilian positions will be relocated to Pensacola, Florida—one military position and two civilian positions will be reduced. In addition, certain functions with 439 military positions and 31 civilian positions will be relocated from the Naval Air Station, Glynco, Georgia, by December 1974.

TEXAS

250. Abilene

At Dyess Air Force Base, one C–130 Squadron will be relocated from Forbes Air Force Base, Kansas; the 337th Bombardment Squadron will be decreased by five B–52D aircraft; and manpower management adjustments will be made by June 1974—372 military positions and 81 civilian positions will be added.

251. Austin

At Bergstrom Air Force Base, the assigned aircraft of the 702nd Tactical Air Support Squadron will be increased to 34 O–2A aircraft; the 701st Tactical Air Support Squadron will be equipped with four CH–53 helicopters; and manpower management adjustments will be made by June 1974—164 military positions and 35 civilian positions will be added.

252. Laredo

At Laredo Air Force Base, all student pilot training activities will be terminated and the base closed by September 1973. The disposition of the 14th Missile Warning Squadron is under study by the Air Force. A caretaker force of 140 military and 180 civilian personnel will remain until disposition is made of the base. A total of 1,274 military positions and 343 civilian positions will be reduced. Real property determined to be excess to Department of Defense requirements will be reported to the General Services Administration for disposal.

253. Mineral Wells

The Army's Fort Wolters will be closed and placed in a caretaker status by July 1974. The primary helicopter training activity with 57 military positions and 11 civilian positions will be relocated to Fort Rucker, Alabama, where all Army aviation training will be consolidated as part of the Army's Schools Realignment Plan. A total of 635 military positions and 558 civilian positions will be reduced in addition to the relocations. Real property determined to be excess to Department of Defense requirements will be reported to the General Services Administration for disposal.

254. San Angelo

At Goodfellow Air Force Base, the 6948th Air Force Security Service Squadron will be relocated to Kelly Air Force Base, Texas, and manpower management adjustments will be made by June 1974—283 military positions and 41 civilian positions will be reduced.

255. San Antonio

At Kelly Air Force Base, selected Electronic-Control and Distribution Management functions will be relocated to the Sacramento Air Material area, McClellan Air Force Base, California; three Technology Repair Centers in electronics aerospace ground equipment, electro/mechanical aerospace ground equipment and nuclear components will be established over the next two-year period; the 6948th Air Force Security Squadron will be relocated from Goodfellow Air Force Base, Texas; and manpower management adjustments will be made by June 1974—253 military positions will be added and 1,175 civilian positions will be reduced.

256. San Antonio

At Lackland Air Force Base, English Language Branch of the Defense Language Institute, for which the Army is Executive Agent for the Department of Defense, will be relocated with 32 military positions and 223 civilian positions to Fort Monmouth, New Jersey, by September 1975, as part of the Army's Schools Realignment Plan.

UTAH

257. Ogden

At Hill Air Force Base, the 6514th Test Squadron will be relocated from Edwards Air Force Base, California; the aircraft assigned to the 1550th Wing will be decreased; eight Technology Repair Centers in weapons, air munitions, missile components, ram air turbines, landing gears, photographics, training devices, and navigational, electrical/mechanical and environmental instruments will be made by June 1974—35 military positions will be added and 542 civilian positions will be reduced.

VIRGINIA

258. Alexandria

At the Army's Fort Belvoir, the 77th Engineer Company (Port Construction) with 186 military positions will be relocated to Fort Eustis, Virginia, by July 1973.

259. Newport News

At the Army's Fort Eustis, certain units with 929 military positions and 106 civilian positions will be relocated from Fort Story, Virginia, and the 77th Engineer Company (Port Construction) with 186 military positions will be relocated from Fort Belvoir, Virginia, by January 1974. A total of 1,115 military positions and 106 civilian positions will be added.

260. Norfolk Naval Complex

At the Naval Base, the Navy's Fleet Sonar School; a Submarine Rescue Detachment and miscellaneous activities; Auxiliary Submarine Rescue Ship 16 and one submarine will be relocated from the Naval Base, Key West, Florida, by March 1974—492 military positions and nine civilian positions will be added.

261

At the Naval Base, Commander, Cruiser-Destroyer, Atlantic; Commander, Cruiser-Destroyer Flotilla 2; Commander, Destroyer Squadron 24; Commander, Destroyer Development Group; other Naval Fleet Unit Staffs and 18 ships, with 6,696 military positions, will be relocated from the Naval Base, Newport/Quonset Point Naval Complex, Rhode Island, by June 1974.

262

The scope of operations of the Fifth Naval District will be reduced and certain functions with 10 military positions and 10 civilian positions will be relocated to the Eighth Naval District by January 1974—24 military positions and 45 civilian positions will be reduced.

263. Norfolk Naval Complex

At the Naval Supply Center, functions with 191 civilian positions will be relocated from the Naval Shipyard, Boston, Massachusetts, by December 1974.

264

At the Naval Air Station, Norfolk, Naval Helicopter Units HS–15, and HSL–30, and 32 with 735 military positions will be relocated from the Naval Air Station, Lakehurst, New Jersey, by June 1974.

265

The scope of operations of the Naval Air Rework Facility at the Naval Air Station, Norfolk, will be increased by the relocation of functions with 251 civilian positions from the Naval Air Rework Facility, Quonset Point, Rhode Island, by June 1974.

266

At the Naval Shipyard, Norfolk, in Portsmouth, Virginia, certain functions with nine civilian positions, will be relocated from the Naval Shipyard, Hunters Point, California; certain functions with three civilian positions will be relocated from the Naval Shipyard, Boston, Massachusetts, and the scope of operations will be increased by December 1974—332 civilian positions will be added.

267

At the Naval Hospital, Norfolk, in Portsmouth, Virginia, hospital activities with 90 military positions and 59 civilian positions will be relocated from the Naval Hospital, St. Albans, Long Island, New York, by March 1974.

268. Virginia Beach

At the Fleet Combat Direction Systems Training Center, Dam Neck, certain functions with 442 military positions will be relocated from the Naval Air Station, Glynco, Georgia, by December 1974.

269. Virginia Beach

The scope of operations of the Army's Fort Story will be reduced and units and activities with 929 military positions and 106 civilian positions will be relocated to Fort Eustis, Virginia; 147 military positions and four civilian positions will be relocated to other locations; and 78 military positions and 44 civilian positions will be reduced by January 1974.

WASHINGTON

270. Bremerton

At the Naval Shipyard, Puget Sound, one ship with 586 military positions will be relocated from Long Beach, California, and the scope of operations will be increased by June 1974—845 civilian positions will be added.

271. Keyport

At the Naval Torpedo Station, certain functions with 90 civilian positions will be relocated from the Naval Ammunition Depot, Oahu, Hawaii, by June 1974.

VARIOUS LOCATIONS

272

The scope of operations for Naval training activities will be reduced at various installations and complexes—2,520 military positions will be reduced.

PUERTO RICO

273. Aguadilla

Ramey Air Force Base will be closed by July 1973. The 53d Weather Reconnaissance Squadron with WC–130 aircraft will be relocated to Keesler Air Force Base, Mississippi. A caretaker force of 171 military and 136 civilian personnel will remain until disposition is made of the base. In addition to the relocations, 1,355 military positions and 623 civilian positions will be reduced. Real property determined to be excess to Department of Defense requirements will be reported to the General Services Administration for disposal.

274. Ponce

At the Naval Communications Station, certain functions with 17 military positions will be relocated from the Navy's Message Center, Naval Station, Key West, Florida, by March 1974.

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. SCOTT of Pennsylvania:

S. 1684. A bill to provide that a finding of permanent and total disability under title II or XVI of the Social Security Act, chapters 13 or 15 of title 38, United States Code, or the Railroad Retirement Act of 1937 will be considered as a finding of disability under any of such programs, and for other purposes. Referred to the Committee on Finance.

By Mr. JACKSON:

S. 1685. A bill for the relief of Chief Master Sergeant Donald E. Rudy, U.S. Air Force. Referred to the Committee on the Judiciary.

By Mr. DOMINICK:

S. 1686. A bill to authorize the National Science Foundation to carry out a program to facilitate the application of science and technology to civilian needs, and to assist in establishing civilian research and development priorities, and for other purposes. Referred to the Committee on Labor and Public Welfare.

By Mr. PROXMIRE (for himself and Mr. NELSON):

S. 1687. A bill to repeal the act terminating Federal supervision over the property and members of the Menominee Indian Tribe of Wisconsin as a federally recognized, sovereign Indian Tribe; and to restore to the Menominee Tribe of Wisconsin those Federal services furnished to American Indians because of their status as American Indians; and for other purposes. Referred to the Committee on Interior and Insular Affairs.

By Mr. ERVIN (for himself, Mr. ABOUREZK, Mr. BAKER, Mr. BAYH, Mr. BEALL, Mr. BENNETT, Mr. BIBLE, Mr. BROOKE, Mr. BURDICK, Mr. HARRY F. BYRD, Jr., Mr. CHURCH, Mr. FANNIN, Mr. FONG, Mr. GOLDWATER, Mr. GRAVEL, Mr. GURNEY, Mr. HANSEN, Mr. HASKELL, Mr. HATFIELD, Mr. HATHAWAY, Mr. HRUSKA, Mr. HUMPHREY, Mr. INOUYE, Mr. MANSFIELD, Mr. MCGEE, Mr. MCGOVERN, Mr. METCALF, Mr. MONDALE, Mr. MOSS, Mr. MUSKIE, Mr. NELSON, Mr. PACKWOOD, Mr. PELL, Mr. PERCY, Mr. RANDOLPH, Mr. SCOTT of Pennsylvania, Mr. STAFFORD, Mr. TAFT, Mr. THURMOND, Mr. TUNNEY, and Mr. WILLIAMS):

S. 1688. A bill to protect the civilian employees of the executive branch of the United States Government in the enjoyment of their constitutional rights and to prevent unwarranted governmental invasions of their privacy. Referred to the Committee on the Judiciary.

By Mr. BENTSEN:

S. 1689. A bill for the relief of Dr. Laurence T. Gayao, his wife, Edith Cabaus Gayao, and their daughter, Lorraine Gayao. Referred to the Committee on the Judiciary.

By Mr. GRAVEL (for himself, Mr. THURMOND, Mr. RANDOLPH, Mr. FANNIN, Mr. HUMPHREY, Mr. GOLDWATER, Mr. GURNEY, and Mr. SCOTT of Pennsylvania):

S. 1690. A bill to establish a National Amateur Sports Development Foundation. Referred to the Committee on Commerce.

By Mr. GRAVEL:

S. 1691. A bill for the relief of Wallace O. Craig, et al. Referred to the Committee on the Judiciary.

By Mr. RANDOLPH:

S. 1692. A bill to amend title II of the Social Security Act to extend certain benefits to individuals adopted by disability or old-age insurance beneficiaries. Referred to the Committee on Finance.

By Mr. BELLMON:

S.J. Res. 101. Joint resolution proposing an amendment to the Constitution of the United States relating to the nomination of individuals for election to the offices of the President and Vice President of the United States, and to the direct popular election of such officers. Referred to the Committee on the Judiciary.

By Mr. HUGHES (for himself, Mr. BROCK, Mr. BAKER, Mr. CLARK, Mr. FULBRIGHT, Mr. HUMPHREY, Mr. MONDALE, Mr. NELSON, Mr. STEVENSON, and Mr. SYMINGTON):

S.J. Res. 102. Joint resolution to authorize and request the President to proclaim June 17, 1973, as a day of commemoration of the opening of the upper Mississippi River by Jacques Marquette and Louis Jolliet in 1673. Referred to the Committee on the Judiciary.

By Mr HUMPHREY:

S.J. Res. 103. Joint resolution to direct the Secretary of Transportation to make an investigation and study of the condition and adequacy of farm-to-market roads, railroad beds, and availability of operational rail lines serving rural areas in the United States. Referred to the Committee on Commerce.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. SCOTT of Pennsylvania:

S. 1684. A bill to provide that a finding of permanent and total disability under title II or XVI of the Social Security Act, chapters 13 or 15 of title 38, United States Code, or the Railroad Retirement Act of 1937 will be considered as a finding of disability under any of such programs, and for other purposes. Referred to the Committee on Finance.

Mr. SCOTT of Pennsylvania. Mr. President, I am introducing legislation today to correct a needless harassment now facing many of our Nation's veterans, social security beneficiaries, and railroad retirees.

As my colleagues know, there are many disabled individuals who are eligible to apply for benefits under more than one of these programs. Existing law, however, requires that they take one, and sometimes two, separate physical examinations to establish their physical eligibility for each program. It is cruel to require these disabled applicants to go through such a series of often unpleasant and painful examinations.

This problem was recently poignantly described to me in a letter from Mr. James Caldwell of American Legion Post III in Meadville, Pa. Mr. Caldwell wrote:

As service officer for the American Legion I am aware of a very bad problem that exists for veterans. As you know the social security, veteran's administration and railroad retirement all require separate physical examinations for any man seeking disability retirement or pensions. Because of this often times a veteran is put through much tedious and sometimes painful testing from each agency to determine disability qualifications. If a veteran happens to be a railroad employee seeking his retirement disability from the railroad and also from social security, he must face a battery of tests because neither agency will accept the other's medical records. I know of many cases where a veteran will take four to eight physicals to get one claim certified.

While there are varying classifications of disability under the railroad retirement, veteran's and social security programs, there is no reason why a determination of total and permanent disability under one should not qualify an individual physically for total and permanent disability status under the others.

The legislation I am introducing today does not change the definition of disability under any of these programs. It does, however, create a binding presumption that once a person is found physically qualified for total and permanent disability benefits under one of these Federal programs, he is automatically physically qualified for these same benefits under the others.

The agencies and disability programs affected by this legislation are:

First. Veterans' Administration—100 percent service-connected disability.

Second. Social Security Administration—social security disability—and beginning in January of 1974—aid to the permanently and totally disabled.

Third. Railroad Retirement Board—total and permanent disability.

An applicant would, of course, still have to meet other eligibility requirements for these programs, but once he has been determined physically qualified for one, he would be physically qualified for the others.

In addition, this legislation requires any Federal agency or office which has prepared or collected medical reports or records on an indivdual to make such records available to any other Federal agency, State or locality when so requested by the individual himself.

At this time, there are ten major Federal and State compensation and annuity programs for the disabled which require physical examinations. In addition to those I have already mentioned are: Civil service disability, black lung compensation, unemployment insurance for medical disability, workmen's compensation, temporary disability insurance and benefits for disabled State and municipal employees. While the varying physical disability criteria for each makes it impossible to allow eligibility for one to carry over to the others, under my bill an individual could request that medical records already prepared by one Federal agency be made available to others. I believe that this will allow a reduction in the number of duplicative medical tests and examinations now being performed.

I urge early consideration of this legislislation. It will be a humanitarian act on behalf of thousands of disabled individuals, and will go a long way toward reducing inefficiency and duplication in Government.

By Mr. DOMINICK:

S. 1686. A bill to authorize the National Science Foundation to carry out a program to facilitate the application of science and technology to civilian needs, and to assist in establishing civilian research and development priorities, and for other purposes. Referred to the Committee on Labor and Public Welfare.

Mr. DOMINICK. Mr. President, the main byproduct of America's social revolution is doubt, and this doubt has been cast on Government and business alike. Technology has fed this fire and has been characterized as an amoral polluter and dehumanizer. The allegation is made that the rate of change is too rapid to permit a sorting of the good and bad.

I do not subscribe to the indictment, but I do see a great need for improvement. The conflict between limited resources and burgeoning demand will increase rather than decrease our dependence on science and technology—and I am not fearful of that dependency. Science and technology can and must become a cornucopia of solutions to our most pressing problems in such areas as health care, housing, poverty, education, transportation, nutrition, and energy resources.

The bill which I am introducing today provides for the development of new capabilities to adapt and apply science and technology to the solution of public problems. Its provisions call for the structuring of new partnerships between the layers of our Federal Government system. These partnerships will encourage the formulation of new policy and the creation of new institutions to allow for the effective utilization of science and technology in meeting our domestic needs.

Last year, the President in his message on science and technology recognized this principle:

> We must appreciate that the progress we seek requires a new partnership in science and technology—one which brings together the federal government, private enterprise, state and local governments, and our universities and research centers in a coordinated, cooperative effort to serve the national interest. Each member of that partnership must play the role it can play best; each must respect and reinforce the unique capabilities of the other members. Only if this happens, only if our new partnership thrives, can we be sure that our scientific and technological resources will be used as effectively as possible in meeting our priority national needs.

It is time now to ink our signatures on the partnership papers which will put up the money and assign the responsibility to the partners to effect the President's objective.

Today our Government structure is being challenged by new requirements which, in part, result from two recent trends. One of the trends to which I refer reflects the widespread realization that all of our domestic problems cannot be solved in Washington. Many of our most pressing problems fall within the jurisdiction of State and local governments, and it is at these levels where such problems must be handled. Increasingly, attention is being focused on means to enhance State and local capabilities to meet these needs.

The second trend stems from the shift in national priorities away from defense and aerospace developments and toward civilian concerns. With this shift has come the growing desire to bring our vast scientific and technical resources to bear on public problems. A new concept, that of "public technology"—connoting the civilian application of science and technology—has emerged. Because many of the domestic problems which concern us today are the responsibility of State and local governments, and because our scientific and technical resources offer great promise to assist in the solution of these problems, it is vital to concern ourselves with the integration of scientific and technological capabilities at the State and local government levels. The legislation which I present today proposes a means to do precisely this.

The importance of this legislation is underscored in a number of recent developments. A primary one is the cultivation of the new federalism concept which stresses the return of power to State and local governments. The passage of the revenue sharing legislation is a concrete indication of the desire to give the lower levels of government more responsibility. The concept of new federalism is accompanied by an implied mandate to strengthen State and local government organizations so that they are able to effectively assume new responsibilities. Certainly the time is right to foster the development of science and technology capabilities.

Mr. President, also significant is the attention which has recently been directed to intergovernmental science and technology policy and programs. Last year, two major reports and a national conference addressed issues pertinent to State and local science and technology policy. A general consensus emerged from these studies which purported that States and localities lack expertise and the institutions to handle decisions involving science and technology. It was generally concluded that such expertise and institutions must be developed because these governments are, and will continue to be, concerned with matters involving scientific or technical considerations. In addition, States and localities need appropriate capabilities to enable them to effectively participate in Federal programs designed to promote the application of science and technology to public problems.

In recent months, organizational developments in the Federal Government have brought a sense of urgency to the requirement for intergovernmental science and technology policy. I am referring specifically to the sweeping changes which have occurred in the White House science advisory organization. The position of the President's Science Adviser has been abolished. The White House Office of Science and Technology has been abolished and its functions transferred to the National Science Foundation, and the President's Science Advisory Council has been dissolved. The demise of the President's science advisory structure comes at a time of surging demand for the application of new technologies to meet domestic needs. In light of this, it is mandatory that State and local governments be given encouragement and assistance to build their own science advisory mechanisms. Capabilities must be cultivated at the regional, State and local levels to enable these units of government to apply public technology.

Mr. President, this bill has two primary objectives: First, to encourage the placement of a science and technology advisor in each Governor's office; and second, to give the States and localities an opportunity to participate, at the Federal level, in the setting of national R. & D. priorities.

Each State would, if it so desired, qualify on an 80–20 basis for a $100,000

2-year grant to hire and utilize a State science and technology adviser. The adviser would broker technology from the Federal to the State and local levels, and assist in defining and applying science and technology to pressing public problems.

There is a twofold payoff in placing the adviser in the Governor's office. He can advise on new opportunities which hold some promise in efficiency or economy to the State, its agencies and citizens; and he can advise against actions which would have a negative payoff. He can also assist the Governor in establishing comprehensive State plans and policies, in monitoring national trends and in identifying issues and options.

This is not too ambitious an objective if care and attention is given in selecting a competent and dedicated scientist or engineer to staff the slot. His worth would be in translating technical input into understandable output for use at the State and local levels. The bill authorizes $5 million a year to accomplish this objective.

Mr. President, to give States and localities an input in the setting of civilian R. & D. priorities, an Intergovernment Science and Technology Advisory Council is established in the National Science Foundation. The country is broken down into 10 standard regions with two members from each region serving on the Council. In addition, the Directors of the National Science Foundation and the Office of Technology Assessment would bring the total membership to 22. The Council, with its State and local input, would assist the Director in the setting of national R. & D. priorities and in finding ways to facilitate the transfer and utilization of R. & D. results from the Federal to the local level.

The bill embodies a final program as incentive for the States to hire a State science and technology adviser. If a State has an adviser, the State is eligible, either individually or as part of a region, to apply for an intergovernmental science and technology grant. The Federal Government under this program would pay 80 percent of the cost of applying science and technology to such civilian needs in the State or region as health care, poverty, public services, public safety, pollution, housing, education, transportation, or energy resources. The bill authorizes $25 million for fiscal year 1974, and $50 million for fiscal year 1975. In addition, once an appropriation is enacted, the Director is encouraged to spread the grant over 3 years to insure continuity in the State and regional programs.

Mr. President, cities must join with technology rather than becoming its victim; and this legislation gives the State and local people who get their hands dirty dealing with such local day-to-day problems as traffic jams, sewage treatment, road repair and garbage collection to impact on the setting of Federal R. & D. priorities.

I realize that other more grandiose legislative proposals in this area dwarf this bill in comparison, but I believe that this is an absolutely necessary first step. Without a State and local capability, Federal R. & D. efforts will find themselves without a market. As the President observed in his science and technology message:

> We must always be aware that the mere act of scientific discovery alone is not enough. Even the most important breakthrough will have little impact on our lives unless it is put to use and putting an idea to use is a far more complex process than has often been appreciated.

Mr. President, this legislation is the mechanism to strengthen the transfer capability and bring State and local problems and needs more sharply into focus at the Federal level.

The effective channeling and application of scientific developments is a challenge which we cannot afford to let go unmet.

By Mr. PROXMIRE (for himself and Mr. NELSON):

S. 1687. A bill to repeal the Act terminating Federal supervision over the property and members of the Menominee Indian Tribe of Wisconsin as a federally recognized, sovereign Indian Tribe; and to restore to the Menominee Tribe of Wisconsin those Federal services furnished to American Indians because of their status as American Indians; and for other purposes. Referred to the Committee on Interior and Insular Affairs.

THE MENOMINEE RESTORATION ACT

Mr. PROXMIRE. Mr. President, on behalf of myself and Senator NELSON I am today introducing a bill to repeal the act terminating Federal supervision over the Menominee Indian Tribe of Wisconsin; to reinstate the Menominee as a federally recognized, sovereign Indian Tribe; and to make the tribe eligible for the services the Federal Government furnishes to Indians.

THE MENOMINEE INDIANS

Since time immemorial the Menominee Indians have lived in what is now the State of Wisconsin. In 1854 they entered into a treaty with the United States by which the Menominee ceded to the United States their claim to all their land except for 234,000 acres along the Wolf River. This acreage became the Menominee Indian Reservation.

By the early 1950's the Menominee had become, on paper at least, one of the most prosperous Indian tribes in the United States. This prosperity was in large part due to the excellent forest located on their reservation, which was valued at $36,000,000. In addition, the tribe had $10,000,000 on deposit in the Federal Treasury. Over three quarters of this money came from a lawsuit which the tribe won in 1951 against the Bureau of Indian Affairs for mismanagement of the forest. After this lawsuit was settled the Menominee decided that they wanted approximately $5,000,000 of their money distributed to each member of the tribe—$1,500 per capita. This money was to be used for improving housing conditions and for other necessities of life on the reservation. Because the Federal Government held as trusteeship over the Menominee an act of Congress was needed to release the money.

Appropriate legislation was introduced in the Congress in 1953 and soon passed by the House. When the bill reached the Senate it was amended to provide for termination of the Federal trusteeship. The Interior and Insular Affairs Committee recommended that termination be coupled with the provisions granting the Menominee access to their money because the committee felt the tribe had sufficient assets to exist without Federal support. There is some confusion as to whether or not the tribe gave its informed consent to this policy. On June 20, 1953, the principle of termination was approved at a tribal council meeting held on the reservation by a vote of 169–5. But it was later rejected at another council meeting by a vote of 197–0. It should be noted that these two votes represented only 5 percent of the membership of the tribe. Today there is resentment among the Menominee who feel that termination was forced on them as a condition for receiving their money.

In 1954 the Menominee Termination Act was passed. The tribal roll was closed and the Indians were ordered to produce a termination plan. Because of difficulties in drawing up this plan the final date for termination was extended from 1958 to 1961. With the implementation of termination the Federal trusteeship ended, BIA services were withdrawn, and the Menominee ceased to exist as a legal entity. A corporation, Menominee Enterprises, Inc.—MEI—was established to manage the tribal assets—the forest, sawmill, public utilities, and land. Each enrolled Menominee was given 100 shares of stock in this corporation.

EFFECTS OF TERMINATION

It was the intent of Congress that the Menominee should be able to develop on their own initiative free from the control of the Federal Government. By being placed on an equal legal footing with the general population, it was felt that the Indians would be able to expand their economy and to plan their future. But this has not happened. The Menominee have been unable to develop and prosper as it was hoped they would. The observable results of termination are far different from what was expected.

First, the Menominee have lost their liquid assets. The payment of the $1,500 per capita to the tribe and the payment of termination costs exhausted the $10 million which the tribe had. The pretermination assets of the Menominee proved to be insufficient to establish them on a sound economic footing. Although these assets appeared to be substantial on paper, in reality they were not. As a result the Menominee have been hard pressed to obtain the funds needed to survive.

Second, the ending of BIA services cost the Indians their school and hospital. Now most of the children must go to neighboring Shawano County for their education. The Indians are having difficulties obtaining adequate health and dental care.

Third, the Menominee Reservation became Menominee County, one of the smallest and poorest counties in Wisconsin. As a county the Indians now had to meet State standards in all the services they provided. This required large

initial expenditures which the county was unable to raise through its taxing power. Since 1961 the Federal Government has spent over $12,000,000 and the State of Wisconsin over $7,000,000 to keep Menominee County functioning. It has cost the American taxpayer over $19 million to support a tribe that before termination was able to pay for its own support.

Menominee Enterprises, Inc., pays only $347,000 a year in property taxes and the individual Indians pay a meager amount. The dollars raised by the community in taxes have not been sufficient to finance adequate services. Part of this deficiency has been made up by State and Federal funds. But where this has not been done, the services have not been provided and the Menominee have suffered.

Fourth, in an attempt to expand the tax base of the county and raise needed money, the Indians have been forced to give up their ancestral land. Before termination, the Menominee successfully resisted all efforts to reduce their land holdings. In the years since the act was passed which terminated the Indian status of the tribe, more than 5,800 acres of land have been sold, and over 95 percent of the land was sold to the non-Menominee.

The present situation in Menominee County is bleak. Average unemployment is 26 percent, as opposed to 5 percent for the State of Wisconsin as a whole. According to the 1970 census the average per capita income for the Menominee County Indians was $1,028 as compared with the $3,158 figure for the State of Wisconsin as a whole. Almost 40 percent of Menominee families had incomes below the poverty level compared with Wisconsin's 7 percent, and 25 percent of those families reported receiving income from public assistance welfare as against 3 percent for the State.

The prospects for the future of Menominee County are even bleaker. The community does not have the funds necessary to expand their industry or to increase the tax base. Economic stagnation is probable. In order to preserve their heritage and cultural identity the Menominees have put an end to the sale of their land. At this time it is thus imperative that additional public funds be funnelled into Menominee County or its tax burden be lessened if the Menominees are to meet their financial obligations. Restoration of Indian status is their only hope for cultural survival.

PREVIOUS ASSISTANCE

The Menominees are not satisfied with the present conditions in their county. They do not want their future to be as I have outlined it. But there is little they can do because of their limited wealth and resources. The Federal Government, which by adopting the policy of termination helped to bring about the condition of the Menominees, is in a position to provide assistance to them so that the present problems can be alleviated and future problems avoided.

Both the Federal Government and the State of Wisconsin have attempted to provide monetary assistance to Menominee County. In 1965 the Nelson-Laird Act, which I was proud to cosponsor, authorized the Secretaries of Commerce, Interior, and Health, Education, and Welfare to make grants and loans available to the Menominee for economic development, health, and educational services. Those funds are no longer available.

While this money has saved the county from total disaster it has not solved the problems that plague the Menominee. Additional funding of this nature is not a long range solution. It would serve only to postpone such a solution. The Menominee do not need another stop-gap measure. They need a measure that will help them overcome their problems of poverty, their lack of adequate educational, health and community services, and their poor economic conditions.

RESTORATION OF INDIAN STATUS

Mr. President, the bill which I am introducing is such a measure. It seeks to provide the Menominee with the long-range assistance which they so desperately need. This legislation has the unified support of the Wisconsin congressional delegation. Representatives of Menominee Enterprises, Inc. and the group known as Drums—Determination of Rights and Unity of Menominee Stockholders—have agreed that it is imperative for the bill to be introduced at this time in its present form in order that hearings may begin and any final difficulties ironed out. They feel that if legislation is not enacted the Menominee will be unable to survive as a people.

The general intent of this bill is to restore the Menominee to trust status and put them in the same relationship to the Federal Government that all other federally recognized tribes are in. It will help solve their problems by removing them from their present disastrous status. The bill repeals the Menominee Termination Act of 1954 which was the beginning of the tribe's problems. As I have stated at length above, the 1954 act has been of no benefit to the tribe, but rather has created insoluble problems. Removing the act from the books is the first step in helping the Menominee.

The bill then reopens the rolls of the tribe that have been closed since 1954. All Menominee children who have been born in the interim will be legally recognized as members of the tribe. Opening the rolls is necessary to determine who is eligible to receive the services being made available. Provision is made to assure that all potential enrollees are considered.

The Menominee are to be made eligible to receive all the services and funding that the Federal Government makes available to Indians because of their status as Indians. In addition to funds they will be able to receive the technical assistance that they must have to adequately provide community services and to develop their economy. This should cost the Federal Government less in the long run than continual allocations of funds through legislative measures such as the Nelson-Laird Act. Before termination the Menominee were able to reimburse the Government for the costs of running the reservation. It is a possibility that given enough time they will be able to do so again.

The next sections of the bill enable the Menominee to establish their own tribal government and business organization. The provisions are similar to those of the Indian Reorganization Act. This will give the Menominee the control over their internal affairs that Congress intended all federally recognized Indian tribes to have.

The present form of this bill states that Federal services will commence on the date of the enactment of the act. However, the assumption of tribal assets by the Secretary of the Interior and the establishment of a trust relationship with the Federal Government will not become effective until 2 years following the enactment of this bill. Although I agree that ample time must be given to prepare for the transfer of land and the establishment of Federal trust, I feel that 2 years is longer than actually necessary. I hope that the committee will give careful consideration to this section 6(a) of the bill and the possibility of shortening the time before restoration shall become fully established.

The Secretary of the Interior is authorized to receive and hold in trust for the Menominee such assets as the present tribal corporation, Menominee Enterprises, Inc., or individual Menominee may wish to convey to him. Both MEI and the Menominee people have expressed a desire for their assets to be placed in such a trust.

Since termination MEI has sold some of the Menominee land to the non-Menominee. This bill will not adversely affect the ownership of this land in any way. The purchasers of this land bought it in good faith and it is theirs as long as they wish to retain it. If a person who now owns land in Menominee County wants to sell or give it to the tribe to be held in trust by the Secretary, he could do so. Property rights are conveyed neither to Indian nor non-Indian owners. Furthermore, after consultation with the Secretary of the Interior the tribe will make what rules and regulations it feels are necessary to protect the land which they own, including the forest land, so that it will not be destroyed or unwisely used.

The bill provides that all debts, including tax obligations of MEI, individual Menominee, and other people shall not be affected by the restoration legislation. MEI must pay all of its bills and individual Menominee will still be liable for taxes. Land transferred to the Secretary of the Interior by the Menominee owner or owners to be held in trust shall be subject to all valid existing rights including, but not limited to liens, outstanding taxes—local, State, and Federal—mortgages and any other obligation. This provision will protect people who may have loaned money to MEI or Menominee people. There will be no tax upon the transfer from MEI to the Secretary of the Interior. After the transfer the land will be completely nontaxable.

The U.S. Supreme Court in 1968 ruled that the Menominee Termination Act

did not extinguish the hunting and fishing rights guaranteed by the Wolf River Treaty of 1854. The Restoration Act will maintain Indian rights and provide that the tribe's constitution may regulate hunting, fishing, and trapping on the reservation. Fishing by the non-Menominee will be regulated by the State of Wisconsin.

This legislation also declares it to be the policy of the U.S. to provide full financial assistance for Menominee students to those educational agencies which enroll two or more members of the tribe who reside on the reservation or within the boundaries of Menominee County.

The final sections of the bill authorize the appropriation of necessary funds and allow the Secretary of the Interior to make necessary rules and regulations.

Menominee County and its government were established by the Wisconsin State Legislature. This bill will not alter or abolish the county structure. The State Legislature will have to decide at a future date what action, if any, should be taken in this regard.

NEED FOR ACTION

It is my hope that this bill will soon be the subject of hearings in the Senate Interior Committee so that the Menominee will be able to tell their own story. The problems which they have had since termination are manifold. The facts when presented will speak for themselves. After the hearings I hope this bill will be able to receive speedy and sympathetic consideration by the full Senate. Each passing day increases the problems of the Menominee people. Assistance should be provided for them as soon as possible.

Mr. President, I send this bill to the desk and ask that it be appropriately referred. I ask unanimous consent that it be printed at this point in the RECORD.

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

S. 1687

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Menominee Restoration Act."

SEC. 2. For the purpose of this Act—

(1) The term "tribe" means the Menominee Tribe of Wisconsin.

(2) The term "Secretary" means the Secretary of the Interior.

(3) The term "Menominee Restoration Committee" means that committee of nine Menominee Indians who shall be elected at a general council meeting called by the Secretary pursuant to section 4(a) of this Act.

SEC. 3. (a) Effective on the date of enactment of this Act, Federal recognition is hereby extended to the Menominee Indian Tribe of Wisconsin.

(b) The Act of June 17, 1954 (25 U.S.C. 891–902) is hereby repealed. There are hereby reinstated all rights and privileges of the tribe or its members under Federal treaty or otherwise which may have been diminished or lost pursuant to the Act of June 17, 1954 (25 U.S.C. 891–902).

(c) Nothing contained in this Act shall diminish any rights or privileges enjoyed by the tribe or its members now or prior to June 17, 1954, under Federal treaty or otherwise. Except as specifically provided in this Act, nothing contained in this Act shall alter any property rights or obligations, any contractual rights or obligations, or any obligations for taxes already levied.

SEC. 4. (a) Within fifteen days after the date of enactment of this Act the Secretary shall announce the date of a general council meeting of the tribe to elect the Menominee Restoration Committee. Such general council meeting shall be held within 60 days after the date of enactment of this Act. All living persons on the final roll of the tribe published under section 3 of the Act of June 17, 1954 (25 U.S.C. 893) and all descendants, who are at least 18 years of age, of persons on such roll shall be entitled to attend, participate, and vote at such general council meeting. The Secretary shall approve the Menominee Restoration Committee if he is satisfied the requirements of this section relating to the general council meeting have been met. The Menominee Restoration Committee shall represent the Menominee people in the implementation of this Act and shall have no powers other than those given to it in accordance with this Act.

(b) The membership roll of the Menominee Tribe of Wisconsin which was closed as of June 17, 1954, is hereby declared open. The Menominee Restoration Committee, under contract with the Secretary, shall proceed to make current that roll in accordance with the terms of this Act. The names of all enrollees who are deceased as of the date of enactment of this Act shall be stricken. The names of any descendant of a person who is or was enrolled shall be added to the roll provided such descendant possesses at least one-quarter degree Menominee Indian blood. Upon the installation of elected constitutional officers of the Menominee Indian Tribe of Wisconsin, the Secretary and the Menominee Restoration Committee shall deliver their records, files, and any other material relating to enrollment matters to the tribal governing body. All further work in bringing and maintaining current the tribal roll shall be performed in such manner as may be prescribed in accordance with the tribal governing documents. Until responsibility for the tribal roll is assumed by the tribal governing body, appeals from the omission or inclusion of any name upon the tribal roll shall lie with the Secretary and his determination thereon shall be final. The Secretary shall make the final determination of each such appeal within 60 days after and appeal is initiated.

SEC. 5. (a) The Menominee Restoration Committee, under contract with the Secretary, shall conduct an election by secret ballot for the purpose of determining the tribe's constitution and by-laws. The Secretary shall enter into such contract with the Menominee Restoration Committee within 90 days after the enactment of this Act. The election shall be held within 180 days after the enactment of this Act.

(b) The Menominee Restoration Committee shall distribute to all enrolled persons who are entitled to vote in the election, at least thirty days before the election, a copy of the constitution and by-laws as drafted by the Menominee Restoration Committee which will be presented at the election, along with a brief impartial description of the constitution and by-laws. The Menominee Restoration Committee shall freely consult with persons entitled to vote in the election concerning the text and description of the constitution and by-laws. Such consultations shall not be carried on within fifty feet of the polling places on the date of the election.

(c) The Menominee Restoration Committee, under contract with the Secretary, shall conduct an election by secret ballot for the purpose of determining the individuals who will serve as members of the tribe's governing body. The Secretary shall enter into such contract with the Menominee Restoration Committee within 60 days after the tribe adopts a constitution and by-laws pursuant to subsection (a) of this section. The election shall be held within 120 days after the tribe adopts a constitution and by-laws.

(d) In any elections held pursuant to subsections (a) and (c) of this section, the vote of a majority of those actually voting shall be necessary and sufficient to effectuate the adoption of a tribal constitution and by-laws and the election of the tribe's governing body, so long as, in each such election the total vote cast is at least 30 per centum of those entitled to vote.

(e) The Act of June 18, 1934 (25 U.S.C. 461 et seq.) shall not apply to any election under this Act.

SEC. 6 (a) Subsections (c) and (d) of this section shall not become effective until two years following the enactment of this Act.

(b) The Secretary shall negotiate with the elected members of the Menominee Common Stock and Voting Trust and the board of directors of Menominee Enterprises, Incorporated, or their authorized representatives, to develop a plan for the assumption of the assets of the corporation.

(c) The Secretary shall, subject to the terms and conditions of the plan negotiated pursuant to subsection (b) of this section, accept the assets (excluding any real property not located in or adjacent to Menominee County, Wisconsin) of Menominee Enterprises, Incorporated, but only if transferred to him by the board of directors of Menominee Enterprises, Incorporated, subject to the approval of the shareholders as required by the laws of Wisconsin. Such assets shall be subject to all valid existing rights including, but not limited to liens, outstanding taxes (local, State, and Federal), mortgages, outstanding corporate indebtedness of all types, and any other obligation. The land and other assets transferred to the Secretary pursuant to this section shall be subject to foreclosure or sale pursuant to the terms of any obligation in accordance with the laws of the State of Wisconsin. Subject to the conditions imposed by this section, the land transferred shall be taken in the name of the United States in Trust for the Menominee Tribe of Wisconsin and shall be their reservation. The transfer of assets authorized by this section shall be exempt from all local, State, and Federal taxation. All assets transferred under this section shall, as of the date of transfer, be exempt from all local, State, and Federal taxation.

(d) The Secretary shall accept the real property (excluding any real property not located in or adjacent to Menominee County, Wisconsin) of members of the Menominee Tribe, but only if transferred to him by the Menominee owner or owners. Such property shall be subject to all valid existing rights including, but not limited to liens, outstanding taxes (local, State, and Federal), mortgages and any other obligation. The land transferred to the Secretary pursuant to this section shall be subject to foreclosure or sale pursuant to the terms of any valid existing obligation in accordance with the laws of the State of Wisconsin. Subject to the conditions imposed by this section, the land transferred shall be taken in the name of the United States in trust for the Menominee Tribe of Wisconsin and shall be part of their reservation. The transfer of assets authorized by this section shall be exempt from all local, State, and Federal taxation. All assets transferred under this section shall, as of the date of transfer, be exempt from all local, State, and Federal taxation.

(e) The Secretary and the Menominee Restoration Committee shall consult with appropriate State and local government officials to assure that the provision of necessary governmental services are not impaired as the result of the transfer of assets provided for in this section.

SEC. 7. The tribe's constitution shall provide that the governing body of the tribe, after full consultation with the Secretary, (1) shall make rules and regulations for

the operation and management of the tribal forestry units on the principle of sustained-yield management, (2) may make such other rules and regulations as may be necessary to protect the assets of the tribe from deterioration, and (3) may regulate hunting, fishing, and trapping on the reservation. Fishing by non-Menominees on Legend Lakes, LaMotte Lake, Moshawquit Lake, and Round Lake shall be regulated by the State of Wisconsin, and the State shall stock these lakes in the same manner as other lakes regulated by the State of Wisconsin.

SEC. 8. In recognition of the special educational needs of Menominee students and of the responsibility of the United States for the impact that members of the Menominee Tribe have on local educational agencies. Congress declares it to be the policy of the United States to provide full financial assistance for Menominee students to those local educational agencies which enroll two or more members of the tribe who reside on the reservation or within the boundaries of Menominee County.

SEC. 9. The Secretary is hereby authorized to make such rules and regulations as are necessary to carry out the provisions of this Act.

SEC. 10. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

Mr. NELSON. Mr. President, the bill introduced today, the Menominee Restoration Act, repeals the Menominee Termination Act of 1954 which terminated Federal jurisdiction over the Menominee Indian Tribe of Wisconsin. The bill is similar to that introduced in the 92d Congress.

As Governor of Wisconsin in 1961, it seemed to me that the policy of termination was unwise and unsound. I came to Washington at that time to oppose the policy on the grounds that it would not work. It is quite obvious now that it has not worked and will not work.

After termination it very soon became clear that Menominee County—which is what the Menominee Reservation became once termination was effected—was in desperate economic straits. Accordingly in 1966, the Nelson-Laird bill was introduced in the Senate; this bill resulted in an appropriation of over $1.8 million for Menominee County for the purposes of education, public welfare benefits, health and sanitation services, and the construction of sanitation facilities. The fact that such a measure was needed was an indication of the failure of the policy of termination.

The Menominee Termination Act was passed in 1954, even though the 197 members of the general council of the Menominee Tribe voted unanimously to oppose the bill. The measure required termination no later than December 31, 1958, but the act was amended several times and termination did not take effect until April 30, 1961. On that date, the Menominee Reservation became Menominee County.

In hearings on the Termination Act, the overwhelming majority of Indians testified in opposition to the legislation. The arguments presented touched on the following matters: First, financial concerns; second, loss of treaty rights and privileges; third, concern for the state of tribal preparedness; fourth procedural issues; and fifth, emotional ties to tribal lands.

Not only did the Menominee Tribe object to the policy of termination before the act was passed, but also after the passage of the act they tried in vain to prepare themselves for the withdrawal of Federal services. They were successful in extending the effective date until 1961, but as was evident then and has become increasingly evident since, this was not long enough to adequately prepare for termination.

In 1961, the Bureau of Indian Affairs terminated all education, health, and utility services which had been provided for years. But what the Menominee were left with is graphic testimony to the woeful inadequacy of the preparation for termination. They were saddled with a school and hospital both of which had to be closed, because they did not meet State standards. The sewerage system was also substandard and had to be renovated at Menominee expense. It was discovered that the sawmill had over 100 State violations of the safety code. In addition, the roads were substandard and required substantial repair work.

It was bad enough that the Menominee had to undergo termination at all. But not only were they forced to do so, but also as a result of a congressional decision, they had to pay for most of the costs of termination.

Mr. President, a recent report of the Bureau of Indian Affairs to the House Committee on Appropriations and the House Interior Committee reveal the vast evidence of the failure of termination to make the Menominee Indian Reservation self-sufficient.

That report, submitted on April 6, reported that "almost without exception, the economic and social indicators for the Menominees are considerably lower than those of any other population segment in the State of Wisconsin":

EMPLOYMENT

Only 46% of Menominee County Indians were reported in the labor force, compared to 59% for the State of Wisconsin. The low figure is caused by the fact that almost a fourth of those in the labor force were reported as disabled or handicapped. Of those in the labor force, 26% were unemployed, as opposed to 5% for the state.

INCOME

The average per capita income for Menominee County Indians was $1,028 compared to Wisconsin's $3,158 and the average family income for Menominee County Indians was one-half that of the State's. . . . Almost 40% of the Menominee County Indian families had income below the poverty level.

TAXES

In the 60's, the total taxes paid by the Menominees doubled. Even with this steady rise, the revenues obtained were not sufficient to meet the needs of the Menominees.

EDUCATION

The median grade completed by persons 25 years of age and older was 9.2 for the Menominee Indian, but 11.9 for the people of Wisconsin. More than 75% of the former have dropped out of school before graduating.

HEALTH

There are neither hospital facilities nor practicing physicians in Menominee County. Both services were available prior to termination.

HOUSING

Half of Indian occupied homes in Menominee County have complete plumbing and central heating . . . somewhat more than a third have telephones. All of these facilities are available to more than 90% of homes elsewhere in the State. The median value of Menominee County homes was a little over $5,100, which is less than a third of the State's average.

To a large extent, the 26-percent unemployment rate can be directly attributed to the Termination Act. After termination, Menominee Enterprises, Inc.—the corporation set up to run the affairs of the Menominee—was faced with the task of paying taxes and making profit enough to support all the costs and services related to running a county government. Thus, MEI was forced to maximize efficiency in the Indian-owned sawmill, which meant dismissing a large number of Menominee who worked in the mill. Since the mill is virtually the only source of employment in the area, the unemployment rate rose drastically.

Another major effect of termination was the end of tribal ownership of the land. Under the termination plan, the tribal land was transferred to MEI. The Menominee people were forced to buy, from MEI, the land which they had lived on for years and which they had always considered to be their own.

Not only were the Menominee forced to buy their land, but also as a result of termination they have been forced to sell part of their land to expand the tax base and provide money for all the badly needed services of the county. MEI, in cooperation with a recreation developer, sold more than 8,700 acres of land to non-Indians. In the words of one Menominee, this is roughly analogous to "burning down your house to keep warm in a blizzard."

To an Indian tribe, land is much more than just a material asset. It is a birthright, symbol of a proud cultural heritage, and the last refuge from an encroaching white society which has refused to leave the Indian tribes in peace.

Under termination, MEI held and managed all Menominee assets: forest, sawmill, utilities, and land. Each of the 3,270 Menominee received 100 $1 shares of stock in the corporation and an income bond guaranteed to mature at $3,000 in December, 2000, and bearing interest at the rate of 4 percent—$120—per year.

Many Menominee were forced to sell their bonds in order to buy the land which they had lived on for their whole lives. Menominee were also required to sell their bonds in order to qualify for welfare. Accordingly, the State of Wisconsin has accumulated over $1,200,000 worth of these bonds.

The Menominee voted to maintain the nonnegotiability of their stock until 1974. But it may be only a matter of time before the pressing economic demands on the tribe will force a vote for negotiability. And, of course, if this happens, the tribe will lose what little control it has over its own destiny.

The policy of termination has been rejected in deed, if not in words, by both the Bureau of Indian Affairs and the Congress. The President himself has

come out quite strongly against the policy. In a 1968 address to the National Congress of American Indians, Richard Nixon stated:

Termination of tribal recognition will not be a policy objective, and in no case will it be imposed without Indian consent.

In 1970, President Nixon stated that—

Because termination is morally and legally unacceptable, because it produces bad practical results, and because the mere threat of termination tends to discourage greater self-sufficiency among Indian groups, I am asking that the Congress pass a new Concurrent Resolution which would renounce, repudiate and repeal the termination policy as expressed in House Concurrent Resolution 108 of the 83rd Congress (August, 1953.)

Mr. President, this legislation would do that which President Nixon has asked the Congress to do; namely, repeal the past policy of termination.

Certainly it would be indefensible to admit that Congress erred in its policy of termination, and then not to rectify that error by reversing termination. The experiment of termination was a failure. The very least we can do is come to the aid of one of the tribes upon which the experiment was tried.

One of the motives for passage of the termination was a desire for the Federal Government to save money when the Menominee became self-supporting. However, it can be shown that even on the basis of economics, it would be in the best interest of Congress and the Nation to repeal termination of the Menominee Tribe. Since 1961, when termination took effect, the Federal Government has spent more than $19 million in regular and special grants for health care, education, welfare, highways, housing, property tax relief, sewer and sanitation facilities, shared taxes and other purposes. In 1971, the Federal Government spent more than $2,444,000 in Menominee County. The Bureau of Indian Affairs has estimated that it would cost approximately $1,415,000 per year to restore BIA-authorized services to the Menominee. The Public Health Service estimates that it would cost approximately $638,000 annually to provide adequate health care for the Menominee.

Thus, the total amount of restoring the Menominee to their federally recognized status would be $2,053,000 or $391,000 less than the Federal Government spent in Menominee County in fiscal year 1971.

Not only have the Federal aids and grants been quite costly, but they have also been ineffective. This fact can be seen easily by considering the terrible economic and social plight of the Menominee people today—even after millions of Federal dollars have been spent.

Mr. President, the drive for restoration of the Menominee Indian tribe has also aided in the development of a coordinated and representative governing body of the Menominee, MEI. Over the past several years, an organization known as Determination of Rights and Unity of Menominee Stockholders, DRUMS, has worked long and hard to provide backing to the efforts for restoration. This organization, with the participation of a great many of the Menominee citizens, succeeded in totally changing MEI over to be a representative corporation. The supporters of DRUMS have a solid majority on the MEI voting trust, which represents the Menominee people, and on the MEI governing board, which is responsible for the day-to-day activities of the corporation. Through the efforts of the Menominee people, an office has been established here in Washington to aid in providing support for the Menominee Restoration Act. They have worked for many months toward this end, and are to be highly commended for their patience and diligence.

To illustrate the work of DRUMS and MEI, I ask unanimous consent that two articles concerning the Menominee Indians and one of their leaders, Ada Deer, be printed in the RECORD at this point.

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

[From the Wisconsin State Journal, Mar. 17, 1973]

TRIBE TRIES FOR A COMEBACK

(By W. L. Christofferson)

Wisconsin's Menominee Indians, facing legal extinction as a tribe, hope Congress will take them under its federal wing again.

They also want restoration of federal trusteeship of their lands, and the government services they formerly enjoyed.

All this could happen, Menominee leader Ada Deer said, through passage of the Menominee Restoration Act to be introduced soon by Wisconsin's two senators and most, if not all, of its U.S. representatives.

Passage of the act would undo many of the effects of termination, a federal policy which in 1961 created Menominee County from the tribe's 362-square mile reservation in northeast Wisconsin.

The area would remain a county and not revert to reservation status if the act wins approval. But many of the services now provided by county government would again be federally financed.

The late Sen. Arthur V. Watkins of Utah is seen by some Menominee leaders as the villain of the termination policy.

Watkins, who was chairman of the Senate's committee on Indian problems, was a supporter of termination and got Congress to adopt a basic policy of eventual termination for all native Americans.

He saw a chance to apply the principle to the Menominee in 1953, when a bill was introduced to distribute among members of the tribe $5-million of a $7.6-million judgment awarded the Menominee for mismanagement of their forest lands by the Bureau of Indian Affairs (BIA).

Watkins, using acceptance of termination as a condition of approving the money distribution, got the "principle of termination" adopted by a 169–5 vote of the Menominee. Only 5 per cent of the tribe participated, Miss Deer said, and many boycotted the vote to protest termination.

The action set in motion the machinery which finally brought about termination in 1961.

Termination has meant "complete disaster" for the tribe, said Miss Deer, who has been in the forefront of a three-year internal struggle among the Menominee which led to agreement to press for the restoration act.

Termination, she said, did much more than dissolve the Menominee reservation.

It took away most of the Menominees' century-old treaty rights, services, and protections. It stopped all services provided by the BIA, including education, health, utility, and medical services.

And it provided that no names would be added to the official Menominee tribal roll after 1954. That, Miss Deer charges, constitutes "cultural genocide" as the tribe slowly dwindles in number with no new members added.

Finally, termination set up Menominee Enterprises, Inc. (MEI), to handle the tribe's land holdings and promote economic development in the county.

MEI found itself with the sawmill it operated as the county's only real industry, with virtually no tax base to raise revenue, and with a demand for services discontinued by the federal government.

Since termination there has been no doctor or clinic in the country. The state has required the county to renovate a substandard sewage system which had been federally installed. And the tribe was ordered to pay the costs of termination.

By the time termination took effect in 1961 the tribe was operating at a $250,000 annual deficit, and that became worse.

Finally, MEI agreed to enter partnership with a private developer and sell off 5,000 acres of land to non-Indians for a recreational home development around an artificial lake. That was seen as a last-ditch attempt to broaden the tax base and improve the economic picture.

Against that backdrop, an organization called DRUMS (Determination of Rights and Unity of Menominee Stockholders) took up its fight three years ago. It challenged the sale of tribal land, claiming only a two-thirds vote of the tribe could authorize that, and went to court to halt the development.

DRUMS staged rallies and demonstrations, marched on the State Capitol—and organized to win political control of the tribe's economic interests held by MEI. The dissidents got four members including Miss Deer, elected to the 11-member Menominee Stock and Voting Trust in 1971, and Miss Deer was elected chairman.

She was reelected last year when DRUMS solidified its hold on the trust, which names the directors of MEI.

Now, Miss Deer said, Menominees are unified in their support of the restoration bill. "We've created a tide now," she said, and national Indian groups have pledged their support of the act.

Miss Deer, 37, who left the University of Wisconsin Law School to devote full-time to the Menominee cause, is now chief lobbyist in Washington for the restoration bill. She was in Madison this week to meet with legislators and officials to seek support of the bill.

The bill would again make the federal government the trustee of Menominee land.

It also provides for preparation of a new tribal roll, to include the descendants of those on the "final" roll in 1954. Miss Deer estimates more than 1,000 young Menominee born since 1954 have not been enrolled as members of the tribe.

Under the bill, any persons with one-fourth or more Menominee blood would be eligible for nearly the same benefits and services the tribe received from the BIA before termination.

Restoration would take place within 13 months of passage of the bill, under the direction of a committee to be elected by the tribe.

It would also allow—but not require—the tribe to buy back land sold for development.

Menominee County had a population of 2,600 in the 1970 census. Of that total, 300 were non-Indians.

[From the Capital Times, Apr. 18, 1973]

UW WOMAN GRAD ACTIVIST CHIEF OF MENOMINEES

(By Patricia L. Raymer)

WASHINGTON.—In 1953, for one brief moment, Ada Deer was a Hollywood starlet.

Columbia Pictures had chosen the 17-year-old Menominee as one of the "most beautiful Indian girls in America." Yet makeup men spent two hours painting her face to make her look more like an Indian for the grade B

western. She was the only female Indian allowed to do more than grunt, and the script went like this:

Deer: "Did you meet the soldiers?"

Actor: "I do not speak to mere woman. I speak only to the chief."

A few days later, "The Battle of Rogue River" began its long journey to the late-late show. But the world had not heard its last from Ada Deer.

Today, when people ask to speak to the chief, it's Ada Deer who answers.

Aggressive, tough, determined and optimistic, 37-year-old Ada Deer is the modern-day "chief" of northern Wisconsin's Menominee Indian tribe.

She's in Washington to lobby for federal "restoration" of her tribe. Before Congress recesses Friday, it is expected to consider a bill restoring federal aid and reservation status to the self-governing Menominees.

More than a decade ago, Congress decided the tribe was ready to move into the white man's world of sewer districts and depletion allowances, and closed out the federal books. Since becoming Wisconsin's newest (and poorest) county, the once-happy wild rice harvesters have fallen on hard times.

Although the call for Menominee restoration (included in the Indians' 20 demands during the Bureau of Indian Affairs take-over last fall) is a small part of the national Indian movement, Deer sees the bill as a possible landmark case.

"To the current Indian movement," says Deer, "the next few years are as important as the 1954 school desegregation decision was to blacks."

The tale of the Menominees says something about what has happened to many Indians. In a few years, they have gone from riches to rags. Indians and government officials alike now agree that termination was a real disaster.

Although the Menominee tribe is still intact, problems associated with self-government have been phenomenal. Land has been sold in bits and pieces to pay for services formerly provided by the government. Medical care is almost nonexistent and educational problems abound. About half the tribe is now on welfare.

"I don't know anyone who could have brought that bill so far so fast. The Menominees were a dead issue in Congress before she began working on it," says Rep. Lloyd Meeds (D-Wash.), chairman of the House Indian Affairs Subcommittee and co-sponsor of the Restoration Bill.

"Since I met Ada, life hasn't been the same," said Rep. Meeds. "Meeting her is like plugging into a switchboard with all lines full. When she's around, there's a charged atmosphere and you just get the feeling you want to do things."

She is not yet over the wonder of her sudden entry into the Washington political scene and is surprised by the number of invitations she receives to tell her story to Cabinet members, Senators and other government bigwigs. Yet, while her enthusiasm is childlike, her attitude is tough and serious.

For Deer, every social event is a business meeting and every business encounter is a social experience.

NCAI President Trimble sees Deer as "clearly one of today's Indian leaders. There are not too many Indians who don't know the name of Ada Deer."

He classifies her as a "unique tie between the radical and conservative Indians."

Deer's road to activism was a calculated one. She decided at an early age to involve herself with the Indian cause.

After being the first Menominee to graduate from the University of Wisconsin, she went on to the Columbia University School of Social Work in New York, from which, she believes, she was the first and only Indian to graduate.

Before taking on the Menominee cause full time, Deer spent 1½ years at the Wisconsin Law School, where she'll return when and if the Restoration Bill passes. Before law school she worked as a community organizer in New York's Bedford-Stuyvesant area, was program director of a Minneapolis Neighborhood House, served as a community service coordinator for the BIA, and directed a minority youth program in northern Wisconsin.

Ada Deer lived most of her first 18 years on the Menominee reservation in a one-room log cabin without electricity or running water. She is the oldest of nine children. Five lived beyond infancy.

Her father is a laborer still employed at the Menominee Lumber Mill, the tribe's only source of employment. Like a high percentage of male Indians past and present, he is an alcoholic. Her mother is white, a nurse who came to the reservation while working for the BIA.

Deer attributes her activism to her mother, who since 1954 "has been clubbing me on the head to save the Menominees from termination."

Deer lives on 500 dollar a month salary from the Menominee Common Stock and Voting Trust, of which she is elected chairman. The Menominees have no tribal council, but are organized as a corporation, the chairman is the equivalent of Indian or tribal chief.

She has no official Washington residence and camps out with local friends.

"I know I can't keep up this kind of life forever, but basically I'm doing this because I want to," she says.

"Mainly, I want to show people who say nothing can be done in this society that it just isn't so. You don't have to collapse just because there's federal law in your way. Change it!"

Mr. NELSON. It is important that the Menominee restoration bill be introduced and considered by committee as early as is possible. Thus, one section of the restoration bill is being included in the legislation introduced today even though there is not unanimous support of this provision from the delegation. This section provides that the transfer of the Menominee land held by MEI to the Department of the Interior not take place for 2 years from the date of enactment of the Restoration Act. Although I believe that it should be possible to complete the necessary arrangements between the tribe, the landowners, and the Interior Department in a much shorter period of time, the section is being included in the bill at the request of another Member of the Wisconsin delegation who, other than that section, is in complete agreement with the principle of restoration.

Mr. President, now is the time for Congress to act and move toward righting the wrongs perpetrated on the Menominee people. We must reassert and reassume our treaty obligations toward the Menominee. The proposed bill would do just that: Protect their assets, lands, resources, and rights and provide the basic and necessary community services to which the Menominee people are justly entitled.

By Mr. ERVIN (for himself, Mr. ABOUREZK, Mr. BAKER, Mr. BAYH, Mr. BEALL, Mr. BENNETT, Mr. BIBLE, Mr. BROOKE, Mr. BURDICK, Mr. HARRY F. BYRD, JR., Mr. CHURCH, Mr. FANNIN, Mr. FONG, Mr. GOLDWATER, Mr. GRAVEL, Mr. GURNEY, Mr. HANSEN, Mr. HASKELL, Mr. HATFIELD, Mr. HATHAWAY, Mr. HRUSKA, Mr. HUMPHREY, Mr. INOUYE, Mr. MANSFIELD, Mr. MCGEE, Mr. MCGOVERN, Mr. METCALF, Mr. MONDALE, Mr. MOSS, Mr. MUSKIE, Mr. NELSON, Mr. PACKWOOD, Mr. PELL, Mr. PERCY, Mr. RANDOLPH, Mr. SCOTT of Pennsylvania, Mr. STAFFORD, Mr. TAFT, Mr. THURMOND, Mr. TUNNEY, and Mr. WILLIAMS):

S. 1688. A bill to protect the civilian employees of the executive branch of the U.S. Government in the enjoyment of their constitutional rights and to prevent unwarranted governmental invasions of their privacy. Referred to the Committee on the Judiciary.

FEDERAL EMPLOYEE PRIVACY BILL

Mr. ERVIN. Mr. President, I introduce for appropriate reference a bill to protect the civilian employees of the executive branch of the U.S. Government in the enjoyment of their constitutional rights and to prevent unwarranted governmental invasions of their privacy.

I take this action on behalf of myself and the following cosponsors of this measure: Messrs. ABOUREZK, BAKER, BAYH, BEALL, BENNETT, BIBLE, BROOKE, BURDICK, HARRY F. BYRD, JR., CHUCH, FANNIN, FONG, GOLDWATER, GRAVEL, GURNEY, HANSEN, HASKELL, HATFIELD, HATHAWAY, HRUSKA, HUMPHREY, INOUYE, MANSFIELD, MCGEE, MCGOVERN, METCALF, MONDALE, MOSS, MUSKIE, NELSON, PACKWOOD, PELL, PERCY, RANDOLPH, SCOTT of Pennsylvania, STAFFORD, TAFT, THURMOND, TUNNEY, and WILLIAMS.

The need to protect the private lives of Federal employees from unwarranted Government intrusion is today even more critical than when I first introduced legislation to protect the individual liberties of Federal employees in 1966. Reductions-in-force, the administration's present scheme to cut down the number of positions in the Federal bureaucracy, has served to intensify the pressure on individuals to sacrifice their freedom of speech and action for the sake of Federal employment, job security, and promotion. At the same time, the apocalyptic vision of massive Government data banks monitoring the intimate details of the private lives of Federal employees has become more than just a nightmare. It is a reality.

The legislation I introduce today is identical to S. 1438 which passed the Senate by unanimous consent in the 92d Congress, only to die in the House Post Office and Civil Service Committee. Similar legislation has been approved by this body a total of four times in the past. Over the years this legislation has become known as the "Federal Employees' Bill of Rights." It is designed to assure minimal guarantees of individual privacy and freedom to present and potential employees of the Federal Government.

One aim of this legislation is to prohibit requirements that Federal employees and applicants for Government employment disclose their race, religion, or national origin; or submit to question-

ing about their religion, personal relationships or sexual attitudes, through interviews, psychological tests, or polygraphs. It would prohibit requirements that employees attend government-sponsored meetings and lectures or participate in outside activities unrelated to their employment; report on their outside activities or undertakings unrelated to their work; support political candidates or attend political meetings. It makes it illegal to coerce an employee to buy bonds or make charitable contributions. It prohibits requirements that he disclose his own personal assets, liabilities, or expenditures, or those of any member of his family, unless, in the case of certain specified employees, such items would tend to show a conflict of interest.

It provides a right to have a counsel or other person present, if the employee wishes, at an interview which may lead to disciplinary proceedings. It accords the rights to a civil action in a Federal court for violation or threatened violation of the act. Finally, it establishes a Board on Employees' Rights to receive and conduct hearings on complaints of violation of the act, and to determine and administer remedies and penalties.

I have carefully considered possible modifications of this legislation which twice passed the Senate in the last Congress. The most frequently suggested of these changes are, first, dropping the Board on Employees' Rights, and, second, completely exempting the Central Intelligence Agency and the National Security Agency. However, upon reflection I have decided against such changes. It seems to me that the Board on Employees' Rights is a vitally needed, less expensive and less cumbersome vehicle for vindicating the rights protected by this legislation. Moreover, recent Central Intelligence Agency disciplinary proceedings, in which requests for the presence of counsel or even of colleagues from the Agency have been summarily turned down, make clear the need for the protections of this legislation subject only to certain partial exemptions accorded to these agencies. Therefore, I have decided to reintroduce the Federal Employees Bill of Rights exactly as the Senate passed it last year, and the year before that.

The reasons for enacting such legislative constraints or bureaucratic invasions of Federal employee privacy are threefold: First is the immediate need to establish some minimal statutory basis for the protection of the rights and liberties of those who work for the Federal Government now and in the future. Second is the need to attract and to retain the best qualified employees for an efficient and effective Federal career service. Third is the special leadership role which the Federal Government plays in the field of employment practices vis-a-vis State and local governments as well as private business and industry.

The compelling need for this legislation is apparent from the hundreds upon hundreds of complaints about bureaucratic invasions of employee privacy which have come to my attention as chairman of the Subcommittee on Constitutional Rights. Both the hearings on privacy and the rights of Federal employees held by the subcommittee and the many letters the subcommittee has received catalog the reality of continuing flagrant invasions of the privacy and individual liberties of present and potential Federal employees.

To illustrate the need for legislative safeguards for the individual privacy and liberty of Government employees, it may be helpful to note some of the specific kinds of complaints which this proposal is designed to redress.

One important area of widespread invasions of privacy and personal liberties involves questioning of present and potential Federal employees about their race, religion, and national origin through questionnaires and oral inquiries from supervisors. The legislation introduced today is designed to protect present and future Federal employees from the dilemma of the grandson of an American Indian who told the subcommittee that he had exercised his option not to complete a so-called voluntary minority status questionnaire. He did not know how to fill it out. Soon he received a personal memorandum from his supervisor "requesting" him to complete a new questionnaire and "return it immediately." He wrote:

I personally feel that if I do not comply with this request (order), my job or any promotion which comes up could be in jeopardy.

Clearly there is a need to reaffirm the intent of Congress that a person's religion, race, and national or ethnic origin, or that of his forebears, have nothing to do with his ability or qualifications to perform the duties of a Federal position, or to qualify for a promotion. Such matters are none of the Government's business.

Other complaints focus on the need for direct legislative prohibition of both affirmative and negative constraints on employee opinions, behavior and outside activities. These complaints catalog infringements and threatened infringements on first amendment freedoms of employees: freedom to think for themselves free of Government indoctrination; freedom to choose their outside civic, social, and political activities free of official guidance; as well as the freedom to refuse to participate at all without reporting to supervisors. To my mind, a Federal employee's social and civic activities outside his employment responsibilities should be none of the Government's business.

Illustrative of the pervasive interference with the outside activities of Federal employees is a recent NASA directive forbidding all communications with the Congress and the White House:

At no time, under no circumstances, will anyone . . . communicate directly with members of Congress and the White House, on any subject, without notifying me and obtaining my approval in advance.

Reportedly similar directives have been issued in other agencies.

On December 30, 1972, the Defense Department issued the following command:

The White House has this morning made an announcement of international consequences concerning the resumption of peace negotiations and a suspension of some military activities in Southeast Asia.

There must be absolutely no, repeat no, comment of any sort whatsoever from any D.O.D. personnel, civilian and military, of whatever rank.

There is to be no comment, no speculation, no elaboration and no discussion on the subjects involved.

In a slightly different vein, a division chief demanded that his supervisors report "the names—of employees—who are participating in any activities including such things as PTA in integrated school, sports activities which are intersocial, and such things as Great Books discussion groups which have integrated memberships."

With one complaint of attempted indoctrination of employees at a Federal installation, a civil servant enclosed a memorandum taken from a bulletin board stating the time, place, and date of a lecture by a sociology professor on the subject of the importance of racial integration. Attendance was to be voluntary but the notice stated that a record would be made of those attending. Concerning such a practice, one witness at subcommittee hearings commented:

If I had been a federal employee and I cared anything about my job, I would have been at that lecture.

Other witnesses agreed that taking notice of attendance at such meetings constituted a form of coercion to attend.

Some of the most shocking invasions of personal privacy arise out of interviews, interrogations, and personality tests to which many Federal employees and applicants for Federal employment are forced to submit. Many complaints focus on mass programs in which, as a matter of routine practice, agency officials pressure applicants or employees to reveal intimate details about their habits, thoughts, and attitudes on matters unrelated to their qualifications and ability to perform a job. Federal employees and applicants for Federal employment are routinely asked to comment on such matters as:

My sex life is satisfactory.

I have never been in trouble because of my sex behavior.

Everything is turning out just like the prophets of the Bible said it would.

I loved my father.

I am very strongly attracted by members of my own sex.

I go to church almost every week.

I believe in the second coming of Christ.

I believe in a life hereafter.

I have never indulged in any unusual sex practices.

I am worried about sex matters.

I am very religious (more than most people).

I loved my mother.

I believe there is a Devil and a Hell in afterlife.

I believe there is a God.

Once in a while I feel hate toward members of my family whom I usually love.

I wish I were not bothered by thoughts about sex.

Clearly there is a need to prohibit investigators, as well as personnel, security and medical specialists from indiscriminately asking individuals to supply, orally or through tests, data on religion, family, sex and other personal matters.

Even more unconscionable is the use of polygraphs, or so-called "lie detectors," on Federal employees. Congressional investigation has shown that there is no scientific validation for the effectiveness or accuracy of polygraphs. Yet despite this and the invasion of privacy involved in strapping an individual to a machine in order to elicit from him information concerning his personal relationships with persons connected with him by blood or marriage, or concerning his religious beliefs, practices or concerning his attitude or conduct with respect to sexual matters, lie detectors are being used in various agencies of the Federal Government for purposes of screening applicants or for pursuing investigations. It is time the Federal Government ceased this senseless outrage to personal privacy.

The hearing record and subcommittee complaint files also amply document the need for statutory protections against various forms of coercion of employees to buy bonds and contribute to causes. It seems to me that each Federal employee, like any other citizen in the United States, is the best judge of his capacity, in the light of his financial obligations, to participate or decide whether he will participate and the extent of his participation in a bond drive. That is a basic determination which he and he alone should make. I think there is an interference with fundamental rights when coercion of a psychological or economic nature is brought on a Federal employee, even to make him do right. I think a man has to have a choice of acting unwisely as well as wisely, if he is going to have any freedom at all.

And yet the subcommittee has received from employees and their organizations numerous reports of intimidation, threats of loss of job, and security clearances and of denial of promotion for employees who do not participate to the extent supervisors wish. Many of these complaints of intimidation come out of agencies which have policy statements and administrative rules against such coercion. It is clear that such policy statements and rules are not enough.

In addition, millions of present and potential Federal employees have been required to submit to comprehensive questionnaires designed to elicit detailed information on the employee's personal finances, debts and property ownership, and those of his family. I believe that the conflict-of-interest statutes, and the many other laws governing conduct of employees, together with appropriate implementing regulations, are sufficient to protect the Government from dishonest employees. This proposal is, therefore, designed to reduce to reasonable proportions questionnaires which now require Federal employees to list "all assets, or everything you and your immediate family own, including date acquired and cost or fair market value at acquisition. Cash in banks, cash anywhere else, due from others—loans, et cetera, automobiles, securities, real estate, cash surrender of life insurance; personal effects and household furnishings and other assets."

The subcommittee hearings and complaint files further document the need for having legal counsel, a friend or other person present when a Federal employee is subjected to an official interrogation or investigation that could lead to the loss of his job or disciplinary action. I have received numerous complaints from employees charged with no crime who have been subjected to intensive interrogations by Defense Department investigators who ask intimate questions, make sweeping allegations, and threaten dire consequences unless consent is given to polygraph tests. Employees have been ordered to confess orally or to write and sign statements. Such interviews have been conducted after denial of the employee's request for presence of supervisor, counsel or friend, and in several instances the interrogations have resulted in revocation of a security clearance, or denial of access to classified information by transfer or reassignment, with the resulting loss of promotion opportunities.

Several agencies contend that right to counsel is now granted in formal adverse action proceedings and that appeals procedures make this section unnecessary for informal questioning. Testimony and complaints from employees demonstrate that this machinery does not effectively secure the opportunity of the employee to defend himself early enough in the investigation to allow a meaningful defense.

As testimony at the subcommittee hearings as well as subsequent investigation of complaints have demonstrated, employee rights are only as secure as the means set up for their enforcement. There is overwhelming evidence that employees have heretofore frequently lacked appropriate remedies either in the courts or the Civil Service Commission for pursuing rights which belong to them as citizens. Clearly a Board on Employees' Rights is needed to provide an additional means by which violations of the privacy and liberty of present and potential Federal employees can be redressed and prevented.

No one pretends that this bill is going to cure everything that is wrong with the Federal service. But it is a beginning step toward the safeguarding of personal privacy and individual liberties. In the process it will set a valuable precedent for more comprehensive privacy legislation in the future.

Mr. President, I ask unanimous consent that the text of my proposed bill to protect the civilian employees of the executive branch of the U.S. Government in the enjoyment of their constitutional rights and to prevent unwarranted governmental invasions of their privacy be printed in the RECORD.

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

S. 1688

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

SECTION 1. It shall be unlawful for any officer of any executive department or any executive agency of the United States Government, or for any person acting or purporting to act under his authority, to do any of the following things:

(a) To require or request, or to attempt to require or request, any civilian employee of the United States serving in the department or agency, or any person seeking employment in the executive branch of the United States Government, to disclose his race, religion, or national origin, or the race, religion, or national origin of any of his forebears: *Provided, however,* That nothing contained in this subsection shall be construed to prohibit inquiry concerning the citizenship of any such employee or person if his citizenship is a statutory condition of his obtaining or retaining his employment: *Provided further,* That nothing contained in this subsection shall be construed to prohibit inquiry concerning the national origin or citizenship of any such employee or person or of his forebears, when such inqury is deemed necessary or advisable to determine suitability for assignment to activities or undertakings related to the national security within the United States or to activities or undertakings of any nature outside the United States.

(b) To state or intimate, or to attempt to state or intimate, to any civilian employee of the United States serving in the department or agency that any notice will be taken of his attendance or lack of attendance at any assemblage, discussion, or lecture held or called by any officer of the executive branch of the United States Government, or by any person acting or purporting to act under his authority, or by any outside parties or organizations to advise, instruct, or indoctrinate any civilian employee of the United States serving in the department or agency in respect to any matter or subject other than the performance of official duties to which he is or may be assigned in the department or agency, or the development of skills, knowledge, or abilities which qualify him for the performance of such duties: *Provided, however,* That nothing contained in this subsection shall be construed to prohibit taking notice of the participation of a civilian employee in the activities of any professional group or association.

(c) To require or request, or to attempt to require or request, any civilian employee of the United States serving in the department or agency to participate in any way in any activities or undertakings unless such activities or undertakings are related to the performance of official duties to which he is or may be assigned in the department or agency, or to the development of skills, knowledge, or abilities which qualify him for the performance of such duties.

(d) To require or request, or to attempt to require or request, any civilian employee of the United States serving in the department or agency to make any report concerning any of his activities or undertakings unless such activities or undertakings are related to the performance of official duties to which he is or may be assigned in the department or agency, or to the development of skills, knowledge, or abilities which qualify him for the performance of such duties, or unless there is reason to believe that the civilian employee is engaged in outside activities or employment in conflict with his official duties.

(e) To require or request, or to attempt to require or request, any civilian employee of the United States serving in the department or agency, or any person applying for employment as a civilian employee in the executive branch of the United States Government, to submit any interrogation or examination or to take any psychological test which is designed to elicit from him information concerning his personal relationship with any person connected with him by blood or marriage, or concerning his religious beliefs or practices, or concerning his attitude or conduct with respect to sexual matters: *Provided, however,* That nothing contained in this subsection shall be construed to prevent a physician from eliciting such information

or authorizing such tests in the diagnosis or treatment of any civilian employee or applicant where such physician deems such information necessary to enable him to determine whether or not such individual is suffering from mental illness: *Provided further, however,* That this determination shall be made in individual cases and not pursuant to general practice or regulation governing the examination of employees or applicants according to grade, agency, or duties: *Provided further, however,* That nothing contained in this subsection shall be construed to prohibit an officer of the department or agency from advising any civilian employee or applicant of a specific charge of sexual misconduct made against that person, and affording him an opportunity to refute the charge.

(f) To require or request, or attempt to require or request, any civilian employee of the United States serving in the department or agency, or any person applying for employment as a civilian employee in the executive branch of the United States Government, to take any polygraph test designed to elicit from him information concerning his personal relationship with any person connected with him by blood or marriage, or concerning his religious beliefs or practices, or concerning his attitude or conduct with respect to sexual matters.

(g) To require or request, or to attempt to require or request, any civilian employee of the United States serving in the department or agency to support by personal endeavor or contribution of money or any other thing of value the nomination or the election of any person or group of persons to public office in the Government of the United States or of any State, district, Commonwealth, territory, or possession of the United States, or to attend any meeting held to promote or support the activities or undertakings of any political party of the United States or of any State, district, Commonwealth, territory, or possession of the United States.

(h) To coerce or attempt to coerce any civilian employee of the United States serving in the department or agency to invest his earnings in bonds or other obligations or securities issued by the United States or any of its departments or agencies, or to make donations to any institution or cause of any kind: *Provided, however,* That nothing contained in this subsection shall be construed to prohibit any officer of any executive department or any executive agency of the United States Government, or any person acting or purporting to act under his authority, from calling meetings and taking any action appropriate to afford any civilian employee of the United States the opportunity voluntarily to invest his earnings in bonds or other obligations or securities issued by the United States or any of its departments or agencies, or voluntarily to make donations to any institution or cause.

(i) To require or request, or attempt to require or request, any civilian employee of the United States serving in the department or agency to disclose any items of his property, income, or other assets, source of income, or liabilities, or his personal or domestic expenditures or those of any member of his family or household: *Provided, however,* That this subsection shall not apply to any civilian employee who has authority to make any final determination with respect to the tax or other liability of any person, corporation, or other legal entity to the United States, or claims which require expenditure of moneys of the United States: *Provided further, however,* That nothing contained in this subsection shall prohibit the Department of the Treasury or any other executive department or agency of the United States Government from requiring any civilian employee of the United States to make such reports as may be necessary or appropriate for the determination of his liability for taxes, tariffs, custom duties, or other obligations imposed by law.

(j) To require or request, or to attempt to require or request, any civilian employee of the United States embraced within the terms of the proviso in subsection (i) to disclose any items of his property, income, or other assets, source of income, or liabilities, or his personal or domestic expenditures or those of any member of his family or household other than specific items tending to indicate a conflict of interest in respect to the performance of any of the official duties to which he is or may be assigned.

(k) To require or request, or to attempt to require or request, any civilian employee of the United States serving in the department or agency, who is under investigation for misconduct, to submit to interrogation which could lead to disciplinary action without the presence of counsel or other person of his choice, if he so requests: *Provided, however,* That a civilian employee of the United States serving in the Central Intelligence Agency or the National Security Agency may be accompanied only by a person of his choice who serves in the agency in which the employee serves, or by counsel who has been approved by the agency for access to the information involved.

(l) To discharge, discipline, demote, deny promotion to, relocate, reassign, or otherwise discriminate in regard to any term or condition of employment of, any civilian employee of the United States serving in the department or agency, or to threaten to commit any of such acts, by reason of the refusal or failure of such employee to submit to or comply with any requirement, request, or action made unlawful by this Act, or by reason of the exercise by such civilian employee of any right granted or secured by this Act.

SEC. 2. It shall be unlawful for any officer of the United States Civil Service Commission, or for any person acting or purporting to act under his authority, to do any of the following things:

(a) To require or request, or to attempt to require or request, any executive department or any executive agency of the United States Government, or any officer or employee serving in such department or agency, to violate any of the provisions of section 1 of this Act.

(b) To require or request, or to attempt to require or request, any person seeking to establish civil service status or eligibility for employment in the executive branch of the United States Government, or any person applying for employment in the executive branch of the United States Government, or any civilian employee of the United States serving in any department or agency of the United States Government, to submit to any interrogation or examination or to take any psychological test which is designed to elicit from him information concerning his personal relationship with any person connected with him by blood or marriage or concerning his religious beliefs or practices, or concerning his attitude or conduct with respect to sexual matters: *Provided, however,* That nothing contained in this subsection shall be construed to prevent a physician from eliciting such information or authorizing such tests in the diagnosis or treatment of any civilian employee or applicant where such physician deems such information necessary to enable him to determine whether or not such individual is suffering from mental illness: *Provided further, however,* That this determination shall be made in individual cases and not pursuant to general practice or regulation governing the examination of employees or applicants according to grade, agency, or duties: *Provided, further, however,* That nothing contained in this subsection shall be construed to prohibit an officer of the Civil Service Commission from advising any civilian employee or applicant on a specific charge of sexual misconduct made against that person, and affording him an opportunity to refute the charge.

(c) To require or request, or to attempt to require or request, any person seeking to establish civil service status or eligibility for employment in the executive branch of the United States Government, or any person applying for employment in the executive branch of the United States Government, or any civilian employee of the United States serving in any department or agency of the United States Government, to take any polygraph test designed to elicit from him information concerning his personal relationship with any person connected with him by blood or marriage, or concerning his religious beliefs or practices, or concerning his attitude or conduct with respect to sexual matters.

SEC. 3. It shall be unlawful for any commissioned officer, as defined in section 101 of title 10, United States Code, or any member of the Armed Forces acting or purporting to act under his authority, to require or request, or to attempt to require or request, any civilian employee of the executive branch of the United States Government under his authority or subject to his supervision to perform any of the acts or submit to any of the requirements made unlawful by section 1 of this Act.

SEC. 4. Whenever any officer of any executive department or any executive agency of the United States Government, or any person acting or purporting to act under his authority, or any commissioned officer as defined in section 101 of title 10, United States Code, or any member of the Armed Forces acting or purporting to act under his authority, violates or threatens to violate any of the provisions of section 1, 2, or 3 of this Act, any civilian employee of the United States serving in any department or agency of the United States Government, or any person applying for employment in the executive branch of the United States Government, or any person seeking to establish civil service status or eligibility for employment in the executive branch of the United States Government, affected or aggrieved by the violation or threatened violation, may bring a civil action in his own behalf or in behalf of himself and others similarly situated, against the offending officer or person in the United States district court for the district in which the violation occurs or is threatened, or the district in which the offending officer or person is found, or in the United States District Court for the District of Columbia, to prevent the threatened violation or to obtain redress against the consequences of the violation. The Attorney General shall defend all officers or persons sued under this section who acted pursuant to an order, regulation, or directive, or who, in his opinion, did not willfully violate the provisions of this Act. Such United States district court shall have jurisdiction to try and determine such civil action irrespective of the actuality or amount of pecuniary injury done or threatened, and without regard to whether the aggrieved party shall have exhausted any administrative remedies that may be provided by law, and to issue such restraining order, interlocutory injunction, permanent injunction, or mandatory injunction, or enter such other judgment or decree as may be necessary or appropriate to prevent the threatened violation, or to afford the plaintiff and others similarly situated complete relief against the consequences of the violation. With the written consent of any person affected or aggrieved by a violation or threatened violation of section 1, 2, or 3 of this Act, any employee organization may bring such action on behalf of such person, or may

intervene in such action. For the purposes of this section, employee organizations shall be construed to include any brotherhood, council, federation, organization, union, or professional association made up in whole or in part of civilian employees of the United States and which has as one of its purposes dealing with departments, agencies, commissions, and independent agencies of the United States concerning the condition and terms of employment of such employees.

SEC. 5. (a) There is hereby established a Board on Employees' Rights (hereinafter referred to as the "Board"). The Board shall be composed of three members, appointed by the President, by and with the advice and consent of the Senate. The President shall designate one member as chairman. No more than two members of the Board may be of the same political party. No member of the Board shall be an officer or employee of the United States Government.

(b) The term of office of each member of the Board shall be five years, except that (1) of those members first appointed, one shall serve for five years, one for three years, and one for one year, respectively, from the date of enactment of this Act, and (2) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term.

(c) Members of the Board shall be compensated at the rate of $75 a day for each day spent in the work of the Board, and shall be paid actual travel expenses and per diem in lieu of subsistence expenses when away from their usual places of residence, as authorized by section 5703 of title 5, United States Code.

(d) Two members shall constitute a quorum for the transaction of business.

(e) The Board may appoint and fix the compensation of such officers, attorneys, and employees, and make such expenditures, as may be necessary to carry out its functions.

(f) The Board shall make such rules and regulations as shall be necessary and proper to carry out its functions.

(g) The Board shall have the authority and duty to receive and investigate written complaints from or on behalf of any person claiming to be affected or aggrieved by any violation or threatened violation of this Act and to conduct a hearing on each such complaint. Within ten days after the receipt of any such complaint, the Board shall furnish notice of the time, place, and nature of the hearing thereon to all interested parties. The Board shall render its final decision with respect to any complaint within thirty days after the conclusion of its hearings thereon.

(h) Officers or representatives of any Federal employee organization in any degree concerned with employment of the category in which any alleged violation of this Act occurred or is threatened shall be given an opportunity to participate in each hearing conducted under this section, through submission of written data, views, or arguments, and in the discretion of the Board, with opportunity for oral presentation. Government employees called upon by any party or by any Federal employee organization to participate in any phase of any administrative or judicial proceeding under this section shall be free to do so without incurring travel cost or suffering loss in leave or pay; and all such employees shall be free from restraint, coercion, interference, intimidation, or reprisal in or because of their participation. Any periods of time spent by Governmen' employees during such participation shall be held and considered to be Federal employment for all purposes.

(i) Insofar as consistent with the purposes of this section, the provisions of subchapter II of chapter 5 of title 5, United States Code, relating to the furnishing of notice and manner of conducting agency hearings, shall be applicable to hearings conducted by the Board under this section.

(j) If the Board shall determine after hearing that a violation of this Act has not occurred or is not threatened, the Board shall state its determination and notify all interested parties of such determination. Each such determination shall constitute a final decision of the Board for purposes of judicial review.

(k) If the Board shall determine that any violation of this Act has been committed or threatened by any civilian officer or employee of the United States, the Board shall immediately (1) issue and cause to be served on such officer or employe an order requiring such officer or employee to cease and desist from the unlawful act or practice which constitutes a violation, (2) endeavor to eliminate any such unlawful act or practice by informal methods of conference, conciliation, and persuasion, and (3) may—

(A) (i) in the case of the first offense by any civilian officer or employee of the United States, other than any officer appointed by the President, by and with the advice and consent of the Senate, issue an official reprimand against such officer or employee or order the suspension without pay of such officer or employee from the position or office held by him for a period of not to exceed fifteen days, and (ii) in the case of a second or subsequent offense by any such officer or employee, order the suspension without pay of such officer or employee from the position or office held by him for a period of not to exceed thirty days or order the removal of such officer or employee from such position or office; and

(B) in the case of any offense by any officer appointed by the President, by and with the advice and consent of the Senate, transmit a report concerning such violation to the President and the Congress.

(l) If the Board shall determine that any violation of this Act has been committed or threatened by any officer of any of the Armed Forces of the United States, or any person purporting to act under authority conferred by such officer, the Board shall (1) submit a report thereon to the President, the Congress, and the Secretary of the military department concerned, (2) endeavor to eliminate any unlawful act or practice which constitutes such a violation by informal methods of conference, conciliation, and persuasion, and (3) refer its determination and the record in the case to any person authorized to convene general courts-martial under section 822 (article 22) of title 10, United States Code. Thereupon such person shall take immediate steps to dispose of the matter under chapter 47 of title 10, United States Code (Uniform Code of Military Justice).

(m) Any party aggrieved by any final determination or order of the Board may institute, in the district court of the United States for the judicial district wherein the violation or threatened violation of this Act occurred, or in the United States District Court for the District of Columbia, a civil action for the review of such determination or order. In any such action, the court shall have jurisdiction to (1) affirm, modify, or set aside any determination or order made by the Board which is under review, or (2) require the Board to make any determination or order which it is authorized to make under subsection (k), but which it has refused to make. The reviewing court shall set aside any finding, conclusion, determination, or order of the Board as to which complaint is made which is unsupported by substantial evidence on the record considered as a whole.

(n) The Board shall submit, not later than March 31 of each year, to the Senate and House of Representatives, respectively, a report on its activities under this section during the immediately preceding calendar year, including a statement concerning the nature of all complaints filed with it, its determinations and orders resulting from hearings thereon, and the names of all officers or employees of the United States with respect to whom any penalties have been imposed under this section.

(o) There are authorized to be appropriated sums necessary, not in excess of $100,000, to carry out the provisions of this section.

SEC. 6. Nothing contained in this Act shall be construed to prohibit an officer of the Central Intelligence Agency or of the National Security Agency from requesting any civilian employee or applicant to take a polygraph test, or to take a psychological test, designed to elicit from him information concerning his personal relationship with any person connected with him by blood or marriage, or concerning his religious beliefs or practices, or concerning his attitude or conduct with respect to sexual matters, or to provide a personal financial statement, if the Director of the Central Intelligence Agency or his designee or the Director of the National Security Agency or his designee makes a personal finding with regard to each individual to be so tested or examined that such test or information is required to protect the national security.

SEC. 7. No civilian employee of the United States serving in the Central Intelligence Agency or the National Security Agency, and no individual or organization acting in behalf of such employee, shall be permitted to invoke the provisions of sections 4 and 5 without first submitting a written complaint to the agency concerned about the threatened or actual violation of this Act and affording such agency one hundred and twenty days from the date of such complaint to prevent the threatened violation or to redress the actual violation: *Provided, however,* That nothing in this Act shall be construed to affect any existing authority of the Director of Central Intelligence under section 403(c), of title 50, United States Code, and any authorities available to the National Security Agency under section 833 of title 50, United States Code, to terminate the employment of any employee.

SEC. 8. Nothing in this Act shall be construed to affect in any way the authority of the Directors of the Central Intelligence Agency or the National Security Agency to protect or withhold information pursuant to statute or executive order. The personal certification by the Director of the agency that disclosure of any information is inconsistent with the provision of any statute or Executive order shall be conclusive and no such information shall be admissible in evidence in any interrogation under section 1 (k) or in any civil action under section 4 or in any proceeding or civil action under section 5.

SEC. 9. This Act shall not be applicable to the Federal Bureau of Investigation.

SEC. 10. Nothing contained in sections 4 and 5 shall be construed to prevent establishment of department and agency grievance procedures to enforce this Act, but the existence of such procedures shall not preclude any applicant or employee from pursuing the remedies established by this Act or any other remedies provided by law: *Provided, however,* That if under the procedures established, the employee or applicant has obtained complete protection against threatened violations or complete redress for violations, such action may be pleaded in bar in the United States district court or in proceedings before the Board on Employee Rights: *And provided further,* That if an employee elects to seek a remedy under either section 4 or section 5, he waives his right to proceed by an independent action under the remaining section.

SEC. 11. If any provision of this Act or the

application of any provision to any person or circumstance shall be held invalid, the remainder of this Act or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected.

By Mr. GRAVEL (for himself, Mr. THURMOND, Mr. RANDOLPH, Mr. FANNIN, Mr. HUMPHREY, Mr. GOLDWATER, Mr. GURNEY, and Mr. SCOTT of Pennsylvania):

S. 1690. A bill to establish a National Amateur Sports Development Foundation. Referred to the Committee on Commerce.

NATIONAL AMATEUR SPORTS DEVELOPMENT FOUNDATION

Mr. GRAVEL. Mr. President, last September I introduced legislation to establish a National Amateur Sports Development Foundation. At that time I pointed out that in the United States there exists no organization responsible for or concerned with the policy, planning, conduct, and development of all kinds of sports for individuals of all ages and socioeconomic status. The need for such an organization has become even more apparent over the past 7 months, and today I am again introducing legislation to create a Sports Foundation.

The bill I am introducing today for myself, Mr. THURMOND, Mr. GURNEY, Mr. SCOTT of Pennsylvania, Mr. RANDOLPH, Mr. FANNIN, Mr. HUMPHREY, and Mr. GOLDWATER is a significantly improved version of S. 4038, which I introduced in the 92d Congress. Many worthwhile modifications in that bill have been proposed by individuals and groups interested in sports development, and we have taken these into account in redrafting our legislation. We are particularly indebted to the members of our National Amateur Sports Development Foundation Advisory Committee, for the role they played in preparing this legislation for reintroduction. Members of that committee met with Senator THURMOND and me late last fall for a 2-day working symposium on this bill. Their advice, both at that meeting and during the months that have followed, have proved invaluable.

Mr. President, I ask unanimous consent that there be printed at this point in the RECORD the names of the members of the National Amateur Sports Development Foundation Advisory Committee, and the reports of their subcommittees, issued at the conclusion of their symposium here in Washington, November 30, and December 1, 1972.

I also ask unanimous consent that the National Amateur Sports Development Foundation Act of 1973 be printed in the RECORD following the reports of the subcommittees.

There being no objeciton, the material and bill were ordered to be printed in the RECORD, as follows:

NATIONAL AMATEUR SPORTS DEVELOPMENT FOUNDATION ADVISORY COMMITTEE

Dr. Tenley Albright, 1956 Olympic Women's Figure Skating Gold Medalist.

Mr. Frank Bare, Executive Director, United States Collegiate Sports Council.

Mr. Bob Beattie, Executive Director, International Ski Racers Association.

Honorable H. A. (Red) Boucher, Lieutenant Governor, State of Alaska.

Ms. Suzanne S. Chaffee, Co-Executive Director, World Sports Foundation.

Dr. Walter Cooper, Assistant Dean, College of Education and Psychology, University of Southern Mississippi, Hattiesburg, Mississippi.

Dr. James E. Counsilman, Swimming Coach and Professor of Physical Education, Indiana University.

Dr. Albert B. Craig, Jr., President, American College of Sports Medicine.

Mr. Buck Dawson, Executive Director, International Swimming Hall of Fame, Inc.

Ms. Donna de Varona, 1964 Olympic Swimming Gold Medalist.

Mr. Frank Dolson, Columnist, *Philadelphia Inquirer*.

Mr. Lee P. Eilbracht, Secretary-Treasurer, American Association of College Baseball Coaches.

Dr. William Exum, Athletic Director, Kentucky State College.

Dr. Warren Giese, Chairman, Department of Physical Education for Men, University of South Carolina.

Mr. Richard E. Harkins, Executive Director, The International Supreme Council, Order of De Molay.

Dr. Jesse Hawthorne, Chairman, Department of Health and Physical Education, East Texas State University.

Mr. John E. Horton, Vice President, National Academy of Sport.

Mr. Edward Humberger, Director, Sports for People.

Mr. Rafer Johnson, 1960 Olympic Decathalon Gold Medalist.

Dr. Robert Kane, First Vice President, United States Olympic Committee.

Dr. Frances Koenig, Women's Physical Education Department, Central Michigan University.

Mr. C. Thomas McMillen, All-American Basketball Player, Olympic Team 1972.

Dr. Lucille Magnuson, Women's Physical Education Department, Pennsylvania State University.

Dr. Roswell D. Merrick, Assistant Executive Secretary, American Association for Health, Physical Education, and Recreation.

Mr. William Mills, Director, Office of Recreation, Physical Education, and Athletics, Bureau of Indian Affairs.

Dr. Henry W. Morton, Chairman, Department of Political Science, Queens College.

Dr. Bruce S. Old, Vice President, Arthur D. Little, Inc.

Mr. Peter L. Oliver, Consultant, Arthur D. Little, Inc.

Mr. Don E. Porter, Executive Secretary, Amateur Softball Assoc.

Mr. Glenn C. Randall, Executive Director, Special Olympics, Inc.

Mr. Marvin Sanderson, Senior Systems Analyst, System Development Corporation.

Mr. Donald Sawyer, Executive Vice President, Wilshire Newport, Inc.

Mr. Ross H. Smith, President, Eastern Collegiate Conference.

Mr. Marvin H. Sugarman, Sports Producer, President, Marvin H. Sugarman Productions, Inc.

Mr. H. B. Thompson, Athletic Director, Fisk University.

Mr. William A. Toomey, 1968 Olympic Decathalon Gold Medalist.

Dr. LeRoy Walker, Chairman, Department of Physical Education, North Carolina Central University.

Mr. William L. Wall, Executive Secretary, National Association of Basketball Coaches.

Mr. William Wallace, Sports Writer, *New York Times*.

Dr. Charlotte West, Women's Physical Education and Athletics Department, Southern Illinois University.

COMMITTEE I—INITIAL ORGANIZATION OF A NATIONAL AMATEUR SPORTS FOUNDATION

Committee Members: Bruce Old (Chairman), Suzanne Chaffee, John Horton, Robert Kane, Ross Merrick, Marvin Sugarman, and Judie Shaw (Recorder).

1. Suggested word changes in the Bill

a. The word "Development" should be added to the title of the Foundation to emphasize sports development as its essential goal.

b. Several modifications in the description of the purposes of the Foundation should be made to clarify the intent.

c. The Board of Trustees should be required to meet at least quarterly, rather than annually.

2. Composition of the Board of Trustees

a. The Board membership should attempt to include persons with skills or knowledge in such fields as management, finance, fund raising, sports medicine, sports education, research, sports facilities, public relations and communications, physical education, sports sociology and psychology, and recent participation in international sports.

b. The nomination of the members of the Board should be by peer groups. For example, the American Medical Association might nominate several physicians from whom one could be chosen as the sports medicine member.

c. The Board should not get itself boxed in to any rigid rules regarding representation by geographical location, sex, race, etc. For example, if a woman athlete from California is leaving the Board, she should not necessarily be replaced by another woman athlete from the West Coast.

d. Board terms should be limited to one four year term. The Committee was quite adamant on this point because most sports bodies seem to deteriorate because the same people stay on seemingly forever. Particularly valuable Board members can, after all, be placed in an advisory capacity to maintain their assistance

e. The Board members should receive fees for attending meetings—otherwise the less fortunate will not be able to afford membership.

3. Miscellaneous

a. The Foundation should emphasize the importance of the bottom of the athletic pyramid. Healthy bodies make healthy minds. The top athletes will emerge.

b. Any fund raising for the Foundation should be handled by a recognized professional group.

COMMITTEE II—RELATIONSHIP OF A NATIONAL AMATEUR SPORTS FOUNDATION TO EXISTING AMATEUR SPORTS ORGANIZATIONS

Committee Members: LeRoy Walker (Chairman), Warren Giese (Co-Chairman), Frank Dolson, William Exum, Frances Koenig, Peter Oliver, Ross Smith, Majorie Blanfarf (Recorder).

Excerpts from the bill

"To establish a National Amateur Sports Development Foundation"

"(3) to foster and support the interests and activities of organizations concerned with sports and to coordinate them by voluntary means with related educational and recreational programs of local, State, and Federal Government;

"(4) to strengthen and expand development of amateur sports in the United States by—

"(A) making available managerial, financial, technical, legal, informational, instructional, and promotional assistance to organizations concerned with sports; and

"(B) sponsoring and stimulating the establishment of advanced or improved coaching, physical training, and physical education programs;

"(5) to strengthen the position of United

States competitors in significant international athletic events;

"(6) to extend knowledge and facilitate the practice of sports . . ."

The Arthur D. Little, Inc. Report—1965 (Under the direction of General James M. Gavin) revealed that:

"The administration of amateur sports in the United States is the responsibility of a multiplicity of independent, private, and largely voluntary associations known as the sports-governing bodies. . . .

"When students leave the educational system, however, the transition into post-school competitive programs is not always easily accomplished . . . If some means could be found for bridging this "gap" between school and post-school athletic programs, amateur sports activity among older age groups would be materially facilitated, and the quality of our performance at international competitions improved, since in most sports top proficiency is typically attained by post-school athletes. . . ."

For the most part, the amateur sports in which we as a nation seem to do best are those which are currently stressed in the secondary schools and colleges, such as football, baseball, basketball, track and field events and swimming. . . . "At the 1964 Olympic Games in Tokyo, where no fewer than 30 of the total 36 gold medals won by the U.S. Teams were gained in only two sports categories (swimming and track and field events). . . ."

"So far as we have been able to determine, the U.S. remains for the most part surprisingly indifferent to certain technical aspects of sports, particularly those relative to minor sports and to general sports functions, such as medicine, information gathering, equipment design, training methods, sports medicine. . . ."

The need to coordinate existing programs "arises from the co-existence of amateur sports activities conducted within and by educational institutions—from school through university—with amateur sports activities outside the educational system."

Conclusions of Committee II

Committee II was requested to study the relationship of a National Amateur Sports Foundation to existing sports organizations. Five questions were posed and a position was prepared on each one, as follows:

A. The feasibility of membership in the Sports Foundation.

Position: The Committee believes there should be no organizational membership. However, it recognizes that for communications purposes there is need for an identifiable list of any organizations interested in amateur sports. The organizations can be considered affiliates of the National Amateur Sports Foundation.

B. The Sports Foundation's allocation of resources as a force for restructuring amateur sports.

Position: The Sports Foundation will allocate resources to serve as a catalyst for the development of amateur sports programs at all levels. It is envisioned that at least 75% of the funds will go to program development when the Foundation reaches full operation.

C. The desirability of a sports development committee as advisor to the Sports Foundation.

Position: The Committee has discussed the scope and objectives of a Sports Advisory Committee as an advisor to the Foundation. It feels it is a prerogative of the Foundation to appoint an Advisory Committee after it is organized.

D. The Sports Foundation as arbiter of disputes.

Position: The National Amateur Sports Foundation should serve as a catalyst to bring together groups to solve problems. This does not imply that the Foundation cannot be used as arbiter in certain circumstances.

E. The Sports Foundation staff as consultants to existing sports organizations.

Position: The Role of the Sports Foundation staff is:

1. To serve as facilitator or consultant in the development of programs.
2. To assist in the formulation of proposals for developmental programs.
3. To make available the technical resources of the foundation such as: statistical research, communications service, sports medicine, coaching and training aids, facility planning, and financial services.

COMMITTEE III—DEVELOPMENT OF AMATEUR SPORTS BY A NATIONAL AMATEUR SPORTS FOUNDATION

Committee Members: Lucille Magnuson (Chairwoman), Jesse Hawthorne, Thomas McMillen, William Mills, Glenn Randall, H. B. Thompson, Charlotte West, and Elinore Darland (Recorder).

The Committee discussed definitions of the terms "development" and "sports" at its initial session. It appeared that there was some variation in focus and specific definitions but there was also much commonality in meaning of the terms. The Arthur D. Little report of 1965 was recognized as giving an excellent base for the charge to this committee.

In order to tackle the charge of development of amateur sports by the Foundation, it seemed necessary to highlight what appeared to the committee to be the primary objectives of the Foundation. These are:

1. Foster opportunities for increased participation in amateur sports among individuals of all ages and skill.
2. Develop and support imaginative ideas and strategies for further development of amateur sports programs.
3. Broaden existing services and foster new efforts supportive of amateur sports program development.
4. Assist existing organizations and institutions in reaching their goals concerned with amateur sports.

The above objectives would be met through—

1. Public relations programs which would promote participation.
2. Development of films, booklets and instructional materials.
3. Sending teams of experts to various regions of the United States to increase knowledge, teaching skills and performance skills in amateur sports.
4. Research in sports medicine, effect of participation, the most effective means of developing sports skills.

The National Amateur Sports Development Foundation will provide consultant services in a variety of specialized areas and it will facilitate, promote and fund programs which meet its stated objectives.

The committee suggests that priorities be given to amateur sports programs that—

1. Reduce inequalities due to socio-economic, sex, or geographic factors.
2. Are people-oriented as opposed to those that are facilities-oriented.
3. Increase variety of sports opportunities and enhance opportunities for participation.
4. Promote participation in sports that are not highly developed but hold the potential recreational participation.
5. Advance technological knowledge in specific sports.
6. Foster total development of the individual through participation.
7. Enhance growth of sports on an international scale.

The committee did not tackle the problem of criteria for funding proposals. It appeared that such guidelines would need more time than was available and that these criteria should be established by the individuals who would in effect be applying them.

S. 1690

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Amateur Sports Development Foundation Act of 1973".

STATEMENT OF FINDINGS AND PURPOSE

SEC. 2. (a) The Congress hereby finds and declares that, given the proper direction and support, amateur sports have the effect of performing a useful role in developing the individual and enriching the variety of his experience, contributing to fitness and physical well-being, alleviating some of the pressing social problems facing the Nation, and encouraging moral behavior and the pursuit of personal excellence. The Congress further finds and declares that, despite a history of important athletic accomplishments; the United States does not have a comprehensive national amateur sports program; that, because of multiplicity of private and largely voluntary organizations responsible for the administration of amateur sports activities, there is an immense variety of individual sports programs; in which imbalances, lack of coordination, and neglected functions are too often apparent.

(b) The Congress declares that in order—

(1) to create opportunities for and to encourage individual participation and excellence in the field of physical endeavor among all age groups;

(2) to reduce inequalities among social, economic, sexual, and geographic groups in opportunities to participate in sports;

(3) to foster and support the interests and activities of organizations concerned with sports and to coordinate them by voluntary means with related educational and recreational programs of local, State, and Federal Government;

(4) to strengthen and expand development of amateur sports in the United States by—

(A) making available managerial, financial, technical, legal, informational, instructional, and promotional assistance to organizations concerned with sports; and

(B) sponsoring and stimulating the establishment of advanced or improved coaching, physical training, and physical education programs;

(5) to strengthen the position of United States competitors in significant international athletic events;

(6) to extend knowledge and facilitate the practice of sports by—

(A) sponsoring or soliciting useful research in such areas as sports medicine, athletic safety and health, athletic facility and equipment design, and performance analysis;

(B) identifying specific sports facility requirements and arranging for provision of facilities by appropriate public or private groups; and

(C) establishing and maintaining a data bank for the compilation, analysis, and dissemination of information pertaining to all significant aspects of sports;

(7) to promote broadened cultural exchanges with foreign nations in the field of sports; and

(8) to study national needs relating to sports; it is the policy of the United States to establish a National Amateur Sports Development Foundation to plan, coordinate, promote, and support the conduct and development of amateur sports throughout the United States.

ESTABLISHMENT OF NATIONAL AMATEUR SPORTS DEVELOPMENT FOUNDATION

SEC. 3. There is hereby established in the District of Columbia a body corporate by the name of the National Amateur Sports Development Foundation (hereinafter referred to as the "foundation"), which shall not be an agency or establishment of the United States Government. The foundation shall be directed in accordance with the provisions of this Act by a board to be known as the Trustees of the National Amateur Sports Development Foundation (hereinafter referred to as the "board"), whose duty

it shall be to maintain and administer the foundation and to execute such other functions as are vested in the board by this Act.

PROCESS OF ORGANIZATION

SEC. 4. The President of the United States shall appoint, in accordance with the provisions of section 5 of this Act, incorporators, by and with the advice and consent of the Senate, who shall serve as the initial board of trustees of the foundation, of whom the President shall designate four to serve for one year, four to serve for two years, four to serve for three years, and four to serve for four years. Such incorporators shall take whatever actions as may be necessary to establish the foundation, including the filing or articles of incorporation.

BOARD OF TRUSTEES

SEC. 5. (a) The board shall be composed of sixteen voting members, and the president of the foundation ex officio. Except for trustees first appointed (as provided in section 4 of this Act), the term of office of each voting member of the board shall be four years, and replacements shall be selected by a majority vote of the board, except that one of the four vacancies occurring each year after the fourth year shall be filled by the President of the United States, by and with the advice and consent of the Senate. A successor selected to fill a vacancy occurring on the board prior to the expiration of a term shall serve only for the remainder of such term. No person shall be appointed as a member of the board for more than one term.

(b) One member of the board (other than the president) shall be elected annually by the board to serve as chairman.

(c) Members of the board shall be selected from the private sector of American society from among persons distinguished for their dedication to the highest ideals of sports, for their freedom from bias in sports, and for their knowledge and experience in sports development in its broadest sense. Members of the board shall be selected from among individuals who shall have distinguished themselves and achieved recognition by their peers in their respective fields. Selection to the board shall be made in such a way that at no time shall there be less than two present or recent athletes serving on the board nor less than one individual serving on the board drawn from each of the following broad categories: financial management; business, corporate, or athletic management; research and development; the humanities; fund raising; communication and public relations; sports medicine; architectural engineering; sports education; sports sociology and sports psychology; and physical education. In selecting members of the board, due regard shall be given to reflecting the diversity of those engaged in amateur sports, with appropriate weight given to such factors as race, age, and sex.

(d) The board shall meet at least quarterly at such place and at such time as shall be determined by the chairman, but he shall also call a meeting whenever one-third of the members so request in writing. Each member shall be given notice, by registered mail mailed to his last-known address of record not less than fifteen days prior to any meeting, of the call of such meeting. A majority of the voting members of the board shall constitute a quorum. Members of the board, while serving on the business of the foundation, shall be entitled to receive compensation at a rate fixed by the board, but not in excess of $100 per day, including travel-time and while so serving away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence.

(e) Minutes of each meeting of the board shall be kept and made available for public inspection at the District of Columbia office of the foundation and at such other offices as it may maintain. Such minutes also shall be available for copying by hand or by duplicating machine, as requested by any person, at the expense of such person.

POWERS OF THE BOARD

SEC. 6. (a) The board is authorized to solicit, accept, hold, and administer gifts, bequests, or devises of money, securities, or other property of whatever character for the benefit of the foundation. Unless otherwise restricted by the terms of the gift, bequest or devise, the board is authorized to sell or exchange and to invest or reinvest in such investments as it may determine from time to time the moneys, securities, or other property composing trust funds given, bequeathed, or devised to or for the benefit of the foundation. The income as and when collected shall be placed in such depositaries as the board shall determine and shall be subject to expenditure by the board.

(b) The board shall appoint a president of the foundation, who shall serve at the pleasure of the board, and who shall serve as the chief administrative officer of the foundation. The president shall, subject to the supervision of the board, manage and carry on the business of the foundation, including the appointment of such other officers and employees as he may deem necessary for the operation of the foundation. The board shall fix rates of compensation for officers and employees of the foundation.

(c) The actions of the board, including any payment made or directed to be made by it from any trust funds, shall not be subject to review by any officer or agency other than a court of law.

GENERAL AUTHORITY OF FOUNDATION

SEC. 7. The foundation shall have the authority to do all things necessary to carry out the provisions of this Act, including but without being limited thereto, the authority—

(1) to make such bylaws, rules, and regulations as may be necessary for the administration for its functions under this Act;

(2) to adopt an official seal which shall be judicially noticed;

(3) to sue and be sued, complain, and defend in any court of competent jurisdiction;

(4) to contract and be contracted with; and

(5) to acquire, control, hold, lease, and dispose of such real, personal, or mixed property as may be necessary to carry out the purposes of the foundation.

OFFICES

SEC. 8. (a) The principal office of the foundation shall be in Washington, District of Columbia, or in such other place as may later be determined by the foundation, but the activities of the foundation shall not be confined to that place, but may be conducted throughout the United States and all other locations as may be necessary to carry out the purposes of the foundation.

(b) The foundation shall maintain at all times in the District of Columbia a designated agent authorized to accept services of process for the foundation. Service upon, or notice mailed to the business address of, such agent shall be deemed notice to or service upon the foundation.

USE OF FOUNDATION ASSETS OR INCOME

SEC. 9. (a) No part of the assets or income of the foundation shall inure to any officer, employee, or trustee or be distributable to any such person during the life of the foundation or upon its dissolution or final liquidation. Nothing in this subsection shall be construed to prevent the payment of reasonable compensation to trustees, officers, or employees of the foundation or reimbursements for actual necessary expenses in amounts approved by the board.

(b) The foundation shall not make loans to its officers, trustees, or employees.

PROHIBITION AGAINST THE ISSUANCE OF STOCK OR PAYMENT OF DIVIDENDS

SEC. 10. The foundation shall have no power to issue any shares of stock nor to declare or pay any dividends.

DISSOLUTION OR LIQUIDATION

SEC. 11. Upon dissolution of final liquidation of the foundation, after discharge or satisfaction of all outstanding obligations and liabilities, the remaining assets of the foundation may be distributed in accordance with the determination of the board and in compliance with this Act, its bylaws, and all other Federal and State laws applicable thereto.

RESERVATION OF THE RIGHT TO AMEND OR REPEAL CHARTER

SEC. 12. The right to alter, amend, or repeal this Act is expressly reserved.

REPORTS

SEC. 13. The board shall submit to the President of the United States for transmittal to the Congress in January of each year a report which shall include a comprehensive description of the activities and accomplishments of the foundation during the preceding calendar year, together wih an evaluation of such activities and accomplishments in terms of the attainment of the objectives of this Act and any recommendations for additional legislative or other action which the board my consider necessary or desirable for attaining such objectives. The report shall be printed as a public document.

AUDIT OF FINANCIAL TRANSACTIONS

SEC. 14. (a) The accounts of the foundation shall be audited annually, in accordance with generally accepted auditing standards, by independent certified public accountants or independent licensed public accountants, certified or licensed by the government of the District of Columbia. The audit shall be conducted at the place or places where the accounts of the foundation are normally kept. All books, accounts, financial records, reports, files, and all other papers, things, or property belonging to or in use by the foundation and necessary to facilitate the audit shall be made available to the person or persons conducting the audit; and full facilities for verifying transactions with the balances or securities held by depositories, fiscal agents, and custodians shall be afforded to such person or persons.

(b) A report of such audit shall be submitted to the Congress not later than six months following the close of the fiscal year for which the audit was made. The report shall set forth the scope of the audit and shall include such statements as are necessary to present fairly the assets and liabilities of the foundation; its surplus or deficit, with an analysis of the changes therein during the year, supplemented in reasonable detail by a statement of the income and expenses of the foundation during the year; and the independent auditor's opinion of those statements. The report shall be printed as a public document.

APPROPRIATIONS

SEC. 15. (a) For the fiscal year ending June 30, 1974, there is authorized to be appropriated to the board the sum of $1,000,000 for use by it in carrying out the provisions of this Act.

(b) For each fiscal year following the fiscal year ending June 30, 1974, there is authorized to be appropriated to the board for use by it in carrying out the provisions of this Act an amount equal to the amount of donations, bequests, and devises of money, securities, and other property received by the board during the fiscal year preceding the fiscal year for which such appropriation is made, except that the total aggregate

amount appropriated pursuant to this subsection shall not exceed $50,000,000.

Mr. THURMOND. I have become alarmed at the increasing apathy on the part of some of today's youth where sports are concerned. Amateur sports are an important part of individual development and the historic development of our Nation.

In noting the lack of a national amateur sports program I sponsored a bill to establish a National Amateur Sports Development Foundation. This foundation will be an overseeing organization to give the proper support and direction to amateur sports. By providing a vehicle for fundraising and coordination, this foundation will be a great step toward raising the health and well-being of our society. Several functions of the foundation are:

Work with existing organizations to develop greater cooperation;

Fund sports facilities and training programs;

Make sports available to all economic classes and in all parts of the country;

Provide a forum for resolving disputes;

Conduct research in sports related areas; and

Study national needs to develop a comprehensive policy for athletic development.

I feel that a program of this type will allow everybody, not just the elite, to participate in amateur sports; and will provide a much needed goal for some of our young people who have turned to drugs mistakenly in search of a meaning to their lives.

Mr. President, the National Amateur Sports Development Foundation will provide the necessary coordination between the various existing organizations who so often in the past have worked at cross purposes. With the development of amateur sports comes physical fitness and personal achievement which encourages moral behavior and provides a goal for our Nation's youth. This foundation will work with the present amateur athletic organizations but is in no way an attempt to supplant or assume control over these organizations. This foundation will be completely independent and is not an effort to involve the Federal Government in amateur sports.

Mr. President, I urge favorable consideration of this legislation.

By Mr. GRAVEL:

S. 1691. A bill for the relief of Wallace O. Craig, et al. Referred to the Committee on the Judiciary.

Mr. GRAVEL. Mr. President, last Congress, and again earlier this session, I introduced a private bill for the relief of Mr. Wallace O. Craig, a citizen of Alaska and a dedicated public servant of the Federal Government. Mr. Craig suffered extensive property loss in Alaska's two recent major disasters—the earthquake of 1964 and the Chena River flood in Fairbanks in 1967.

The recent bill, S. 53, covers only Mr. Craig's losses. He has advised me that he was not the only public servant to suffer and has furnished me a list of others who suffered property losses.

Mr. President, I consider this a very meritorious bill, and introduce the more comprehensive measure to cover not only Mr. Craig but also his fellow workers.

By Mr. RANDOLPH:

S. 1692. A bill to amend title II of the Social Security Act to extend certain benefits to individuals adopted by disability or old-age insurance beneficiaries. Referred to the Committee on Finance.

Mr. RANDOLPH. Mr. President, under the Social Security Act as it presently stands, a deserving group of children are denied child's insurance benefits. These are children who are adopted by disabled or old age social security beneficiaries. If a child enters the adoptive home after the wage earner has become entitled to benefits, the child can never qualify for child's benefits as part of the adopting wage earner's family. This is true even if the child is not born until after the wage earner has become eligible for benefits. And it is true even though natural children born to the wage earner after the wage earner has qualified for benefits are entitled to child's insurance benefits.

The Legal Aid Society of Charleston, W. Va., recently handled the case of Marion P. Morris, of Whitesville, W. Va., which challenged the validity of this provision. I will insert in the RECORD at the conclusion of my remarks a news story from the Raleigh Register, Beckley, W. Va., outlining the details concerning the Morris family's situation. The U.S. Supreme Court recently declined to review the constitutionality of the act's discrimination against adopted children, thereby leaving to Congress the burden of correcting this discriminatory provision.

The Charleston Legal Aid Society informs me that prior to, and in the course of litigating the Morris case, they have been contacted by numerous other West Virginia families who have suffered from the same provision. In addition, they have received inquiries from attorneys in other States who also represent clients discriminated against by the same gap in the law. It appears that in virtually all of these cases, the adopting parents are grandparents. Inquiries generally reveal that the grandparents adopted the child in order to provide him or her with a stable home environment after the child had been born out of wedlock, or into an extremely troubled or unstable home situation. Furthermore, in these cases the grandparents often become ineligible to receive public welfare for support of the child after adoption. Thus, in most cases, the only source of support for the child is the adopting parents' social security check.

It is my understanding that the key argument advanced in the course of congressional debate in defense of this discrimination is that providing benefits might encourage adoptions for the purpose of "abuse." However, in the court cases which have challenged the arbitrariness of this provision, very seldom, if ever, is a question raised as to the good faith and humane motivation of the families who have been denied benefits for their adopted children.

The Social Security Act Amendments of 1972 made very significant and progressive changes in the law covering the eligibility of a child adopted by an old-age or disability insurance beneficiary. The chairman and members of the Senate Finance Committee are to be commended for these important and needed modifications. However, the situation I have outlined still remains and, in my judgment, it should be corrected—particularly in the case of grandparents and relatives who adopt children within the family structure.

Today, I am introducing legislation to eliminate the provision of law which prevents a retired or disabled worker from securing benefits for an adopted child when the child is adopted after the workers' retirement or disability.

For the sake of adopted children—to insure their adequate care and upbringing—this legislation is needed.

Mr. President, I ask unanimous consent that the article from the Raleigh Register of Beckley, W. Va., to which I previously referred and the bill be printed at this point in the RECORD.

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

COUNTY MAN LOSES LONG SOCIAL SECURITY BATTLE

(By Deborah Baker)

A Raleigh County man's efforts to get Social Security benefits for his adopted granddaughter—a battle which during the past six years has taken him from hearings at a local level all the way to the U.S. Supreme Court—have ended in disappointment.

The Supreme Court Thursday dismissed the case of Marion Prince Morris of Jarrolds Valley, outside of Whitesville. Morris attempted to have overturned Social Security provisions which blocked his adopted granddaughter's eligibility to be included in the disability benefits he receives.

One of the provisions he fought was repealed in amendments to the Social Security Act which went into effect Oct. 30 of last year, after the Supreme Court had accepted the case for review. Reportedly the repeal of that provision was the reason for the Court's dismissal of the case.

Morris's long struggle began when he and his wife Dora took their granddaughter Linda Gail into their home several months after her birth in March 1965. On Oct. 13, 1966, when Linda Gail was one and a half years old, the Morrises adopted her.

Morris has received Social Security disability benefits since 1957. He was injured in 1953 when a power pole he was working on as a lineman for the Princess Dorothy Coal Co. in Boone Co. snapped, falling across him and resulting in serious back and chest injuries.

When Morris applied after the adoption for child's benefits for Linda Gail, the application was denied.

Morris said he appealed the decision to Social Security twice, once in 1968 and again in 1969. The hearing examiner ruled in Morris's favor, but the decision was overturned by the Appeals Council of the Social Security Administration on the ground that the adoption of Linda Gail was not supervised by a child placement agency as defined by Social Security regulations.

(Under regulations at that time, Linda Gail as an adopted child would either have had to be living with the Morrises before he became disabled, or had her adoption supervised by a child placement agency, in order to be eligible.)

There is no licensed private child-placement agency in Raleigh County, nor is there any independent public child-placement

agency. Linda Gail's adoption was decreed through the juvenile court, which has the statutory authority to supervise the placement of children in suitable homes. The Appeals Council, however, held that the court should not be considered a child-placement agency.

Morris then appealed the case to Federal District Court in Charleston, which ruled in his favor, saying that the regulations of Social Security as applied to the facts of Linda Gail's case were "arbitrary, restrictive, unjust and invalid."

The Secretary of Health, Education and Welfare, Elliot Richardson, (who is listed as the respondent in the Morris case) appealed that decision to the Fourth Circuit Court of Appeals, which reversed the decision of the District Court, concluding that the regulation was valid and the benefits should be denied Linda Gail.

"I just couldn't go any farther," Morris said, "and I only had 30 days to do something." Morris had been represented up to that point by former attorney P. W. Hendricks of Madison, and then by E. Lee Schlaegel Jr., also of Madison.

He was referred to the Legal Aid Society of Charleston and attorneys E. R. McClelland and Gail Falk, who appealed the decision to the U.S. Supreme Court, which agreed last year to hear the case. Their argument before the Court, which was presented last month, stated that Social Security regulations discriminated between adopted children and natural children, and discriminated against families in rural areas and other areas lacking child-placement facilities.

Social Security amendments which went into effect Oct. 30, 1972, dropped the placement agency requirement.

But under the new amendments, no adopted child can qualify for benefits as a dependent unless he or she was born and was living with the adoptive parents during the year before the wage-earner became disabled.

Since Linda Gail was not born until 1965—eight years after Morris began receiving benefits, and 12 years after he was injured—she is still not eligible.

Justice William O. Douglas was the lone dissenter from the Court's decision. He reportedly said he would have heard the argument of Morris because he could make claim to coverage under the old act.

"It's one of the most unfair things I've ever heard of," Morris said Friday. "I don't like it, I don't think I got a fair decision, but there's nobody else to rule on it."

The Morrises feel that the rules are aimed at persons who would adopt children for the additional benefits. "But we didn't take Linda Gail for the money involved," Morris added.

Morris feels that the decision "is against the Constitution—because everyone's guaranteed equal rights and that doesn't give her equal rights with other adopted children who are receiving benefits."

"I'd like to send every Senator and Congressman a letter about this" he said, "to see if they feel the law is justified. If I never got a penny out of it I'd rather like to see them change it, to help some other child."

The financing of Linda's education is the Morrises' chief concern. "I put her mother through school, 12 years, and she never missed a day," Dora Morris said. "I'm just hoping the Good Lord will let me live to put Linda Gail through high school."

Linda Gail, who will be eight in March, is a third-grader at Pettus Elementary School. A straight-A student, she is also learning to play the piano. She knew about the suit, Mrs. Morris said, but got "scared" when she was told in school Friday that a television news broadcast the night before had said she "wasn't eligible."

"I've learned to live with all the disappointments," Dora Morris concluded. "If the higher-ups can live with it, we can live without it."

S. 1692

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled. That (a) section 202(d) of the Social Security Act (as amended by section 111 of the Social Security Amendments of 1972) is amended by striking out all after paragraph (8)(C) and inserting in lieu thereof the following:

"(D)(i) was legally adopted by such individual in an adoption decreed by a court of competent jurisdiction within the United States, and

"(ii) had not attained the age of 18 before he began living with such individual."

(b) The amendment made by subsection (a) shall apply with respect to monthly benefits payable under title II of the Social Security Act for months after December 1967 on the basis of an application filed in or after the month in which this Act is enacted except that such amendment shall not apply with respect to benefits for any month before the month in which this Act is enacted unless such application is filed before the close of the six-month period after the month in which this Act is enacted.

By Mr. BELLMON:

S.J. Res. 101. Joint resolution proposing an amendment to the Constitution of the United States relating to the nomination of individuals for election to the offices of the President and Vice President of the United States, and to the direct popular election of such officers. Referred to the Committee on the Judiciary.

REFORM OF THE ELECTORAL SYSTEM

Mr. BELLMON. Mr. President, the shame of Watergate hangs heavily over the White House and the Republican Party. In a larger sense the weight of the Watergate affair should be felt by every American. For the roots of Watergate are firmly anchored in the chaotic, archaic, confusing, frustrating, expensive, exhausting, dangerous, and indirect processes by which we nominate and elect our President and Vice President.

The Watergate affair is a symptom of a greater sickness in this country's electoral system.

In a matter as serious and with such far-reaching impact as the selection of the leaders of this country, it is not just the symptom we have to treat, but the root cause.

The action of President Nixon in removing from his administration those individuals who have been implicated in the Watergate incident was, in my opinion, a courageous and perhaps overdue act that should help restore confidence of citizens of the country in their Government. Congress must move promptly to change the system which has produced not only Watergate but also unnumbered incidents of similar though lesser impact.

I regret that the President was slow in taking action, but I can understand his reluctance to move until he felt that he had the facts as to who had been involved. Congress has no excuse to delay action aimed at cleaning up our President election processes.

Apparently, the Watergate mess is about to be cleared up. However, we will not have fully lived up to our responsibilities as citizens unless we go farther and also eliminate the basic problem—a confused, complicated, and outdated system which encourages and rewards chicanery and manipulation.

Under the present system, unbearable pressures are placed on candidates and their campaign staffs to engage in the type of activity which the Watergate affair has dramatized.

The present Presidential election process is ridden with weaknesses in both the nomination and election procedures.

Let us look at the elements of the present system, beginning with the hodgepodge of State primaries.

In 1968, only 14 States held Presidential primaries. By 1972, the number had grown to 2 dozen. Each of these primaries is conducted by the State under its own set of laws and regulations. Conceivably, the day could come when not only half of the States but all 50 States would have primaries, and the result would be that our national politics would depend on 50 different and inconsistent State primary systems.

Not all State primaries produce bound delegates to the national nominating convention. In many States which do not have primaries, delegates are selected by a variety of procedures, all of which are highly vulnerable to manipulation.

In summary, I cite the following as weaknesses in our present system of nominating candidates for President:

First. One of the major ailments is the "hit and miss" method of selecting delegates to the national convention, where delegates are selected either by primaries, by the central committee, or at conventions, which gives no assurance that a candidate's true strength is adequately represented at the national convention.

Second. Since the name of the game is the search for delegates, a disproportionate amount of time is spent by the candidates in electing delegates instead of discussing and defining the issues.

Third. The present Presidential primary system magnifies the influence of some States to a disproportionate extent. For example, we are all aware of the undue influence of the New Hampshire primary because of its early date.

Fourth. But most important, there is a complete lack of uniformity in filing requirements, the significance of election results, and the proportionment of delegates in those States which have Presidential primaries.

Let me illustrate. In New Hampshire, Nebraska, and Pennsylvania, the delegates are only partially bound to the winner, usually for two convention ballots. In some of the larger and more important States—such as Ohio, Illinois, and New Jersey—the delegates are not bound at all. In the biggest State, California, a "winner take all" rule applies, wherein the winner gets all 271 delegates regardless of his margin of victory. Other States with the same provision are South Dakota, Oregon, Rhode Island, and Massachusetts. The most ludicrous practice of all occurs in Wisconsin, where there is an open primary. In that State the voters can, and often do, cross over to vote for the weakest candidate of the opposition party—the opponent they consider the easiest to defeat in the general election.

A victory in Illinois does not guarantee the candidate one delegate; whereas, a plurality in Indiana will assure a candidate that State's delegates for one ballot. A similar showing in Oregon will lock in delegates until victory or the bitter end.

Another element of our present system, the electoral college, needs to be relegated to the Smithsonian Institution along with other relics of our past.

The electoral college is a holdover from the early beginnings of representative government in this country when our national leaders were still not certain that government "by the people" would work. It came into being at a time when transportation and communications moved at mule speed; a time when educational levels were low; and a time when the bonds between Washington and the local community were all but nonexistent.

The electoral college has many faults. Here are my principal objections:

First. It has permitted the election of three Presidents who received less than their opponents in the national popular vote. In 1824, Andrew Jackson achieved a margin of more than 37,000 popular votes over John Quincy Adams, but not enough electoral votes to gain the Presidency. In 1876, Samuel J. Tilden won approximately 250,000 more popular votes than Rutherford B. Hayes, yet Mr. Hayes became President by a margin of one electoral vote. And in 1888, Grover Cleveland drew better than 90,000 more popular votes than Benjamin Harrison, yet Mr. Harrison became President. In addition, it has permitted the election of 14 "minority" Presidents, including Abraham Lincoln, James Garfield, Woodrow Wilson, Harry Truman, John Kennedy, and Richard Nixon, all of whom were elected with less than 50 percent of the vote.

The fact that these events occurred in the past is significant. But if we had an instance now in which the people of this country cast the majority of their votes for one candidate and another candidate was finally sworn in as President, I am of the opinion that that President could never function effectively, because the people of the country who voted for his opponent probably would not accept him. I feel that the situation is far more dangerous now than it was in the earlier days of our Nation's history, when there probably was less feeling and less concern on the part of our citizens about the way our Government is run.

Second. If an election is thrown into the House of Representatives because of the failure of a candidate to win a majority of electoral votes, an archaic and totally unrepresentative system gos into operation with each State having a single vote in total disregard of the population. In 1960, a shift of 4,480 popular votes from Kennedy to Nixon in Illinois and 4,491 in Missouri would have given neither man an electoral majority and would have thrown the decision into the House of Representatives. Who knows what chaos would have come as a result?

Third. There exists in the electoral system "independent" or "unpledged" electors who are not legally bound to cast their vote in the manner directed by the people. An incident of this kind occurred in my home State of Oklahoma in 1960. One of the Republican electors, who had been selected on the assumption he would cast his electoral vote for candidate Richard Nixon, actually cast his vote for Harry F. Byrd. At that time, I was serving as Republican State chairman and that was the point at which my interest in the electoral college system was first kindled. I have become more interested in this problem since that time, and especially after having served on the American Bar Association Commission which spent 2 years studying the electoral system and recommended the electoral college be abolished.

My interest in this matter was greatly furthered by the service I had as Richard Nixon's national campaign manager from August 1967 through the New Hampshire primary. The statements I am making today are partially based on that experience.

Fourth. The electoral college system tends to restrict campaign efforts to key pivotal States. With the population balance as it is today, a candidate need only to receive a simple majority of the vote in the 12 most populous States to win all the electoral votes in those States and thus, win the presidency. That means that one-third of the population can elect the President, even if the other two-thirds vote for another candidate.

Mr. President, in order to correct these and other weaknesses in our system of choosing our national leaders, drastic reforms are needed. Therefore, I am today introducing a constitutional amendment which would abolish the electoral college, and provide for a national primary and direct popular election of the President and Vice President.

This proposal is the same as one I introduced during the second session of the 92d Congress. It contains some of the same elements of Senate Joint Resolution 1 of the 91st Congress, which I cosponsored.

Briefly, here is what my proposal would do:

First. It recognizes the existence of political parties. In spite of their long and vital role, our present Constitution ignores these fundamental forces in our system.

Second. It provides for a uniform, direct, national primary election without the confusion of cross-over voting. For the first time, the voters will have direct control over party nominees. For the first time, the "one-man, one-vote" concept will apply to the presidential nominating procedures. For the first time, we would bring the presidential nominating system in line with the voting practices for most other elective offices.

Third. It creates a national runoff primary election between those two persons who receive the greatest number of votes in the primary. This insures that the presidential candidate of a political party truly represents the desires of the majority.

Fourth. It limits the presidential contest to candidates of the two political parties holding the most seats in Congress, thus eliminating the "spoiler" effect of splinter parties. The proposal does not outlaw third parties. Rather, it provides that they shall develop and mature through the capture of senatorial and congressional seats.

Fifth. Selection of the vice presidential candidate would be left to each political party after the presidential candidate has been nominated. Thus, the direct national primary would not do away with the need for a party's national convention. The convention would still be necessary for the purpose of selecting a vice presidential nominee and for writing a party platform.

But this would be done after the Presidential candidate had been chosen and he could have a choice in the procedure, which is now very difficult.

Sixth. It would require that each prospective candidate for the Presidential nomination of the party of his registered affiliation to file a petition with the seat of Government of the United States containing the signatures of qualified voters equal to one-tenth of 1 percent of the total vote cast for President in the most recent Presidential election in each of at least 30 States. This filing procedure would eliminate frivolous candidates while insuring that no serious candidate would be kept off the ballot.

Seventh. The election of the President and Vice President by direct popular vote, thus eliminating the electoral college, would be authorized. Voters in small States are given equal importance with voters in States with larger blocs of electoral votes. The direct popular election of the President from among the two nominees would guarantee that the President is elected by a true majority rule. It would give equal weight to every vote cast in the election and would encourage a candidate to give attention to every State.

Eighth. The proposal provides for the simultaneous conduct and simultaneous public announcement of election results, thus eliminating the psychological effect upon western voters who cast their votes after already knowing voting trends on the east coast.

Ninth. It provides flexibility to cope with changing conditions by authorizing Congress to establish necessary enabling legislation.

Mr. President, it is long past time for reform of our entire system of selecting our Nation's leaders. President Woodrow Wilson wrote in 1913:

> There ought never to be another presidential nominating convention; and there need never be another. Several of the states have successfully solved that difficulty with regard to the choice of their governors, and federal law can solve it in the same way with regard to the choice of presidents. The nominations should be made directly by the people at the polls.

President Nixon, in his address to the Nation Monday evening, remarked that—

> It can be very easy, under the intensive pressure of a campaign, for even well intentioned people to fall into shady tactics—to rationalize this on the grounds that what is at stake is of such importance to the nation that the end justifies the means.

He pointed out that both of the country's major political parties have been guilty of "campaign excesses" and he urged party leaders and all citizens "to join in working toward a new set of standards, new rules, and procedures—to insure that future elections will be as nearly free of such abuses as they possibly can be made."

Mr. President, that is the purpose of the action I propose today.

Mr. President, while the attention of the country is focused on Watergate is the time for Congress to act to eliminate the complex, confusing, disorderly, destructive, easily manipulated, and excessively expensive Presidential election process. The resolution I am introducing today provides a workable method of achieving this goal. I urge that the Members of this body will give it immediate serious consideration.

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

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

S.J. RES. 101

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

SECTION 1. The executive power shall be vested in a President of the United States of America. He shall hold his office during the term of four years and, together with the Vice President, chosen for the same term, be elected as provided by this Constitution.

SEC. 2. There is hereby recognized the existence of political parties, whose membership consists of citizens voluntarily associated together for the purpose of selecting and electing candidates for political office in the United States. The two political parties with which the greatest number of Members of the Congress are affiliated are authorized to nominate candidates for President and Vice President as herein provided.

SEC. 3. The official candidates for President of political parties shall be nominated in a national primary election by direct popular vote of the qualified voters in each State who shall be eligible to vote only in the primary of the party of their registered affiliation.

SEC. 4. Congress shall provide by law the time, place, and manner for the certification of persons as candidates for nomination for President; Provided, That no person shall be a candidate for nomination for President except in the primary of the party of his registered affiliation, and his name shall be on that party's ballot in all the States if he shall have filed a petition at the seat of the Government of the United States, which petition shall be valid only if in each of thirty States he has obtained the signatures of qualified voters equal to one-tenth of 1 per centum of the total vote cast for President and Vice President in the most recent presidential election in each of those States.

SEC. 5. The person who shall have received a majority of the total number of votes cast by the voters of the party of his registered affiliation in the national primary election shall be the official candidate of such party for President throughout the United States.

SEC. 6. The Congress shall provide by law, uniform throughout the United States, for the conduct of a primary runoff election to be held in the event no person receives a majority in the primary election of his party. Such election shall be held between the two persons who received the greatest number of popular votes cast for candidates for the presidential nomination by voters of such political party in the primary election.

SEC. 7. Each political party, for which, in accordance with this article, a presidential candidate shall have been nominated, shall nominate a candidate for Vice President who shall be the official candidate of such party for Vice President throughout the United States.

SEC. 8. The President and Vice President of the United States shall be elected at a general election by direct popular vote of the qualified voters of each State. In the general election, each voter shall cost a single vote for two persons who shall have consented to the joining of their names as candidates for the offices of President and Vice President. The names of candidates officially nominated as herein provided, and only such names, shall appear upon the official ballot in every State for the offices of President and Vice President. The persons joined as candidates for President and Vice President having the greatest number of votes shall be elected President and Vice President.

SEC. 9. The places and manner of holding the primary, runoff, and general elections shall be prescribed in each State by the legislatures thereof; but the Congress may at any time by law make or alter such regulations. The time of holding and announcing the results of the primary, runoff, and general elections shall be determined by Congress and shall be uniform throughout the United States. The Congress shall prescribe by law the time, place, and manner in which the results of the primary, runoff, and general elections shall be certified and declared. Voters in each State shall have the qualifications requisite for voters of the most numerous branch of the State legislature.

SEC. 10. In the event of the death or resignation or disqualification of the official candidate of any political party for President or Vice President, the national committee of such political party shall designate such candidate or candidates, who shall then be deemed the official candidate or candidates of such party.

SEC. 11. For the purposes of this article, the District of Columbia shall be considered as a State.

SEC. 12. The Congress shall have the power to implement and to enforce this article by appropriate legislation.

SEC. 13. This article shall take effect on the first day of January next following the date on which it is ratified.

By Mr. HUGHES (for himself, Mr. BROCK, Mr. BAKER, Mr. CLARK, Mr. FULBRIGHT, Mr. HUMPHREY, Mr. MONDALE, Mr. NELSON, Mr. STEVENSON, and Mr. SYMINGTON):

S.J. Res. 102. Joint resolution to authorize and request the President to proclaim June 17, 1973, as a day of commemoration of the opening of the upper Mississippi River by Jacques Marquette and Louis Jolliet in 1673. Referred to the Committee on the Judiciary.

Mr. HUGHES. Mr. President, on behalf of the Senator from Tennessee (Mr. BROCK) and myself, I introduced for appropriate reference a joint resolution, which is a companion to a joint resolution being introduced in the other body by the gentleman from Iowa (Mr. CULVER), authorizing and requesting the President to proclaim June 17, 1973, as a day of commemoration of the opening of the upper Mississippi River by Father Jacques Marquette and Louis Jolliet 300 years ago.

We are pleased to be joined in sponsorship of this legislation by the Senator from Tennessee (Mr. BAKER), the Senator from Iowa (Mr. CLARK), the Senator from Arkansas (Mr. FULBRIGHT), the Senator from Minnesota (Mr. HUMPHREY), the Senator from Minnesota (Mr. MONDALE), the Senator from Wisconsin (Mr. NELSON), the Senator from Illinois (Mr. STEVENSON), and the Senator from Missouri (Mr. SYMINGTON).

Mr. President, the Mississippi River was discovered in 1673 by Marquette and Jolliet on an historic 3,000 mile journey by canoe. In order to suitably observe the 300th anniversary of the discovery, the exploration voyage is to be re-enacted in its entirety, with an eye toward explicit authenticity and historical accuracy.

Starting on May 17 at St. Ignace, Mich., eight participants in canoes will retrace the 4-month, 3,000-mile voyage across Wisconsin, down the Mississippi to the Arkansas River, back up the Illinois River to Lake Michigan, terminating at Green Bay on September 19. They will travel in replica canoes, sleep and eat on the riverbank, and wear canvas clothing and moccasins handcrafted by one of the crew members.

The voyage is being sponsored by the Mississippi River Tricentennial Committee of the Mississippi River Parkway Commission which was established by Congress to develop the Great River Road and stimulate travel along the Father of Waters.

The tricentennial observance is an extensive effort to reawaken appreciation for one of America's greatest natural resources and one of the most significant wellsprings of our cultural heritage.

Mr. President, those of us who come from the heartland of the Nation know and love this greatest of rivers—and fear it, too, at times like these when unprecedented flooding has produced such great destruction and despair. But as the waters recede, the assistance of the Federal Government and all of the State and private disaster relief agencies will help to rebuild and renew the ongoing development of the many historical, cultural, ecological, recreational, and commercial values of the Mississippi River.

I ask unanimous consent that the joint resolution be printed in the RECORD at this point.

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

S.J. RES. 102

Whereas, June 17, 1973, marks the three-hundredth anniversary of the opening of the upper Mississippi River by Jacques Marquette and Louis Jolliet; and

Whereas, the Mississippi River Tri-Centennial Committee, established by the Mississippi River Parkway Commission, is sponsoring a reenactment of the 3,000-mile voyage of Jacques Marquette and Louis Jolliet, which will take place beginning May 17, 1973, and ending September 19, 1973; and

Whereas, it is appropriate to emphasize the importance of the Mississippi River as a natural resource and as a significant source of the cultural heritage of the Nation: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is authorized and requested to issue a proclamation designating June 17, 1973, as a day of commemoration of the opening of the upper Mississippi River by Jacques Marquette and Louis Jolliet and calling upon the people of the United States to observe the tercentenary with appropriate ceremonies and activities.

By Mr. HUMPHREY:

S.J. Res. 103. Joint resolution to direct the Secretary of Transportation to make an investigation and study of the condition and adequacy of farm-to-market roads, railroad beds, and availability of operational rail lines serving rural areas in the United States. Referred to the Committee on Commerce.

URGENT NEED FOR IMPROVED TRANSPORTATION IN AMERICA'S RURAL AREAS

Mr. HUMPHREY. Mr. President, I am today introducing legislation to direct the Secretary of Transportation to investigate the condition and adequacy of farm-to-market roads, railroad beds, and availability of operational rail lines serving rural areas in the United States.

Such a study is urgently needed because it is becoming increasingly clear that many of the roads and railroads in rural areas of the Nation are inadequate to carry the volume of produce necessary for the farmers' livelihood and for the Nation's well-being.

Let us look first at the situation of our rural roads. In the past decade production per section of land in the Middle West has shown a steady increase, but there has been no major upgrading of rural roads in this rich agricultural area. What has happened is that the roads have become woefully and totally inadequate in terms of present day tonnages that need to be hauled. Many country roads have weight restrictions—which all too often means that even empty trucks cannot be accommodated. This transportation problem is exacerbated during the spring months when the ground thaws and many country roads become too weak to stand heavy loads traversing them.

In the State of Minnesota alone, according to a recent study by the State Highway Department, thousands of miles of roads are embargoed during the critical spring months. The affected roads lead to and from 214 municipalities in my State—municipalities in the heart of the breadbasket of the world.

Right now we have signs posted on many of our country roads warning the farmers and the truckers that "this road will take only 5 tons, or 4 tons, or 6 tons."

Now, what does this mean in human terms? It means that many of our Midwestern farmers cannot load their trucks to capacity, cannot get necessary fertilizer and equipment needed for spring planting into their farms, or the heavy volume of produce out. The roads do not even begin to accommodate the size trucks in terms of either the harvested crops or the plant foods, fuel, and equipment needed to produce the crops.

What makes this problem especially urgent is that in many instances the only way we can move our commerce, particularly agriculture and rural industry products, is over roads, because our railroads have been abandoning lines either through Interstate Commerce Commission—ICC—order or by neglect. Today we have a rail service that no longer meets the requirements. We have antiquated trackage over which trains can move only at a snail's pace, or not at all. We also are faced with continuous requests of the railroads to abandon even more miles of track. There are repeated instances of this problem all throughout the Midwest. Let me give you just one example.

In Clements, Minn., the railroad was abandoned some 4 years ago. As of this date this town still does not have an all-weather road to service either the grain elevator or the fertilizer plant in the community.

Even if the railroad were still in operation, it would be physically impossible to give the kind of service necessary due to roadbed deterioration of the railroad line.

This kind of situation is not in the best public interest in terms of the security of the Nation or the economics involved—and yet it is a situation which is becoming the rule instead of the exception in the Middle West.

Due to technology we have achieved a high degree of agricultural productivity, which represents one of America's greatest strengths. Recognizing the importance of increased food production to domestic and world food needs, it is unfortunate that we are endeavoring to move this production, as well as to increase it, using a horse and buggy type transportation system.

America's midwest is the breadbasket of the world, it represents the greatest opportunity for peace and the greatest strength America has; and yet, there is no leadership being displayed, no plan, no program in terms of achieving a sound transportation system to move this ever-increasing production both economically and efficiently.

It is imperative that the Government move rapidly in terms of investigating this entire situation as well as in developing programs to correct it. Our farmers are hurting, are hurting at a time when commodities traders are prospering and food prices are reaching all time record levels.

For these reasons, I am introducing the following resolution to direct the Secretary of Transportation to investigate and study the condition and adequacy of farm to market roads and railroads serving rural areas in America. The Secretary shall report the result of the investigation to the President and to Congress no later than December 31 of this year.

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

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

S.J. RES. 103

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Secretary of Transportation shall make a full and complete investigation and study of farm to market roads, railroad beds and availability of operational rail lines serving rural areas in the United States for the purpose of determining the condition and adequacy of such roads and rail lines to carry the volume and weight of agricultural and other commodities from rural areas necessary for the Nation's economy.

(b) In carrying out such investigation and study the Secretary shall consult with appropriate State and local government officials and other appropriate experts.

SEC. 2. The Secretary shall make a report of the results of the investigation and study pursuant to this joint resolution, together with his recommendations, to the President and the Congress not later than December 31, 1973.

SEC. 3. There is authorized to be appropriated such amount as is necessary for the purpose of this joint resolution.

ADDITIONAL COSPONSORS OF BILLS

S. 978

At the request of Mr. EASTLAND, the Senator from California (Mr. CRANSTON) was added as a cosponsor of S. 978, to amend the Federal Trade Commission Act (15 U.S.C. 45) to provide that under certain circumstances exclusive territorial arrangements shall not be deemed unlawful.

S. 1123

At the request of Mr. Moss, the Senator from Rhode Island (Mr. PELL) was added as a cosponsor of S. 1123, to amend title 5, United States Code, to provide for the reclassification of positions of deputy U.S. marshal, and for other purposes.

S. 1125

At the request of Mr. HUGHES, the Senator from Delaware (Mr. BIDEN), and the Sentor from Maine (Mr. MUSKIE) were added as cosponsors of S. 1125, to amend the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment, and Rehabilitation Act and other related acts to concentrate the resources of the Nation against the problem of alcohol abuse and alcoholism.

S. 1218

At the request of Mr. GRAVEL, the Senator from West Virginia (Mr. RANDOLPH) was added as a cosponsor of S. 1218, a bill to amend title II of the Communications Act of 1934 to authorize common carriers subject to such title to provide certain free or reduced rate service for individuals who are deaf or hard of hearing.

S. 1418

At the request of Mr. HATFIELD, the Senator from Missouri (Mr. SYMINGTON), and the Senator from Delaware (Mr. ROTH) were added as cosponsors of S. 1418, commemorating the 100th anniversary of the birth of Herbert Hoover by providing grants to the Hoover Institution on War, Revolution, and Peace.

S. 1665

At the request of Mr. GRAVEL, the Senators from Minnesota (Mr. HUMPHREY

and Mr. MONDALE) were added as cosponsors of S. 1665, a bill to terminate the Airlines Mutual Aid Agreement.

SENATE CONCURRENT RESOLUTION 23—SUBMISSION OF A CONCURRENT RESOLUTION TO ESTABLISH A JOINT COMMITTEE ON INFORMATION AND INTELLIGENCE

(Referred to the Committee on Armed Services.)

Mr. HATHAWAY. Mr. President, I submit for appropriate reference a resolution to establish a Joint Committee on Information and Intelligence.

In advocating the establishment of a new 14-member committee, my purpose is to provide closer congressional oversight of the activities and expenditures of the CIA and all other intelligence organizations of the United States.

Those activities cost the American taxpayer whom we represent an estimated $6 to $8 billion dollars a year. Yet we know little of those expenditures or the operations they finance. We learned about the CIA, ITT, and Chile from Jack Anderson, and about CIA activities in Indochina from the "Pentagon Papers." We know more about the U.S. intelligence activities from reading the newspapers than from performing our duties as U.S. Senators. Even though we appropriate the money, we don't even know how much in public funds is spent to finance these activities since they are often hidden in the budget.

It is essential that the elected representatives of the people have the right—and perform the duty—of overseeing the activities and expenditures of the CIA and other intelligence agencies.

The joint committee I am advocating would have the power to obtain the necessary materials and testimony to allow it to make continuing studies of the activities of U.S. intelligence agencies, their expenditures and the purposes of those expenditures, problems relating to intelligence programs, and the relationship between U.S. intelligence agencies and U.S. based corporations and the impact of these relationships on U.S. foreign policy.

As the Senator from Wisconsin (Mr. PROXMIRE) has said—

> At the present time, the Congress only gives a "quick over-the-shoulder look" at intelligence activities.

Given that we are required to make detailed decisions regarding foreign policy and national security, including the commitment of material and human resources, an "over-the-shoulder look" is not enough.

It is time we maintained an effective surveillance over the surveillants we finance. I believe the committee I am advocating could provide that surveillance.

There is ample precedent for this kind of approach to congressional oversight of sensitive activities. The Atomic Energy Commission is charged with keeping the Joint Committee on Atomic Energy "fully and currently informed" with respect to activities in that highly sensitive area.

At the present time intelligence information developed by the CIA and other agencies is available only to the Executive. I believe we are entitled to share that information. We provide funds for worldwide intelligence-gathering and other undercover operations, and we should be kept informed of what this arm of our Government is doing.

At the same time, we will be strengthening our ability to discharge our constitutional responsibilities in the foreign policy field. We will not be faced again and again with the Executive saying, as was said in the ABM fight, "if you only knew what we know." We would know, and we would not be forever tagging onto Executive trains that have already left the station.

Mr. President, I ask unanimous consent that the concurrent resolution be printed in the RECORD at this point.

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

S. CON. RES. 23

Resolved by the Senate (the House of Representatives concurring), That (a) there is hereby established a joint congressional committee to be known as the Joint Committee on Information and Intelligence (referred to in this joint resolution as the "joint committee"), to be composed of seven Members of the Senate appointed by the President of the Senate, and seven Members of the House of Representatives appointed by the Speaker of the House of Representatives. In each instance not more than four members shall be appointed from the same political party.

(b) Vacancies in the membership of the joint committee shall not affect the power of the remaining members to execute the functions of the joint committee, and shall be filled in the same manner as in the case of the original selection.

(c) The joint committee shall select a chairman and a vice chairman from among its members at the beginning of each Congress. The vice chairman shall act in the place and stead of the chairman in the absence of the chairman. The chairmanship shall alternate between the Senate and the House of Representatives with each Congress, and the chairman shall be selected by the members of the joint committee from the House entitled to the chairmanship. The vice chairman shall be selected in the same manner as the chairman, except that the vice chairman shall be selected by the members of the joint committee from the House not entitled to the chairmanship.

(d) The joint committee may appoint and fix the compensation of such experts, consultants, technicians, and clerical and stenographic assistants as it deems necessary and advisable.

(e) The joint committee is authorized to utilize the services, information, facilities, and personnel of the executive departments and establishments of the United States.

(f) The joint committee is authorized to classify information originating within the joint committee in accordance with standards used generally by the executive branch of the Federal Government for classifying restricted data or defense information.

(g) The joint committee shall keep a complete record of all committee actions, including a record of the votes on any question in which a record vote is demanded. All committee records, data, charts, and files shall be the property of the joint committee and shall be kept in the offices of the joint committee, or such other places as the joint committee may direct, under such security safeguards as the joint committee shall determine to be in the interest of national security.

(h) The joint committee may make such rules respecting its organization and procedures as it deems advisable, but no measure or recommendation shall be reported from the joint committee unless a majority of the members thereof assent.

SEC. 2. (a) The joint committee shall make continuing studies of—

(1) the activities of each information and intelligence agency of the United States,

(2) the relationships between information and intelligence agencies of the United States and United States-based corporations and the effect of such relationships on United States foreign policy and intelligence operations abroad,

(3) the problems relating to information and intelligence programs, and

(4) the problems relating to the gathering of information and intelligence affecting the national security, and its coordination and utilization by the various departments, agencies, and instrumentalities of the United States.

(b) Each information and intelligence agency of the United States shall give to the joint committee such information regarding its activities as the committee may require. Such information shall include data with respect to the amounts, purposes, and recipients of expenditures made by each such agency.

(c) As used in this joint resolution, the term "information and intelligence agency of the United States" means the United States Information Agency, the Central Intelligence Agency, and any unit within any of the executive departments or agencies of the United States conducting information or intelligence activities (including any unit within the Departments of State, Defense, Army, Navy, and Air Force, including the operation of the Federal Bureau of Investigation).

SEC. 3. (a) All bills, resolutions, and other matters in the Senate and House of Representatives relating primarily to any information and intelligence agency of the United States or its activities shall be referred to the joint committee. The joint committee shall make an annual report to both Houses of Congress and shall make such additional reports as it deems necessary in carrying out its duties. The annual report shall include recommendations with respect to matters within the jurisdiction of their respective Houses which are—

(1) referred to the joint committee, or

(2) otherwise within the jurisdiction of the joint committee.

(b) In carrying out its duties under this joint resolution, the joint committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such times and places, to require, by subpena or otherwise, the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, to procure such printing and binding, and to make such expenditures as it deems advisable. Subpenas may be issued over the signature of the chairman of the joint committee, or by any member designated by him, or by the joint committee, and may be served by any person designated by such chairman or member.

SEC. 4. The expenses of the joint committee shall be paid from the contingent fund of the Senate upon vouchers signed by the chairman.

ADDITIONAL COSPONSORS OF A RESOLUTION

SENATE RESOLUTION 87

At the request of Mr. BARTLETT, the Senator from Nevada (Mr. BIBLE), and the Senator from Massachusetts (Mr. KENNEDY) were added as cosponsors of Senate Resolution 87, requesting the President to begin a national program on car pooling.

AMENDMENT OF SMALL BUSINESS ACT—AMENDMENT

AMENDMENT NO. 97

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

Mr. TAFT. Mr. President, today I am submitting an amendment to S. 1672, a bill to amend the Small Business Act, which would restore to a limited extent the grant through loan forgiveness program for victims of floods, hurricanes, tornadoes, and other natural disasters.

The disaster relief laws were recently amended to eliminate this assistance. As a result, the best Uncle Sam will presently do for a disaster victim whose home or business has been demolished is to give him a 5-percent loan. This is absolutely unconscionable. A 5-percent loan with no forgiveness provision is hardly adequate assistance for an elderly person trying to make ends meet on a fixed income and suddenly without adequate housing, or a low- or moderate-income family still responsible for mortgage payments on its silt-covered home.

I point this out particularly in view of the fact that I just read the message from the President of the United States on the subject of foreign aid and note that we are including in it the disaster relief assistance provisions that we have financed in the past, and which I feel sincerely we should continue to finance internationally.

It can certainly be argued that the disaster relief legislation which we passed last year to provide $5,000 grants and 1 percent loans for disaster victims, placed an excessive financial burden on the Government. I argued during the debate on that bill that these provisions were unwise, mainly because the $5,000 grants would be given irrespective of need. The same extensive Government assistance would be made available to millionaires for repairing their tennis courts, and people who were really made destitute by a disaster.

At that time, the Senate passed my amendment to base the grant amount on the recipient's last year's income. However, this amendment was not accepted by the House of Representatives. The resulting forgiveness grant program was certainly unwise; nevertheless, the answer to the inadequacies of this program is not to abolish disaster relief grants altogether.

The amendment which I am introducing today would provide a grant of 100 percent of the damage amount, up to $2,500, for those victims of Small Business Administration-declared or Presidentially declared disasters with last year's incomes of $10,000 or less. The percentage grant would drop by 4 percent for each additional $1,000 of income. Everyone could receive at least 20 percent of his damage amount, up to $2,500, as a grant. Any additional loan would be made at the present rate of 5 percent.

These provisions would apply to all disasters occurring on or after April 20, the date after which disaster grants would otherwise be unavailable.

The amendment also allows the Small Business Administration to retain its discretionary authority to refinance mortgages of substantially damaged homes for a loan amount greater than the amount of the physical loss sustained—provided that monthly mortgage payments are not lowered as a result of the refinancing—and to avoid hardship situations by suspending disaster loan payments for the lifetime of individuals and spouses who rely for support on survivor, disability, or retirement benefits. This authority is scheduled to expire on July 30, 1973. The refinancing provisions are essential to take care of low- and moderate-income disaster victims who have large outstanding mortgages or large repair bills.

My amendment would provide enough grant assistance to enable many low- and moderate-income citizens whose homes and businesses have been damaged to avoid serious hardships. Yet it would cost considerably less than the forgiveness arrangement passed last summer. The income-related forgiveness feature might also cost less than the forgiveness grant provisions of the Disaster Relief Act of 1970, which allowed up to $2,500 forgiveness, regardless of income, to victims of Presidentially declared disasters. I believe that it is both responsive to the needs of disaster victims and fiscally responsible. It should, therefore, be added by the Senate as an amendment to S. 1672.

I ask unanimous consent that the amendment be printed at this point in the RECORD.

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

AMENDMENT NO. 97

At the end of the bill add the following new section:

SEC. 4(a) The second paragraph following the numbered paragraphs of section 7(b) of the Small Business Act is amended by striking out the following:

"and prior to July 1, 1973,"

(b) Clause (D) of the second paragraph following the numbered paragraphs of section 7(b) of the Small Business Act is amended—

(1) by striking the "and" at the end of subclause (i);

(2) by striking out "July 1, 1973" in subclause (ii) and inserting in lieu thereof "April 20, 1973";

(3) by striking the period at the end of subclause (ii) and inserting in lieu thereof "; and"; and

(4) by adding at the end thereof the following new subclause:

"(iii) with respect to a loan made in connection with a disaster occurring on or after April 20, 1973, notwithstanding the provisions of Public Law 93-24, the total amount so cancelled shall not exceed $2,500, and the per centum of the principal of the loan to be cancelled shall be reduced by four for each $1,000 by which the borrower's income exceeds $10,000, but in no case shall such per centum be less than 20. For the purpose of this subclause (iii), 'income' means—

(I) except in the case of a borrower who retires or becomes disabled in either the taxable year in which the loss or damage is sustained or the preceding taxable year, or in the case of a borrower which is a corporation, adjusted gross income, as defined in section 62 of the Internal Revenue Code of 1954, reduced by $300 for each deduction for personal exemptions allowable to the borrower under section 151 of such Code, for the taxable year preceding the taxable year in which the loss or damage is sustained,

(II) in the case of a borrower who retires or becomes disabled in the taxable year in which the loss or damage is sustained or in the previous taxable year, adjusted gross income as defined in section 62 of the Internal Revenue Code of 1954, reduced by $300 for each deduction for personal exemptions allowable to the borrower under section 151 of such Code, as estimated by the Administrator for the taxable year after the taxable year in which the loss or damage is sustained, and

(III) in the case of a corporation, taxable income, as defined in section 63 of the Internal Revenue Code of 1954, for the taxable year preceding the taxable year in which the loss or damage is sustained."

EXTENSION OF AUTHORIZATIONS OF THE PUBLIC WORKS AND ECONOMIC DEVELOPMENT ACT OF 1965—AMENDMENT

AMENDMENT NO. 94

Mr. DOMENICI. Mr. President, yesterday I introduced amendment 94 to H.R. 2246, the Public Works and Economic Development Amendments of 1973. My reasons for doing so are as follows:

As reported by the Public Works Committee, H.R. 2246 extends the entire Public Works and Economic Development Act for another full year without significant modification of the basic law although the committee did reduce the authorization in the bill from $1.2 billion currently authorized to $362.5 million.

The administration proposes to terminate the Public Works and Economic Development Act and has indicated that the act's objectives can be continued under other existing or proposed programs such as the Rural Development Act and the Better Communities Act.

The amendment I intend to offer would extend all titles of the Public Works and Economic Development Act for an additional 4 months, through October 31, 1973, at the authorization level of $211 million, to give Congress time to appraise the new and proposed alternative programs—some of which are only now being received in detail by the Congress—and to do so without a gap in the authorities now vested in the EDA Act. My alternative proposal for less than a full 1-year extension would keep EDA in place during the remainder of this session of Congress but it would commit the Congress to examination without de-

lay the new proposals for program reform, and for the return to the States and local communities of initiative and authority.

If the Senate is serious about program consolidation and eliminating duplication and waste, we ought to avoid annual extensions without change of the ongoing programs. For this reason, while I am sympathetic to the stated objectives of the committee bill and supported also the McClure substitute, I believe my proposal is superior in setting ourselves a schedule for action while preserving EDA authority during the transition.

As a member of the Public Works Economic Development Subcommittee, my position throughout consideration of this bill has been that the transition from the existing program be made in an orderly a manner as possible. This transition is crucial whether the program is eventually phased out, consolidated and relocated in other agencies or rewritten as is being proposed by the committee. The question remains, however, as to what functions of the act should be continued at this time, including those which cannot now be funded under other existing or realistically contemplated programs. Because I believe more time is needed to evaluate this transition, I think some extension of the existing law is needed beyond June 30, 1973, the cutoff date presented in the fiscal year 1974 budget.

When the committee undertook consideration of the extension bill, several of the alternative programs being proposed had not been received in detail by the Senate and implementation of the Rural Development Act of 1972—the act designated to assume the principal work of EDA—had not been completed. More information on these programs will be available to the Senate in the coming months and we can make a determination during this session as to which EDA functions need be modified, consolidated or continued. Programs which are duplicative and wasteful can be ended, those which need to coordinate more effectively with the newer programs can be modified and those which are useful and unique to the EDA Act can be continued.

In order to be consistent with the intent of this proposal as an interim measure, my amendment continues existing programs now in place without introducing new authorities as contained in the committee bill. Specifically, my amendment would retain the present 75-percent planning grants for Indians and maintain the status of eligible areas and districts as provided by current law. This is not to say that I disagree with the need for such provisions. I simply feel that changes in existing law would be difficult to implement in 4 months and in any case these measures can be made part of more permanent legislation developed in the period my amendment would provide.

The EDA authorities will end unless some extension of the act is agreed to by June 30, 1973. My amendment, while preserving EDA and the title V Regional Commissions through October 1973, would move us quickly to a study of the alternatives being proposed and enable a smooth transition to whatever future legislation is decided upon by the Congress.

I ask unanimous consent that the text of the amendment be printed in the RECORD.

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

AMENDMENT NO. 94

On page 3, beginning on line 16 strike the words "and not to exceed $200,000,000 for the fiscal year ending June 30, 1973." and insert in lieu thereof "and not to exceed $133,000,000 for the period from July 1, 1973, through October 31, 1973."

On page 3 beginning on line 23 strike the words "and not to exceed $50,000,000 for the fiscal year ending June 30, 1974." and insert in lieu thereof "and not to exceed $28,000,000 for the period from July 1, 1973, through October 31, 1973."

On page 4 delete Section 3 beginning on line 1, strike all through the end of line 7 and renumber succeeding sections accordingly.

On page 4, beginning on line 12, strike the words "and $12,500,000 for the fiscal year ending June 30, 1974." and insert in lieu thereof "and $8,000,000 for the period from July 1, 1973, through October 31, 1973."

On page 4, beginning on line 16, strike the words "and not to exceed $25,000,000 for the fiscal year ending June 30, 1974," and insert in lieu thereof "and not to exceed $17,000,000 for the period from July 1, 1973, through October 31, 1973."

On page 4, beginning on line 23, strike "and for the fiscal year ending June 30, 1974, to be available until expended, $75,000,000." and insert in lieu thereof "and for the period from July 1, 1973, through October 31, 1973, to be available until expended, $25,000,000."

On page 5 delete section 6 beginning on line 1 strike all through the end of line 17.

NOTICE OF HEARINGS ON PETROLEUM PRODUCT SHORTAGES

Mr. McINTYRE. Mr. President, the Committee on Banking, Housing and Urban Affairs will commence a week of hearings on the impact of petroleum product shortages on the national economy beginning May 7 and ending May 11, 1973, at 10 a.m. each day, room 5302, Dirksen Office Building.

All persons wishing to testify should contact Mr. T. J. Oden, assistant counsel, room 5300, Dirksen Office Building: telephone 225–7391.

NOTICE OF A HEARING ON A NOMINATION

Mr. EASTLAND. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Wednesday, May 9, 1973, at 10:30 a.m., in room 2228, Dirksen Office Building, on the following nomination:

Elliot L. Richardson, of Massachusetts, to be Attorney General.

At the indicated time and place persons interested in the hearing may make such representations as may be pertinent.

ANNOUNCEMENT OF INDIAN AFFAIRS SUBCOMMITTEE HEARINGS

Mr. JACKSON. Mr. President, I would like to call attention to the fact that the Subcommittee on Indian Affairs will hold hearings on S. 1012 and S. 1339, to establish the Indian Trust Counsel Authority and for other purposes, on May 7 and 8, 1973.

The two bills are administration proposals whose major purpose is to establish an independent agency to fulfill more effectively the Federal trustee's role in the field of American Indian affairs. The Authority, in essence, will serve as a legal advocate to insure independent legal counsel and representation for the preservation and protection of the natural resource rights of the Indians.

Public and private witnesses have been invited to present testimony at the 2-day hearing.

The hearing will commence both days at 9 a.m. in room 3110 Dirksen Senate Office Building.

ADDITIONAL STATEMENTS

TAX RELIEF AND REFORM

Mr. PERCY. Mr. President, this morning at the opening of hearings on property tax relief and reform by the Intergovernmental Relations Subcommittee, I testified on a proposal prepared by Senator MUSKIE and me, and introduced with 10 cosponsors, to provide property tax relief to all low-income homeowners and renters. The program would operate through the State governments. Under it, the Federal Government would make grants to the States to pay half of the costs of qualifying property tax relief programs. The Federal grants would be conditional, however, on eventual reform of State and local property tax systems. States would have 4 years to implement reforms specifically stated in the bill, before losing Federal grants.

This program has many advantages. It extends to all needy homeowners and renters, regardless of age. It relies on the State governments, which have always been recognized as having the main responsibility for property taxation. It would specifically recognize and support efforts now being made by 14 States to provide programs known as circuit-breaker tax relief systems for low-income homeowners and renters. Finally, and most importantly, it links property tax relief with the requirement for reform. In my view it would be irresponsible to do otherwise. Corrupt, inefficient, antique property tax systems in the cities and States have had extremely harmful effects on land use and urban development, and can even be demonstrated to contribute in a major way to urban blight and decay. To permit these systems to remain unreformed, I believe, will weaken the objective of strengthening the fiscal responsibility of the States,

which must be the keystone of any program of new federalism.

Mr. President, I ask unanimous consent that my statement on S. 1255 be printed in the RECORD.

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

STATEMENT OF SENATOR CHARLES H. PERCY

Mr. Chairman, Committee members: I am very pleased to be invited to open these hearings on S. 1255, the Property Tax Relief and Reform Act of 1973, which we introduced together on March 15, and which is now cosponsored by Senators Mathias, Bayh, Humphrey, Metcalf, Ribicoff, Tunney, Pastore, Brooke, McGovern, and Stafford.

The hearings are timely both because they address an important issue, and because we now have the benefit as well of the President's property tax relief proposal. It was presented by Secretary Shultz to the Ways and Means Committee on Monday in fulfillment of the President's promise on January 20, 1972, to recommend a program to meet the needs of homeowners and renters, and to fulfill the commitment in his speech accepting the Republican nomination "to reduce the property tax, which is such an unfair and heavy burden on the poor, the elderly, the wage earner, the farmer, and those on fixed incomes." As you know, the program announced by Secretary Shultz on Monday deals only with the needs of overburdened elderly homeowners, by providing a credit against their *Federal* taxes if property taxes exceed 5 percent of their household income. In the case of renters, real property taxes would be considered to constitute 15 percent of rent paid.

Mr. Chairman, I believe that the key issue that must be confronted squarely at the outset of our Committee's effort to create legislation providing incentives for relief and reform of local property taxes is whether or not the Federal Government does, in fact, have a role in helping change what for many, many decades has been exclusively a state and local form of taxation.

As you well know, the Advisory Commission on Intergovernmental Relations at its meetings last December voted to take the position that the Federal Government *has* no role—that the states must be entirely responsible for local tax reform. Mr. Chairman, you and I both filed dissents to that decision. I wrote that, while I believed that state and local governments must maintain primary responsibility for the administration of the property tax, the Federal Government most decidedly has a very proper role in encouraging local relief and reform.

Secretary Shultz based the Administration's program on the premise that the Federal Government had an obligation to provide relief from excessive local property taxes, at least for *some* citizens. Secretary Shultz said that "the imposition of excessive property taxes on the elderly undercuts social security and other Federal programs designed to provide retirement benefits, as well as a minimum of security for the aged."

I would go further. The imposition of excessive property taxes on *all* low-income Americans undercuts all Federal programs to provide income support for all groups in our society. But our approach to this critical problem differs from the President's in an even more important way. Our approach is based on a sharply different philosophy about the proper role of the Federal Government in the Federal/state tax structure.

Our bill makes these two key distinctions. First, we place the main burden for property tax relief for all low-income homeowners and renters on the individual *state* governments. We thus recognize that the property tax system in each state is unique and distinct from the system in any other state. We give proper recognition—and direct encouragement—to the programs of "circuit-breaker" relief *already* enacted by 14 states and those under consideration by other states. Thus, the Federal grants we provide to the states do *not* pre-empt state relief programs. Instead, I believe S. 1255 strengthens state responsibility by relying on the state governments to originate and administrate their own property tax relief and reform programs.

Second, we link the offer of relief with the *requirement* for property tax reform. I do not believe there is a more important or urgent need in local government finance today than property tax reform. The recent report of Arthur D. Little and Company commissioned by the Department of Housing and Urban Development demonstrated how shoddy property tax administration in 10 major American cities had contributed to urban blight and decay, provided disincentives to individual owners and investors to repair and restore deteriorating properties, and discouraged potential minority entrepreneurs from buying and upgrading properties in their own neighborhoods.

In brief, what A. D. Little found is that in most of the cities studied property assessments are not revised to reflect actual property values. As neighborhoods begin to decline, for many combinations of economic and social reasons, and property values and rents correspondingly drop, assessed valuations do not. Landlords receive lower and lower rents while property taxes may even increase. Soon property taxes take the lion's share of rents, leaving nothing to meet other expenses. Eventually, owners, who years earlier had brought what they considered solid investments, abandon their properties, hoping to sell them to public authorities for rights-of-way or public housing, rather than accept the huge capital losses they would realize were they to sell to potential minority buyers. At the same time, the A. D. Little study showed how property tax administration fails to reflect fully property values in the higher-income suburbs and neighborhoods. This is a tragic, needless process, and its fruits of blight and squalor mark every major American city.

Mr. Chairman, this demonstration of the urgent need for reform in major cities is echoed and confirmed by a recent report of your Intergovernmental Relations Subcommittee. The report attempted to assess, through a survey of each of the states, the extent to which states have reformed their property tax systems in the 10 years since the ACIR first recommended a series of badly needed reforms. The conclusion of the survey was that the majority of states have failed to take positive action and that the quality of property tax administration in most states is tragically bad.

Under our bill, Federal payments to the states to support their relief programs are made conditional on ultimate reform. States receiving Federal funds would lose half that support in the third year of the program and all of it in the fourth year if they failed to adopt the reforms required by the bill.

I think it would be irresponsible to provide property tax relief without at the same time requiring reform.

Providing relief without reform would simply permit the present tax systems to remain intact—systems that are at worst corrupt, at best inefficient, and usually antiquated. This would be a serious mistake. For one of the most important goals of the Federal Government in my opinion, is to encourage the development of strong local government tax-raising systems. A major goal of our bill is to encourage local fiscal self-support and responsibility by requiring reform. This is the essence of the spirit of "the New Federalism."

Mr. Chairman, it can be argued that property taxation is intrinsically a local matter and that local governments should be allowed to solve their problems for themselves. I deeply respect this viewpoint. However, I think it is possible to design, as we have tried to do, a Federal program that relies on the states to act as the agents of change and reform, with Federal encouragement and within Federal guidelines.

The property tax is under increasing attack from many quarters as costs of public services increase. Reforming the property tax can, in my view, do a great deal to reduce inequitably high rates for many property owners, and raise them for those who are unfairly exempted or underassessed.

Our bill encourages both objectives without removing basic responsibility from the states. Through a program of matching grants it provides adequate property tax relief programs for all low-income homeowners and renters. Yet it provides a strong incentive for reform by making these grants conditional on implementation—within four years—of specified property tax reforms. These reforms have been carefully considered and well studied. They are in large measure based on work of the Advisory Commission on Intergovernmental Relations, which has studied the property tax systems of the states for at least a decade. These reforms themselves should help people who are now so angry over glaringly unfair assessments, and the difficulty of obtaining access to information about their taxes and of appealing unfair assessments on their homes.

A major problem in most states is the failure of local governments to account for properties that have received, over time, exemptions from tax. The result is that many local governments do not even know the value of the property that is not being taxed. Many do not even know what those properties are. Our bill would require states to keep such records.

A recent development in Chicago relates directly to this issue. This week the City of Chicago Tax Assessor recommended to the State Legislature a bill that would place on the tax rolls properties which are owned by tax-exempt charitable organizations, but are leased to commercial enterprises. Currently, the commercial enterprise pays tax on the buildings on the property, but *not* on the value of the land. Under the proposed legislation lessees of tax-exempt land would have to pay taxes on the assessed valuation of the land as if they owned it.

Thus, for example, the Continential Illinois National Bank and Trust Company, one of the nation's great financial institutios, would, under the bill, have to pay taxes on the extremely valuable downtown land, owned by Northwestern University, on which its LaSalle Street building stands.

I strongly support this legislation. If passed, it will result in an estimated $10.3 million in additional tax revenue for Cook County. This is the kind of reform our bill would promote in all the states.

Finally, I believe that the program of grants and interest-free loans provided in titles IV and V of the bill represent an appropriate encouragement to the states to improve their property taxation systems whether they adopt relief programs or not. As the recent report of this Subcommittee on property taxation in the states showed, property tax administration in all states must be improved. In my own State of Illinois, important steps have been taken to upgrade assessment practices. And Illinois adopted last year a relief program that should do

much to assist the poor homeowner and renter. Nonetheless, the property tax problem remains a serious one in my State and in the vast majority of other states. This bill is an effort to encourage both relief and reform in all the states, while relying on the states to achieve these goals. I think we have framed a responsible response to an extremely important problem.

CITIES REPORT ON SOLID WASTE AND RECYCLING

Mr. MOSS. Mr. President, the National League of Cities/U.S. Conference of Mayors recently produced a very interesting document. At a time when the President has said that solid waste management is a local problem, the league was drafting a position paper—requested by the administration—which clearly shows that this problem is a national issue and that only national action will yield the kind of results needed to meet the mounting problems of solid waste.

The administration has obviously ignored the advice it sought.

Approximately 98 percent of the costs of solid waste management are borne by State and local government. The Federal Government simply is not carrying its share of the burden or encouraging general policies that would increase reuse of resources.

The report gives a clear call for action. It urges:

First. Use of solid waste as an energy source;

Second. Elimination of discrimination on freight rates for recycled materials;

Third. Elimination of tax discrimination against recycled materials;

Fourth. Requiring Federal procurement of recycled materials when possible;

Fifth. Packaging standards to decrease the volume of solid waste;

Sixth. Making resource recovery from solid waste profitable economically;

Seventh. Incorporating disposal costs into the price of products;

Eighth. Increased efforts in R. & D.

Ninth. Increased technical assistance from the Federal Government; and

Tenth. Better use of information from demonstration projects.

These are simply the highlights of the league/conference report. There are many more detailed suggestions listed in the full text.

The Resource Recycling and Conservation Act of 1973, which I introduced April 16, incorporates many of the suggestions brought forth in this report. Other legislation being drafted in Congress presently, particularly that of the chairman of the Environment Subcommittee of the Senate Commerce Committee, Senator HART, incorporates other suggestions mentioned by the cities. These are good ideas, and legislation is being developed in Congress to incorporate these ideas.

Will these legislative efforts have the help of the President? The answer appears to be "no." The refuse of society mounts as does administration rhetoric; yet on the subject of solid waste disposal, the President is virtually silent. National activities have brought about a massive problem that may be the most difficult of our pollution problems to control. What has the White House said? "This is a local problem." Therefore, Federal funds will be cut. The administration will not attempt to come up with innovative ideas by using the demonstration program grants authorized in the Resource Recovery Act of 1970. These grants, funded at a level of $30 million in fiscal year 1973, are scheduled to be cut back to $5.2 million in fiscal year 1974.

As in most environmental matters, Congress will have to take the lead. Years ago I began calling for the establishment of nondiscriminatory freight rates for recycled materials, for increased Government purchasing of recycled materials, and general policies to encourage recycling and better solid waste management practices. Earlier congressional action, particularly enactment of the Resource Recovery Act of 1970, established clear congressional leadership in this field. The people want this problem solved, and I am confident that Congress is going to be responsive to this desire.

I ask unanimous consent that the highlights of the report made by the National League of Cities/U.S. Conference of Mayors, dated May 15, 1973, be printed in the RECORD. It will be a useful reference for Congress and the public.

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

CITIES AND THE NATION'S DISPOSAL CRISIS

(A report of the National League of Cities and U.S. Conference of Mayors Solid Waste Management Task Force)

INTRODUCTION

The report that follows covers an intensive three-month study of solid waste issues by the National League of Cities and the United States Conference of Mayors. We have looked at municipal capability in the context of a basic Federal strategy toward comprehensive solid waste management. We have examined major issue areas, including collection and transportation, disposal and resource recovery, regulation and source reduction, financing and economic incentives, appropriate intergovernmental roles, and problems peculiar to municipal management. Within this tight time frame, we have also assessed the financial, management and technical assistance needs of the nation's cities in solid waste management.

The principle vehicle for our study has been a 14-member Task Force representing ten municipalities, three state municipal associations, and one regional council of government. This group of mayors and city administrators combine more than 150 years of direct experience with solid waste problems. The interest and participation of the Task Force were gratifying, attested by the fact that several cities sent additional representatives at their own expense to assist with the heavy work load.

HIGH PRIORITY RECOMMENDATIONS

The cities and counties of the nation are, and properly ought to be, the focal point for confronting the challenges of solid waste management. The Task Force study of municipal capability reveals a mixture of varying effort and capability levels in cities to meet those challenges. But the Task Force assessment also finds cities contending with solid waste problems which in scope and magnitude are not produced by local policies, problems whose solutions require: (1) resources and support functions that exceed the internal capability of all cities, (2) available land areas for disposal which many cities increasingly lack within their political boundaries, and (3) technology for resource recovery which has severe financing and marketing limitations on a large scale.

Furthermore, the Task Force review of solid waste issues finds direct relationships between solid waste management, especially current waste generation and disposal practices, and the larger issues of national resource conservation.

The Task Force, therefore, directs its attention to those policies and practices at the national, state and local levels which both contribute to and offer the best prospects for alleviating the following: (1) the magnitude of national solid waste problems, (2) the timing and complexity of the nation's disposal crisis, (3) the technological and economic limitations on large scale resource recovery, and (4) the cause and effect, push-pull relationships between current waste generation and disposal practices and the nation's natural resource limitations. Presented below are the steps that must be taken, at all levels of government, if we are to further upgrade municipal solid waste management, confront the nation's disposal crisis, and properly administer our natural resources.

The National League of Cities and United States Conference of Mayors Solid Waste Management Task Force specifically recommends the following:

1. Recognition that solid waste management transcends local jurisdictions and funding capabilities and that satisfactory progress toward adequate improvements will require continued Federal financial support.

The cities and counties of the nation constitute the front line for achieving effective solutions to solid waste pollutions problems and implementing a national program of resource recovery. But critical in this view is the corollary assertion that while local governments should be the focal point for optimum solid waste management, they cannot—by themselves—be the fulcrum. The Federal government has responsibility for policies that have compounded the waste disposal crisis and prevented large scale resource recovery. Federal funding levels should reflect the national dimensions of solid waste management and resource recovery.

We recommend below market interest Federal loans for resource recovery capital facilities meeting certain criteria, plus planning, training, demonstration grants. Full funding at previously authorized levels should be a minimum guideline for calculating Federal support.

2. Federal assistance to local governments to optimize productivity of collection systems.

Th fundamental fact that solid waste collection costs are—and will, in the foreseeable future, continue to be—several times the cost of disposal, points up the critical importance of optimizing productivity of local collection. Looking at the country as a whole, improvements in municipal collection systems offer high immediate pay off. EPA's Major Technical Assistance program is demonstrating significant results in several cities and should be expanded.

Collection improvement mechanisms should include federally sponsored voluntary evaluations by interdisciplinary management teams comprised of personnel experienced and qualified in municipal solid waste management. Results of limited value derive from studies by personnel without practical experience at the municipal level.

Federal demonstration projects require better mechanisms for feedback to the cities and counties on an organized basis. R & D must be coupled with more effective means of technology transfer. A control reference library of actual performance and cost effectiveness of various methods is needed for municipal solid waste decision makers.

However, collection improvement is a short-term priority that will not deal with waste generation or ultimate disposal problems.

3. Development of major disposal, land reclamation, and resource recovery capabilities by removing barriers to interstate and intrastate transportation of municipal solid wastes.

Generation of solid waste does not recognize political boundaries, but the handling of solid waste does. Cities, particularly those whose disposal problems are affected by interstate and intrastate restrictions, stand in great need of State and Federal assistance in the reduction of solid waste transportation barriers. These barriers to interstate commerce are created by State law, are beyond local authority and jurisdiction, and are a Federal responsibility under the Constitution. There is an urgent necessity, therefore, for Federal action to remove interstate commerce barriers, to correct freight rate discrimination against solid waste and recycled materials, and to pre-empt non-importation laws.

We endorse interstate multi-jurisdictional and intrastate regional approaches to disposal and resource recovery and recommend additional State and Federal leadership in those cases where these strategies are constrained by State boundaries or regulations.

States, in consultation with local governments, must provide critically needed assistance in planning and establishing regional disposal sites.

4. Adjustment of Federal policies that negatively impact resource recovery and establishment of positive incentives to encourage maximum feasible recovery of resources from municipal and other solid waste systems.

Resource recovery will neither impact nor improve local solid waste management until it becomes profitable economically. The overriding consideration is for Federal action on policies and practices which discourage and impede the handling of solid waste or the processing, marketing, and reuse of recycled materials. These include depletion allowances and tax credits for virgin materials, higher rail freight and shipping rates for solid waste and recycled materials than for virgin materials, and procurement policies which primarily use virgin materials.

The Federal government should either reduce the negative impact of these policies with downward adjustment of depletion allowances and freight rates or it should establish subsidies in the form of investment and tax credits for increased recovery and utilization of resources. A higher priority for recycled materials in Federal, State and local government procurement policies—a multi-billion dollar market—will help initially. But in the long term, increased utilization of recycled materials in the private sector must follow.

The Federal government should sponsor an expanded demonstration program which focuses greater attention on market factors and demand pull issues for municipal resource recovery.

5. A national effort to decrease the volume of solid wastes generated in the U.S. including packaging standards.

The brunt of today's disposal costs are met neither in the market place nor in the Federal budget, but in city and county budgets. The sky-rocketing volume of solid waste is created by national economic forces that transcend local government. Unless we reduce the total volume of solid waste generated nationally, and unless market prices begin reflecting product disposal costs, local governments will continue to be over burdened with the flow and the financing of the nation's solid wastes.

A combination of government regulation and private cooperation must be used; dependance upon the latter alone has not shown enough results. Measures to restrict excessive waste production are in the national interest. Such measures need to address the recyclability and disposability of products and packaging. Packaging practices and product characteristics contributing to solid waste management or disposal problems should be regulated.

National legislation, with provision for both immediate Federal action and further study and evaluation of proposed strategies, is urgently needed. Emphasis should be given to both legislative and economic strategies that utilize positive incentives for reduced refuse growth.

6. Advancement of the state of the art on a continuing basis.

EPA demonstrations using solid waste as alternative and supplementary energy sources are important but limited step in moving toward solutions to the solid waste challenge. However, the need for further development of separation and recycling technology, and for further demonstration of new and improved solid waste management, disposal, and resource recovery systems still exists.

Economics is obviously a more critical roadblock to resource recovery than technology; nevertheless, additional technological improvements are needed. The view that a magical new process will be found to solve solid waste problems is recognized as illusory, yet we also are skeptical of the assertion that "the technology is here and it's now a matter of implementing it."

We, therefore, call for establishment of an R & D Advisory Board composed of state and local government and private sector representatives. Broader input to R & D decisions and improved communication of results are needed. But top priority for the Advisory Board would be an assessment of the focus and immediate technological impact of R & D projects, as well as overall applicability to municipal solid waste and resource recovery needs.

7. Integration of energy planning and studies to include energy recovery and transfer from solid waste.

Solid waste can and should be considered as a supplemental fuel. Recent technical breakthroughs sponsored by EPA have demonstrated some initial success in the partial replacement of coal and oil with mixed municipal refuse.

Previous Federal research on integrating solutions to the solid waste crisis with the energy crisis has not been funded at appropriate levels. Major commitments should be made to stimulate energy recovery from solid wastes.

PRESIDENT NIXON'S ADDRESS ON THE WATERGATE SITUATION

Mr. BENNETT. Mr. President, President Nixon's address to the Nation Monday night on the Watergate situation was dramatic evidence of the seriousness of his commitment to insure that justice is served.

The President had the courage to assume ultimate responsibility for the actions of his staff, and has taken the forceful action necessary to reveal the truth and restore the confidence of the Nation in government and our political process. I fully agree with the President that this incident and the manner in which it has come to light is a demonstration of the strength of our democratic system, rather than a sign of its weakness.

Now we must get on with the business of governing and dealing with the serious domestic and international problems facing the Nation at this time. There is work to be done in the areas of foreign affairs, the economy, international trade, and other important business. These problems will not go away. The President must face them and deal with them, and it is my hope that he will now be free to carry on his awesome responsibilities in and atmosphere of trust and confidence.

MEANY OPPOSES MFN FOR THE SOVIET UNION

Mr. RIBICOFF. Mr. President, last week President George Meany of the AFL–CIO, in his usual frank and forthright manner explained the reasons for his opposition to granting the Soviet Union most-favored-nation status and other trade concessions.

In making the case for congressional denial of MFN, Meany pointed to recent repressive Soviet actions and intensified persecution of Russian dissidents. At the same time he cited the great benefits the Soviet Union expects from the U.S.-U.S.S.R. Trade Agreement.

It is this extreme one-sidedness which has convinced so many of us in the Senate that the Soviet leadership must prove its good intentions with regard to fundamental human rights by more than mere words.

All Americans owe a debt of gratitude to Mr. Meany for describing those aspects of our trade relations with the Soviet Union which are too readily overlooked by some in their quest for quick profits. There is much more at stake here than exchanging vodka for Pepsi-Cola. The AFL–CIO and its courageous President deserve credit for making these important facts known.

I ask unanimous consent that excerpts from Mr. Meany's address of April 26, 1973, before the Congressional Medal of Honor Society's annual Patriot's Award dinner in New York City be printed in the RECORD.

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

EXCERPTS FROM GEORGE MEANY'S ADDRESS

President Nixon's visit to Moscow in May 1972 was not an innovation but a well-staged continuation of our country's historic policy of seeking friendly relations with Moscow in order to assure the maintenance of world peace. Towards this end, President Eisenhower met with Khrushchev (1955) in Geneva and had him visit the U.S. in 1959. President Kennedy's Nuclear Test Ban Treaty (1963) and President Johnson's Summit meeting with Premier Kosygin (Glassboro 1968) likewise reflected our country's earnest desire to achieve Soviet-American friendship as a foundation for lasting world peace.

The Kremlin rulers were anxious to have President Nixon visit them last May, despite the stepped-up American bombing of North Vietnam and the mining of its principal port of Haiphong. Their strategy was to utilize the Brezhnev-Nixon Summit meeting especially for an agreement to expand Soviet-American credit and trade relations which would help the USSR overcome the inability of its collectivized agriculture to produce enough food; the failure of its boasted industrial growth to produce consumer goods in sufficient quantity or quality; and the dangerous economic imbalance resulting from technological backwardness—except in the realm of sophisticated military weapons and spacecraft.

The Soviet dictatorship can no longer hide the incapacity of its Communist system to alleviate the distressing social consequences of its faults and failings without massive help from the democratic countries—especially the U.S. This explains their present drive to secure from our country a considerable expansion of trade on a "most-favored-nation" (MFN) basis, generous credits and vast technological know-how. Soviet labor productivity was only about 40% of the U.S. level in 1971. Though the USSR has 50 million more people than the U.S. has, its consumers can get only about one-third of the goods and services available to the Americans. Furthermore, Soviet consumer goods are often shoddy and very high-priced—even when available. Refrigerators, automatic washers and dryers are practically unavailable, while radio and black and white TV sets of poor quality can be gotten only on credit terms. One has to wait 4–6 years for a car.

The Brezhnev-Nixon agreement of May 29, 1972, was a windfall for Moscow. It marked and paved the road to the USSR's securing enormous economic benefits from our country. Moreover, these gains are conducive to the development of an international atmosphere in which the Russians will find it easier to garner new political and military advantages. It provided for a Soviet-American Commercial Commission with power to negotiate an overall agreement for reciprocal most-favored-nation treatment and generous long-term credits. Thus, the USSR would enjoy the same tariff benefits as countries which now have the most-favored-nation trade agreements with the U.S. Furthermore, symbolically and politically, MFN treatment means very much for Moscow, because then even its considerable slave-labor products could enter the American market unhampered.

Our country's large-scale shipment of food and feed grains to Russia, since May 1972, have contributed largely to the big increase in the price of bread and meat for the American people. In addition, the Soviet Government has been receiving far more generous credit terms than those available to Americans trying to buy or build a home or expand a small business or medium-sized plant.

The failure of the Soviets to reciprocate for these invaluable American favors is gravely significant. The Russian government has refused to repeal its inhuman head tax against its citizens of Jewish origin seeking to emigrate. Moscow is now raising the barriers to its citizens' opportunities for freedom of contact with foreigners—a development which normally follows the expansion of trade. Since the Brezhnev-Nixon Summit, the Kremlin has tightened its repressive rule through intensified persecution of Soviet dissidents and stricter GB surveillance of the population as a whole. Despite all the trade benefits, the Soviet Government is still adamant in its opposition to any free exchange of ideas between the American and Soviet peoples.

Too many American businessmen and bankers are shortsighted when they forget that commercial relations with the USSR are not ordinary normal trade deals between buyers and sellers in the free world. The Soviet government has a total monopoly on the buying and selling of all goods and access to all raw material resources in the USSR. While American technological know-how turned over to Russia stays there and helps develop its resources, the Soviet rulers can shut off their market or natural resources at any time they see fit. The benefits of our technological help to the Russians are permanent and will sooner or later reduce Russia's need for buying from the U.S.

Expanded trade between countries does not guarantee their living in peace with each other. Britain and Germany were the top trading partners in 1914; yet, they were the principal opponents in World War I. Today, despite its eagerness to expand trade and credit relations with the U.S. and receive our technological know-how, the Soviet government forcefully and frequently stresses its determination to wage ideological and class warfare against our country and other democracies. It persists in its destructive role in Indo-China and the Middle East. Soviet warships have very recently been used for transporting Moroccan troops to bolster Syria's brazen hostility to Israel. Russia is working tirelessly—at the expense of its own consumers—to build ever stronger military and naval forces. In Europe, Asia, and everywhere else, the Kremlin seeks, by every means possible, to undermine or eliminate American influence. Last but not least,—from the days of Lenin down through Brezhnev—the Soviet Union has had a dismal record of dishonoring its international agreements.

Giving the USSR MFN treatment will not bring any real gains to the American people. There is no reason to believe that such treatment will lead the USSR to make earnest efforts for removing the causes of international tension and promoting equitable and lasting world peace.

Therefore, Congress should reject the proposed trade package (October 18, 1972) which provides for most-favored-nation status for Soviet exports to the U.S. and for the extension of large-scale credits for Russian purchase of American goods and technological know-how. Priority in granting such trade concessions should be accorded to friendly developing nations. What is more, it is most urgent that our country should, first of all, improve its economic, political, and military relations with friendly democracies and allies before even thinking of making new concessions to any aggressive dictatorship which is a potential threat to world peace and freedom.

Some of our corporations have developed a feverish interest in expanding trade with and extending credits—government guaranteed, of course—to the USSR and its satellites. These profit hungry businessmen have yet to learn that, in all Communist countries, all economic matters are completely controlled by the dictatorship. In these totalitarian countries, all economic relations are, first of all, political in character and aim.

American bankers and industrialists make a costly mistake when they think that they can do "business as usual" when they deal with Communist governments. It is false to think that in such deals "the only thing that matters is profit and competitive advantage." This practice of doing "business as usual" with the Nazi and Fascist dictatorships proved disastrous before World War II. "Business as usual" with Communist dictators will be no less disastrous. Our corporations would serve their country and even their own vital interests if they applied the following rule: The decisive consideration in commercial transactions with dictatorships is that such deals must serve the national interest of our country and its free society and not simply be concerned with making a fast buck by helping the Communist regimes bail out of their economic difficulties and thus strengthening them for further subversion and aggression.

Communist rulers never enter into any agreements on the basis of a mutuality of interests. Therefore, no credit or trade, concessions should be given to any Communist government without an adequate political quid pro quo like ceasing subversion, stop aiding and abetting the continuation of military aggression in Cambodia and Laos, dismantling the Wall of Shame in Berlin, and guaranteeing self-determination in freedom for the entire German people—as pledged by Khrushchev at the 1955 Geneva Summit Conference. Only under such conditions can trade and credits be a valuable weapon in the hands of the democracies in their dealings with the USSR and other Communist regimes, and in promoting human freedom and world peace.

There is no more monstrous myth than the notion that world peace, human well-being and freedom can be advanced by helping the Communist dictatorships overcome the severe hardships and difficulties which their policies and practices have inflicted on their people. Expanded trade with and the extension of long-term credits to Communist regimes will not help them "evolve towards democracy" or remove the sources of world tension. On the contrary, such help by the U.S. and other democracies might well enable the Communist regimes to emerge from their present difficulties strengthened for their next round of actions against the free world. This would only aggravate the cold war which they started with their seizure of Czechoslovakia in February 1948 and their fierce opposition to the Marshall Plan. And by the way, in spite of all their talk about detente they have never really stopped waging war against the democracies in one way or another.

It is in this sobering light that we must look at plans to export American technology and machinery for building a Soviet fertilizer complex and special piping to link it to seaports. It is heartening to note the strong resistance in Congress to granting unconditional most-favored-nation treatment to the Soviets. We can all be thankful to the General Accounting Office (GAO) for having brought to light the bungling of the U.S. Department of Agriculture, last summer, when it lavished approximately $300 million in needlessly subsidizing the export of wheat to the Soviet Union.

Obviously when super-politicians become super-financiers in our country, then stupidity takes over in our land. I am referring, of course, to the so-called "historic trade agreement" (October 18, 1972) between Washington and Moscow, when the latter agreed to signify its readiness to settle the $11.1 billion World War II Lend-Lease debt for a few pennies on the dollar, while our Export-Import Bank promised huge credits and most-favored-nation treatment to the USSR. This, of course, if Congress approves. But the U.S. Government Bank has already given its OK to $200 million in loans to the Soviets at a bargain rate—6%

In the face of it all, it is a great tribute to the intelligence of the American people that the euphoria, generated by politicians over the dreams of huge east-west trade and credit deals, has begun to yield to the American people's innate realism. They know that Soviet rhetoric—even when wrapped in rubles—doesn't spell detente or a good deal for America.

The American people now realize that the huge grain deal with the USSR is really only a bonanza for Moscow and a financial catastrophe for our taxpayers and consumers. All we have gotten out of this rotten deal for good American grain is the burden of subsidizing the sale and also paying for it through a jump in the cost of food. I am sure the American people will not tolerate for long

their Export-Import Bank's "shovelling out loans" to the USSR at interest rates well below those prevailing in the market.

THE ANNOUNCEMENT THAT JOHN B. CONNALLY IS JOINING THE REPUBLICAN PARTY

Mr. THURMOND. Mr. President, John B. Connally is a man of integrity and accomplishment and I want to welcome him into the Republican Party. As one who took the same step a few years ago, I can understand that he would feel more at home in the party more philosophically in keeping with his own beliefs. His record of public service at both the State and national levels is impressive and his counsel will be an asset in the Republican Party. I commend him for his decision today.

ED WILLIAMS

Mr. CHURCH. Mr. President, on April 23, a tragic accident occurred in Hells Canyon—the deepest gorge on the American continent which separates Idaho and Oregon. A very good friend of mine, Ed Williams, was lost in a boating accident on the Snake River.

Ed ran for Congress last fall. Before that, he served as minority leader of the Idaho House of Representatives and administrative assistant to Idaho Governor Cecil Andrus, his closest friend.

Ed Williams was one of those plain-spoken individuals of whom there are not enough in government. He was never devious or deceptive.

One catches a glimpse of what Ed Williams was all about in a column which appeared recently in the Idaho Statesman, written by Bill Onweiler, a Republican representative in the Idaho Legislature.

Discussing a bill which Williams opposed, Representative Onweiler told what happened when it came to the floor:

> Eddy Williams rose and asked for the floor. He explained that he was just a stump-hopper from up north. Some of the people up there referred to him as just one of the ridge-running Williams boys. He then admitted he wasn't an expert at such matters, but he had a concern and he wanted to explain.
>
> Then, in simple American, he told it like it was. He was kind to me, but he dissected my proposition with uncanny expertise. Never once was there a four-bit word. Everybody understood him. Despite my education and municipal experience, I was being shown how little I understood the essence of the proposition before the House.

As Bill Onweiler said, Ed Williams "had the ability to cut through all the talk and voice the essence of the matter before us."

Mr. President, I will miss Ed Williams, and the people of Idaho will miss him. He was one of those individuals all too rare in these days of big government. Rather than asking the people to serve him, all he asked was to serve the people—honestly, simply, and effectively.

Before I close, I would add only one other personal note. Ed Williams was known in public life for his government service. But he had another side, that of a devoted father and family man. To his wonderful wife, Bobbie, and their three children, I can only extend my deepest sympathy.

Mr. President, I ask unanimous consent that Representative Onweiler's column from the Idaho Statesman be printed in the RECORD.

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

ONE OF IDAHO'S GREAT LEGISLATORS

How often we wait until a friend is gone before we confess our admiration for him. Let me tell you of a man whom I thought was one of Idaho's great legislators.

I first met Ed Williams when he was minority leader of the House and I was a freshman legislator. He was one of the leaders, and I watched him closely. He always seemed relaxed.

When one joins the legislature, it is a little like a giant billiard game with 70 balls. In the course of two-plus months, you will have several encounters with each of the other members—some make lasting impressions. If you're lucky, you even learn from the brushes and rebuffs.

My great admiration for Ed Williams grew out of two encounters with him on the floor. Of course, there were countless occasions I remember when he was part of the group, but his character, as I saw it, was indelibly impressed on me by the two following situations.

When I was a freshman legislator and filled with panaceas for urban problems, I had jockeyed one through the Local Government Committee and onto the floor. The friends I had made were patient and gave me my chance to sell it. I had worked hours developing just the argument necessary to pull the teeth of the opposition.

When the bill at last hit the floor, I rose and explained it as eloquently as I could. While my talk was too long and far too wordy, I really thought I had stopped all opposition debate.

After several other members added their comments for and against the proposition, Eddy Williams rose and asked for the floor. He explained that he was just a stump-hopper from up north. Some of the people up there referred to him as just one of the ridge-running Williams boys. He then admitted he wasn't an expert at such matters, but he had a concern and wanted to explain.

Then, in simple American, he told it like it was. He was kind to me, but he dissected my proposition with uncanny expertise. Never once, was there a four-bit word. Everyone understood him. Despite my education and municipal experience, I was being shown how little I understood the essence of the proposition before the House.

Needless to say, the bill went down. I don't remember if I received the "crow" (a sort of booby prize) or not, but I should have.

It was then I found that the minority leader had an uncanny legislative ability. He also had a deep and genuine concern for the average citizens (little people). But, most outstanding was his effectiveness as a legislator.

The second occasion was two years later. I had worked hard with other Ada County legislators to develop a bill that would allow the citizens of Ada County to form a single road and street district. Again, it was coddled through the Local Government Committee and to the floor. Paul Worthen floor-sponsored the bill.

The attack was just getting in motion. The main thrust of the opponents was that this was special legislation for just one area—Ada County. No matter what any of us from Ada County would say, we couldn't answer that accusation.

Eddy Williams rose and explained he was from Lewiston. The bill had no effect on his people or him. He was almost apologetic for having taken up our time.

Then he gave one of those unforgettable lessons in civics. He explained to the body of 70 that we were there to be concerned about the specific problems of a great number of areas in the state. One time it was the farmers—then the miners—this time it was the largest urban area in the state.

I think he even said Boise and Ada County weren't always the most loved of the cities and counties of the state, but they had a problem, and it was our (the House) duty to be concerned. As I remember, he didn't talk for or against the bill. It passed.

Eddy had the ability to cut through all the talk and voice the essence of the matter before us.

Even more important, in all the time I knew him and saw him occasionally, I never once saw him act in any way but as an ordinary person and just another legislator. In a short time, he had risen to be minority leader, but it never affected him.

My memory for the Bible isn't what it should be, but I remember somewhere it says that he who exalts himself shall be humbled, but he who is humble shall be exalted. Eddy Williams deserves to be exalted.

The river took a great toll from the Williams family, his friends and the Democratic party. It also took much from all Idahoans because Ed still had much to offer toward making this state a better place to live.

I wish I had said these things a long time ago.

APPOINTMENT OF OUTSIDE PROSECUTOR TO HANDLE WATERGATE INVESTIGATION

Mr. BARTLETT. Mr. President, I am disappointed that the Senate yesterday passed a resolution to have the President appoint an outside prosecutor to handle the Watergate investigation. The resolution was passed by a voice vote while no more than five Senators were present to vote. In fact, the Republican Policy Committee was meeting at the time it was taken up for consideration.

The timing of the resolution was most inappropriate. The night before, the President had pledged to the American people a complete investigation of the Watergate and had authorized Secretary Elliot Richardson to hire outside counsel if he felt it was needed.

Prior to the President's speech, I expressed publicly my desire that the President use outside counsel in the investigation. I was pleased the President authorized Secretary Richardson to commission an independent investigation. I fully expect the Secretary to appoint an eminent prosecutor. But it is inappropriate and presumptuous for the legislative branch to tell him to do so.

The resolution amounts to a vote of no confidence in our judicial system, the President of the United States, and in the Attorney General.

I would have voted to oppose the resolution had there been a yes-no vote as was obviously called for under the circumstances.

NATIONAL ADOPTION INFORMATION EXCHANGE SYSTEM

Mr. TOWER. Mr. President, yesterday, I became a cosponsor of S. 1517, which

would establish a national adoption information exchange system.

The benefits of this bill are twofold. First, it would benefit the children who need to be placed by matching them with families who want them and are capable of caring for them. Particularly in the case of the handicapped child, the racially mixed child, and other "hard to place" children, a nationwide computer system could find loving parents for these children—parents who are capable of taking care of them and filling their special needs. Many qualified and potential parents in this country are unable, because of lack of information and a central source from which to receive it, to find children to adopt—although, in 1969, there were nearly a half million children in the United States living in child welfare institutions. If such an adoption information exchange system was available we could stop, or at least reduce, the growing black market in babies.

Second, it is possible that an adoption information exchange system would facilitate adoptions and thus give the American couple an alternative to bearing more than two children when they would like to have a larger family. It would encourage parents to adopt children instead of increasing the population.

I encourage support of this needed and worthy legislation.

CROSS OF COAL

Mr. METCALF. Mr. President, I commend to the Senate a balanced and reasonable statement on surface mining by my colleague from Kentucky, Senator COOK.

In testimony before the Senate Interior Committee on April 30, Senator COOK argued that the deciding criterion for strip mining of coal should be whether the land can be reclaimed—and not whether the angle of slope for permissible mining should be a given degree. Paraphrasing the famous line of William Jennings Bryan, Senator COOK disputed the contention of some people that the health and welfare of the people of this Nation are being sacrificed on a "cross of coal." He asked that compassion for the plight of coal mining families in Appalachia play an important part in the deliberations of the committee on this vital issue.

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

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

STATEMENT BY SENATOR MARLOW W. COOK AT HIS APPEARANCE BEFORE THE SENATE INTERIOR COMMITTEE CONCERNING THE STUDY PREPARED BY THE CEQ ON COAL SURFACE MINING AND RECLAMATION, APRIL 30, 1973

Mr. Chairman, thank you very much for the opportunity of appearing before you this morning so that I may comment on the study prepared by the Council on Environmental Quality concerning coal surface mining and reclamation. In reading the letter which the chairman of the Interior Committee forwarded to the chairman of the C.E.Q. on November 2, 1972, and in his response thereto, it is obvious that the thrust of this study is to consider the impact of surface mining on steep slopes. I have many facts and figures relating to this subject which I could include in the record, but I shall not do so as these data are in basic agreement with those contained in the report. I have no intention of clouding the facts with half truths or rhetoric.

As the study points out, mining on steep slopes is extensive in Appalachia, and it follows that the impact of slope angle prohibition on production and reserves, is greatest in that area. The report also concludes, and I concur, that in Appalachia forty-one percent and thirty percent of strippable reserves would be lost with fifteen degree and twenty degree slope angle prohibitions respectively. The report also recognizes that the loss of reserves from a slope angle prohibition represents only one percent of the Nation's total recoverable coal.

One might then easily draw the conclusion that the solution to the Nation's surface mining problem is to stop mining the coal in Appalachia. By so doing our problem would be solved with very little impact on the total energy fuel reserves of this Nation.

Such thinking would be fallacious and would lead us to a false conclusion. The one percent tonnage being denied the Nation would not be significant in overall volume. However, as this coal is low in sulphur content it is in greater demand than much of the other ninety-nine percent. In addition to the desirability of production there is the economic impact which must be considered. In some of these Appalachian areas, the people are one hundred percent dependent on mining this coal for their livelihood. There is no other industry and the only other immediate solution for these people is welfare. Even so, we must be prepared to accept this solution, if to continue to operate will result in the destruction of our land.

I have just recently overflown the coal fields in eastern and western Kentucky by helicopter and was again much distressed by the devastation of the landscape caused by uncontrolled and unregulated surface mining.

I submit that although we hear a great deal about the impact on the environment caused by surface mining areas having steep slopes, some of the greatest damage was done in relatively flat areas of my State where the slope was five degrees or less.

Mr. Chairman, I take the position that to ban the surface mining of coal on a particular piece of land because that land meets some textbook criteria concerning slope is absolutely wrong. I believe that we must prohibit the surface mining of coal in any area—flat land, moderate slope or steep slope—if that particular piece of land cannot be reclaimed. The key then is reclamation. We must insist upon adequate reclamation, and we must require the States to enforce this regulation. If the States cannot, will not, or prefer not to protect the land, then the Federal Government must take this responsibility.

Returning to the comment I made earlier concerning those people who are dependent on coal mining in Appalachia, if the land considered cannot be reclaimed, then surface mining must be prohibited and we must then provide an alternative livelihood for these people. If, on the other hand, through the diligent use of existing procedures and the application of some modern techniques which are now being developed at Berea College in Kentucky and other places throughout the Nation, we find that specific areas can be reclaimed then a permit for surface mining should be issued and these people should be permitted to earn their livelihood and preserve their dignity as American citizens.

In summary, Mr. Chairman, I believe that effective regulation of surface mining of coal is long overdue, and I intend to support any reasonable approach which will prohibit wanton and uncontrolled surface operations. On the other hand, coal is important to Kentucky, and it is also important to the Nation as an energy source of fuel, and I intend to see that the rights of the people of Kentucky and those of the Nation are protected.

I do not think it is fair to say that the health and welfare of the people of this Nation are being sacrificed on a cross of coal as some imply. It is true that in the past we have permitted our land to be destroyed by uncontrolled surface mining. It is true that until the EPA's primary emission standards are reached that the ambient air in some areas will be affected. However, it is equally true that coal has provided and can continue to provide this Nation with the energy required to reach and maintain our present standard of living with its many life saving and health giving benefits. So let's legislate wisely and be very careful not to prohibit the people of this Nation from enjoying the benefits of this natural resource. Let's solve the problems and produce our coal.

THE WOMAN WHO MAKES "REHAB" GO

Mr. DOLE. Mr. President, I would like to express my appreciation and gratitude to a remarkable person and to the people working with her. Such a person is Mrs. Vivian Shephard, who is vitally interested in and committed to a group of very special people—the handicapped. I refer to the handicapped as special, because they have special needs, special problems, and a very special dedication to overcoming their handicaps and becoming increasingly self-reliant.

The handicapped have the dedication, the determination, and the will to do so. They rely on people like Mrs. Vivian Shephard and the extremely capable people on her staff to help give them the means to do so.

Mrs. Shephard is the executive director of the rehabilitation institute in Kansas City, Mo. The institute was formed in 1947 with its beginning in a loft above the McGee Trafficway in Kansas City, and it has developed into a national model. Vivian Shephard has been its only director.

The truly great aspect of the rehabilitation institute is its focus on people's abilities and talents, not on their handicaps. This positive focus fosters progress at its maximum.

The following article "The Woman Who Makes 'Rehab' Go" by Howard W. Turtle and Shirl Brenneke printed in the Star, March 18, 1973, describes what is taking place at the rehabilitation institute.

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

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

THE WOMAN WHO MAKES THE "REHAB" GO

(By Howard W. Turtle and Shirl Brenneke)

"Thelma," said the woman with the silver-gray hair, "how's the boy from Hays?"

"He's walking, he'll be home in a few weeks."

"Can he go back to school?"

"Yes, and he says he wants to. I think he will."

The questions came from Mrs. Vivian Shepherd, executive director of the Rehabilitation

Institute, 3011 Baltimore Avenue. She was inquiring of Mrs. Thelma Wempe, supervisor of occupational therapy, about a young man who had suffered a broken neck.

"You have no idea," said Mrs. Shepherd, "how much it means to all of us when we hear someone's improving."

She hears it a lot these days. So do the other members of the institute's staff of 100. Of the 2,962 patients treated last year, 2,296 completed services and were dismissed and of these, 1,836 moved on to improved life situations—or an 80 per cent success record.

In job training of former unemployables, 60 per cent graduated into competitive employment. Among the others, some went into full-time homemaking.

The Institute has become one of the nation's most complete rehabilitation centers under one roof. It is regarded as a pilot in the field, visited by researchers from many parts of the world. Because of its rather formidable name, it has become known as "the Rehab" (REE-habb) or often simply "Rehab."

Mrs. Shepherd, director since the founding of the Institute in 1947, is a short, ample person approaching the time when most individuals begin to slow down. Her hair is more silver than gray, her frequent mood is laughter. She presides at a large, neat desk in sitting-room environment with airy light, a tall tropical plant, and yellow wall-to-wall carpet.

Her operation is the kind that makes sense to bankers, physicians, industrialists, sentimentalists, sociologists and philanthropists.

Last year her budget was $1,342,630. Of this, nearly two-thirds came from workshop contracts and fees paid by patients. One-third came from federal and state sources, the United Fund Campaign gift of $128,305 and private support. The tab came to an average of $472 per patient.

The woman who makes the Rehab go is seldom still for long.

"I want to show you something we're doing here," she said, and led the way out the door and through the buff-yellow corridors. We reached the therapy department and here was David Walters, the young man from Hays. Mrs. Shepherd introduced David's therapist, Miss Sue Goodwin. Miss Goodwin is like a good many others you see at the Rehab—the kind who'd make any young man want to get well. Her blonde hair falls in curls below her shoulders, and her red skirt's a mini. Sue, manipulating David's arm, was bringing a grimace to his face, and Mrs. Shepherd smiled.

"What's she doin', David, killin' you?"

"Nah," he said, "It's O.K."

Sue changed tactics. Kneeling on a raised mat, she partly opened a white plastic sleeve covering part of David's hand. David, a slender fellow in a blue sport shirt, showed how he could partly close his fist despite the sleeve that was custom-made by Sue.

"It gives him the support he needs right now,"—she explained, "but lets his fingers grip."

"Can you tell me what happened to you?" I asked David.

"I hit my head diving," he said.

"In a pool?"

"Well, in the Smoky Hill River."

"Skinny dipping?"

"No, I had my clothes on. My girl and I were out on the riverbank, and I wanted to go in. I tested and found the water wasn't deep enough for a straight-down dive, so I dived shallow. The basin was smaller than I thought, and I hit the other side. My girl pulled me out. I had been under about a minute, I guess, but I was conscious. I just couldn't move anything except my head."

After several weeks at St. Anthony's Hospital in Hays, David was brought to "Rehab."

"It took three people to lift me at that time." David said. "The only thing I could do was bend my arms at the elbow. Now I can walk, (with a crutch or a walker) and I can get out of bed, shave, brush my teeth, everything I need, and I go to the cafeteria for meals. I'll be a senior next fall at Fort Hays State—political science and economics major."

Did he get depressed?

"Gosh, they don't give you time to get depressed!"

Sue was pulling on David's fingers, spreading them farther apart. David was helping, his face reflecting the strain as he pulled to make the nerves and muscles work together.

"Does it hurt?"

"No."

"Does it make you tired?"

"Yeah, I get tired by the end of the day. But that's good. I like to feel that I'm tired. It makes you know that you've done something—it's a good feeling to see that you're making progress."

"Good luck David," we said in leaving, "you're on the right track," and David said so-long and Sue gave a little smile. We walked back to the office with Mrs. Shepherd, buoyed up a little ourselves.

Mrs. Shepherd guides the Rehab in a day that starts in her office at 7:30 a.m. and often continues to 10 p.m. She thinks her supermotivation may have started in early life, through a handicapped friend. She grew up in Jefferson City, where her father was district manager of the Singer Sewing Machine Company. One of her neighbors was Elmer Asel.

"Elmer was my age," Mrs. Shepherd explained. "We were friends. No romance, more like brother and sister—and Elmer, when he was a baby had an illness that left him deaf.

"Well, as kids growing up, I treated Elmer as just a friend, and the fact he was deaf didn't enter into it. His own parents didn't baby him, and neither did I. I refused to learn the sign language and Elmer did lip-reading. Elmer could tear apart a Model-T Ford and put it back together, and I used to watch, handing him a wrench when he needed it. He even got so he could talk a little—at least I could understand him—and I think maybe I just grew up thinking that handicapped people could do a lot of things and don't require babying. Anyway, when I grew up I wanted to help people help themselves. Maybe Elmer had something to do with it . . ."

Mrs. Shepherd (the former Vivian Davis) attended Central Missouri State College at Warrensburg and married James Shepherd, who was to become a teacher of physical education and world history until his retirement in 1970 at Paseo High School in Kansas City.

As a young wife and mother here, Mrs. Shepherd joined Mrs. George H. Gorton in the Women's Campaign to sweep the Machine out of City Hall. She was photographed with a broom on the sidewalk outside headquarters near 10th and Walnut.

"As you remember," she explained, "a school teacher's salary in those days wasn't everything that a family would want, and when my mother came to live with us, I looked for a job. I wanted a 'People' job and got some encouragement from the Missouri superintendent of schools. In 1953 I got my master's degree in counseling at the old Kansas City University, now U.M.K.C."

While she was still working toward her master's degree, Mrs. Shepherd suggested to the Health Council in Kansas City that a survey be made on rehabilitation needs. Such a program, she reasoned, would provide balanced facilities for patient care after the acute stage of illness in the hospital, and before return to active life. It ought to be cheaper, she argued, than prolonged hospital stay.

The survey, confirmed by the Jackson County Medical Society, showed a need. The Rehabilitation Institute was formed in 1947 with minimum equipment and $7,500 in the bank. Almost automatically, Vivian Shepherd was made director. Standing beside her were community leaders such as Mrs. Eleanor Jones Kemper, Oscar D. Nelson, Ray Joselyn, Nelle Dabney and others.

"Now," she smiles as she looks across her attractive office, "you know that with $7,500 you don't put on much of a posh front and you don't meet much of a payroll."

The Rehab started with a staff of four in a loft above 2700 McGee Street Trafficway. The first year 141 patients were treated at a cost of $24,000.

"I'll never forget," she laughed, "we had to do something about keeping the building clean, and at the time, I didn't know anything about maintenance, much less about janitorial supplies. So the late Searcy Ridge of Gateway Chemical came over, and I asked him some dumb questions (*I've found since that if you ask a dumb question you might get a lot of information, depending on who you ask.*) Anyway, Searcy took pity on me and he said, 'Well, Vivian, I'm going to send you over some stuff. It'll be about what you're going to need, and I'll charge you for some of it and the rest I'll just give to you.'

"And . . . well, he did, and that's about the way a lot of things have happened around here in 25 years."

Vivian Shepherd was under way, starting a warm, often humorous and virtually unstoppable account that could be used as part of a textbook on rehabilitation.

"This job," she continued, "is to bring people up to their highest level of functioning. Often it's to move them from dependence to independence—from unemployables to jobholders.

"Sometimes the job isn't the best life role for the person—maybe a return to homemaking is the goal. That homemaker, I tell you, is an important person. Now I ask you—how would you bathe a baby if you only had one arm? How would you peel an apple? That's the kind of thing we deal with. We show the mother how. We get the special gadgets she needs, sometimes make 'em ourselves, so she can function again.

"Often we help a person build his confidence. We teach him how to get out of bed . . . how to walk . . . how to talk . . . how to ask for a job . . . how to work at it . . . how to catch a bus . . .

"We are not a psychiatric center, but we *prevent* some things.

"For some individuals it's a very good level of success if we can help him maintain himself at home—dress himself, get around the house, go to the bathroom, feed himself. This releases the rest of the family to earn their own livelihood and have a good family life. I brings the handicapped person out of the back bedroom into the life of the family.

"I tell you it's a thrill when you help a little kid enter school and start to compete with the others. That's what Rehab's all about."

The director was just getting warmed up.

"We see a lot of people with a long history of failure. Many of our people are from the Inner City. Many are from elsewhere, but for some reason or another they're considered unemployable—maybe for physical reasons, emotional problems, some kind of handicap. Thank goodness all of us don't have to do the same thing. Now I ask you, how much of your entire capability do you use on your job? Not much, really. So, when we have a handicapped person, we let him know that we're going to help him find a job that he can do—a job that won't require the things that maybe he *can't* do.

"And then, we work with the family, in the patient's home. How's he going to handle the steps at work? If the job's in Kansas City, Kansas, how do you get there on a bus?

"Then we talk with the person before he goes on the job. Where's the washroom going to be? What if a couple of guys get in a

fight? What do you do? How do you try to get along if you have a cranky supervisor? What if a guy gives you some sass? Do you sass back?"

Mrs. Shepherd and the staff have the opposite problem, involving a man who has seldom known failure but who has been stopped by a stroke.

"Now I'm telling you," she said seriously, "this is a toughie. The man wakes up in a hospital and he doesn't know how he got there. He realizes he can't move this arm, and he can't move this leg, and maybe he can't talk, and his wife is fluttering around, and the trauma is terrible, even if you have plenty of—uh—guts.

"By the time he gets out of the hospital and over to our place he may no longer be the breadwinner. Maybe his wife has had to take a job. The children have always turned to dad as invincible—but not any more.

"Listen, this does a lot of things to a man. Sometimes just being able to talk about it with some of our counselors helps him. Then, when he gets over here, he's out of the 'sick place,' into an environment where everybody's active. In a setting like ours. a patient becomes so busy, the gloom kind of gets crowded out. It's an inspiration, too, when you talk again . . . when you get out of bed by yourself . . . take the first step . . . it's progress and it feels good . . ."

We went down to Rehab's sheltered workshop. Mrs. Shepherd opened the door and we walked into a large factory-like room, well-lighted, apparently efficient. Men and women at tables and benches were busy with their hands, folding, sorting, piling. At a glance, there wasn't anything wrong with anybody.

"Well," smiled Eugene Livingston, manager, "you'll notice things after you've been here a while. See the girl out in the middle folding the big posters? Notice how she uses her hands?"

It then became apparent that the girl's finger movement was minimal. It seemed that she grasped the material with her left hand and used her right mostly as a pusher.

"How long do these people stay here?" we asked Livingston.

"Eight weeks, normally," he said. "By that time we can place a lot of them in employment. They've found out they can get to a job on time, and can work eight hours and do it every day."

We passed a young woman who was lifting olive drab strips of cloth out of a tangled bin, stacking the strips neatly. We asked what the strips were for.

"Bandoliers," she said, "for the Army. You know, out on the firing range? They wear these around their waists, for ammunition. I have to put 25 in each stack."

Livingston explained, as we moved along, that the young woman was working on a contract with Remington Arms for reconditioning the bandoliers. The work will continue for six months, involving more than a half-million bandoliers.

The Rehab's workshop has been involved with more than 100 firms in Kansas City. Jobs are bid at approximately break-even basis, and the work is usually accomplished at an expense no greater than the firm would have incurred otherwise. Handicapped trainees are paid a minimum of 40 cents an hour, $2 maximum.

"Of course," explained Livingston, "some of our people cannot actually earn their wages when they start, but the pay is part of the therapy."

"How would you like to have Gene Livingston's job?" asked Vivian Shepherd. "He doesn't know what his product's going to be, or what his work force will be, except they'll all have something wrong with them. The only thing he knows for sure is that when somebody gets any good he'll be gone!"

The workshop is a quarter-million-dollar project annually, involving something like 600 workers, 100 at a time. Those graduates who went to full-time jobs last year established an 81 percent job-retention record. The workshop, now a national model, is a development from the earliest small shop established 25 years ago at 2700 McGee Trafficway.

The Rehab has occupied two other principal locations since 2700 McGee Trafficway—31st Terrace and Robert Gillham Road and 3600 Troost—the building formerly occupied by Monkey Cleaners. The present red brick, 3-story building, a model of its kind, was occupied in 1939 at a cost of $3 million, including equipment.

We continued our tour past the electromyograph where Dr. Edward J. Novak, medical director, was testing responses of nerves and muscles . . . into the office of Mrs. Ruth Torp, administrative assistant, and Edward P. Wood, comptroller . . . past the speech and audiology department with a Ph.D. supervisor and three master's degree experts . . . to the psycho-social department with two master's degree psychologists and two social workers . . .

"You know," said Mrs. Shepherd, "I believe that the Good Lord meant for this service to become a reality, or it wouldn't have happened. Just think of the hundreds, yes, thousands, of people who've given their energies for this place. You couldn't have hired all those brains—they had to be available, free.

"Why, in the early days, we had to figure some percentages, and I wasn't so good on that, so John Miller of Spencer Chemical just figured the percentages on his slide rule . . . We've laughed about those old metal chairs we had over on Troost, but if Lynn Bauer of Crown Center hadn't given 'em to us I don't know what we'd have done—they were all we had . . . when we've had some mechanical problems, we've had advice from people like Dick Jackson of Western Electric or James Hughes of General Motors . . . you know, those are the kind of people nobody can go out and get unless you're in this kind of work . . . Steve Yeager's bulldog determination during his years as president resulted in this building we have today . . . Oscar Nelson came out of retirement and led the campaign to raise the money . . . I'll never forget the day Mrs. Russell Stover picked up the mortgage of about $3,500 on the old Monkey Cleaners building. That sure put a dramatic finish on *that* board meeting."

Mrs. Shepherd goes on with names of Kansas Citians, names of organizations, names of key individuals who are not so well known, but gives special attention to the present officers: Merrill A. Joslin, Jr , president; Robert E. Morgenthaler, George Korbelik, Robert S. O'Keefe, Mrs. Lois Caflin, Mrs. Hilda C. Anderson, Miss Barbara Pendleton, Oscar W. Thomas, Jr., Mrs. John Manning, Ronald Youmans, M.D., past president, and chairmen, medical staff; Dr. Novak, medical director, and Dr. Richard H. Kiene, advisory board.

We asked Mrs. Shepherd if we could visit the floor where full-time patients such as David Walters stay. We found on this floor what appeared to be a model hospital, with carpeted rooms and TV sets. In one room, instruction was being given student nurses with a life-size doll. On the wall hung a poster that showed a kitten chinning itself on a bar. The kitten's eyes were popped out from the exertion and the caption read:

HANG IN THERE, BABY

Vivian Shepherd laughed as she looked at it. She's seen the poster many times, but it's meaningful. "Hang in there, Baby," is the spirit of the Rehab.

THE BETTER COMMUNITIES ACT

Mr. HUMPHREY. Mr. President, yesterday on the floor of the Senate, I criticized the Nixon administration's 1973 versions of community development special revenue sharing—the Better Communities Act.

At that time, I noted two deficiences of the Better Communities Act. First, the lack of any meaningful Federal role in terms of policy setting or planning. And second, the reduced funding levels that would result from the legislation.

I suggested instead that the Congress should move ahead along the lines of the housing and urban development legislation that passed the Senate last year. This legislation, it seems to me, has the positive features of planning, program objectives, and funding that makes it immensely attractive communities.

Mr. President, an editorial in today's Washington Post—reinforces the points I made in my statement of April 30. Said the Post:

In this context of abdication and retreat, the Better Communities Act seems less a positive initiative than an attempt to pass the buck—to hand off to local and state officials full responsibility for the future of cities, aided by no federal standards or priorities, and no more dollars than it seems politically imperative to spend.

Mr. President, I ask unanimous consent that the Washington Post editorial, "Community Development: Reform or Retreat," be printed in the RECORD.

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

COMMUNITY DEVELOPMENT: REFORM OR RETREAT?

The administration's proposed Better Communities Act, just sent to Capitol Hill, illustrates the peculiar blend of reform and retreat which characterizes the "new federalism" propounded by President Nixon. The measure is intended to supplant such tangled programs as model cities and urban renewal, and to liberate local governments from the federal red tape, directives and delays which now confound so many community development programs. Such reforms already command wide support; indeed, a program of block grants for community development with similar aims sailed through the Senate last year, and stopped short of enactment primarily because it was incorporated in the controversial housing bill which perished en route to the House floor.

This time around, the atmosphere is less promising, for a mood of abandonment has come to dominate the administration's entire approach to urban affairs. First came the sudden suspension of housing programs and the arbitrary "termination" of a raft of categorical grant programs which the administration deemed ineffective or philosophically flawed. Then followed President Nixon's remarkable announcement that "the hour of crisis has passed" for the cities. In this context of abdication and retreat, the Better Communities Act seems less a positive initiative than an attempt to pass the buck—to hand off to local and state officials full responsibility for the future of the cities, aided by no federal standards or priorities, and no more dollars than it seems politically imperative to spend.

From the initial reaction of many mayors and governors, one might be pardoned for suspecting that the major difference between reform and retreat is the amount of federal money involved. There is some merit here, for the Better Communities Act would play two cheap tricks on the cities. First, the $2.3 billion in "special revenue-sharing" would not start to flow until July 1, 1974, requir-

ing communities to finance their fiscal 1974 programs from funds already in the various pipelines. In some cases this would mean severe cutbacks in the interim; at best, it dictates few new starts during the coming year. Second, the administration's "needs" formula would spread the new funds so broadly that substantial grants would go to some cities and counties which have no current federal-aid programs and/or relatively little need, while some badly blighted cities would have their programs severely curtailed. The "hold harmless" guarantee offered by the administration is no real solution, for it would maintain current aid levels for only two years.

Congress will have the trying task of devising a fairer formula—and that is not the only change the legislators ought to make. In rebounding from the old approach of narrow, over-supervised grants, the administration has gone to the other extreme. The Better Communities Act contains no requirements for detailed local planning, real citizen involvement, regional coordination, or emphasis on the needs of poor people and neighborhoods. The bills advanced last year on Capitol Hill included prudent provisions which promoted local flexibility without forsaking federal safeguards or national goals. Such a middle ground should be found this year.

Overall, the absence of any federal housing policy is the most serious obstacle to the prompt reform of federal urban programs. Without housing, community development is heartless. Without knowing what federal aid for low-income and moderate-income housing might be available, cities can hardly be expected to make intelligent plans for neighborhood facilities, parks, commercial growth and the improvement of their existing housing stock. The administration has promised to produce its new housing recommendations by September, but that could effectively postpone enactment of any new urban legislation until 1974. For the cities, then, the "new federalism" seems to mean a long season of uncertainty, followed—perhaps—by some worthwhile reforms.

OLDER AMERICANS AMENDMENTS

Mr. RIBICOFF. Mr. President, I urge the President to sign into law the older Americans comprehensive service amendments. The programs under this legislation provide valuable social services to older Americans and provide them with the opportunity to be of service to the community.

Older Americans do not want to be put on the shelf. They want a chance to be useful to themselves and others. This bill gives them that chance. It provides public service jobs to unemployed persons over age 65. It establishes a National Senior Service Corps to provide new job opportunities in a wide range of service activities for older Americans.

One of the major innovations in this legislation is the establishment of multipurpose senior centers to provide a focal point for a wide range of social and nutritional services. These services can enable senior citizens to remain active participants in their communities.

It is time to end the divisive bickering about this legislation which was vetoed in a different form by the President last year. We have worked out a compromise bill which should be acceptable to him. If we continue to argue, the only losers will be the older citizens in America.

TRADE LEGISLATION

Mr. JAVITS. Mr. President, on May 1, Ambassador William D. Eberle, the President's Special Representative for Trade Negotiations made an outstanding address on America's policy regarding world trade before the National Press Club.

As we know, congressional consideration of the Trade Reform Act of 1973 will begin on May 9 when the House Ways and Means Committee open hearings on this bill. This legislation will be among the most important legislation before the Congress this year and its foreign policy implications are of enormous importance.

I would like to call my colleagues' attention to one section of Ambassador Eberle's speech which is of direct and immediate interest to the Congress. Ambassador Eberle pointed to President Nixon's remarks in forwarding the Trade Reform Act of 1973 where the President invited the Congress to "set up whatever mechanism it deems best for closer consultation and cooperation to insure that its views are properly represented as trade negotiations go forward."

Ambassador Eberle then stated that—

Somehow that placing of the ball on the Congressional side of the court has been largely overlooked.

It is my strong view that we should take the President up on his offer and take meaningful steps to insure that the Congress's participation in the entire range of trade policymaking is increased.

I ask unanimous consent that Ambassador Eberle's fine address entitled "World Trade: American Strategy," be printed in the RECORD.

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

WORLD TRADE: AMERICA'S STRATEGY

(Remarks of Ambassador William D. Eberle)

Mr. Lamotte, Distinguished Guests, Ladies and Gentlemen: It is a privilege to be asked to launch this new series of luncheons, and I hope you will indulge my offering congratulations on your selection of "world trade" as the first of eight major topics you will be reviewing over the coming weeks. It is a suitable subject, because trade policy and trade relations touch many people in many nations, with widespread political as well as economic ramifications.

Your chairman, the father of these "issue" luncheons discussions, has asked me to give you some news. This is not an easy assignment. As a trade policy man, I foresee changes in the world trading system which will take several years to negotiate. To accomplish these changes, as a negotiator, I see some of the hardest as well as most complicated international bargaining in which this country will have ever been involved. It is also difficult to make news when the fourth estate—at home and overseas—has already so fully analyzed what I believe to be the very foundation of the forthcoming multilateral trade talks: the President's proposed Trade Reform Act of 1973. The press has effectively illustrated a point I have long held—that trade issues always seem to have at least two sides, depending on one's perspective. If the trade bill can be accused of some ambivalence I cannot help but note the wide variety of press interpretations of it. I have read that it can and may be used as a vehicle of "brutal protectionist retaliation" to "provoke a disastrous new trade war." Yet others say it is a domestic "rip-off" in favor of the ideology of free trade. Some accounts describe it as "something to please—and displease—everyone," or "Jekyll and Hyde incarnate." A headline over the balanced and thoughtful column of one of the distinguished journalists at this table asked: "The Trade Bill: Peace with the Devil?"

Because there are so many different apprehensions, I thought I might try to take these few minutes with you to focus on some of the fundamental ideas we have and what we are trying to do.

First let me point out that at the heart of our policy is the twofold objective of trade expansion and trade reform.

We seek a more open world, because basically we believe this will provide more opportunities—in jobs and in economic well-being for more people at home and abroad than any other approach to the world economy. We seek reforms of the world trading rules and institutions, because greater opportunities cannot be realized if governments tamper indiscriminately with the forces of economic change, intervening too often to favor one interest over another, without regard to effects on third parties or on other nations' interests.

But our twofold trade objective is only part of a broader set of international objectives. We are in fact trying to reform the world economic system as a whole, with monetary reform a critical underpinning to progress in trade. And we are even beginning to explore internationally the nature of the problems in a third area of investment, and policies which affect where investment goes, and how it is used around the world.

We believe there is an overall logic to our approach to modernizing the way the world economy works. On the one hand, we have to insure that domestic economies may be managed effectively from a perspective of domestic social priorities, and yet be allowed, and indeed encouraged, to adapt on a continuing basis to the evolution of the global economy. On the other hand, we accept the need to restore order and introduce a greater degree of collective discipline in world economic relations.

The problem to be managed in seeking these objectives relates to the very high degree of economic interdependence which exists among nations today. Actions or policies in one country often have a direct effect on economic circumstances within other nations—often these effects are transmitted quickly, and sometimes disruptively to particular sectors, regions, or types of workers. In turn, this means that there are political consequences, as people feel themselves touched directly by policies or actions of other peoples in other places.

In trying to find a better system for managing this interdependence, while insuring a large degree of freedom for national governments to deal with their own social and economic problems, one cannot help but be reminded of the centuries-old philosophic debate about how to insure freedom to the individual citizen in a context of orderly communal relations. Can a citizen be free if his fellow citizens are not limited by laws from infringing upon his freedom? Is not a rule of law and the constraint of common custom the basis of individual freedom? The same kinds of questions arise in trade and one is drawn to the conclusion that real economic freedom for a nation can be found in this highly interdependent world only within a framework of international rules, procedures, and understandings which allow for alternative options by sovereign nations within acceptable guidelines.

This is important—because trade policy and world trade rules are a critical part of orderly relations among nations.

When President Nixon sent his Trade Reform Act of 1973 to Congress three weeks

ago, he emphasized that the sweeping changes since the close of World War II had not been matched by sufficient change in the world's trading and monetary systems. The rigidity of national and international rules, practices, and institutions has put increasing stress on economic resource and financial flows. Political frictions have been generated among as well as within nations as a consequence of trade and investment distortions. This economic friction in turn threatens to pull nations apart at a time when we should be consolidating relationships and negotiating solutions to mutual political and economic difficulties.

So the President repeated in his trade message to the Congress what he had said in his address to the governors of the IMF last September, that "our common goal should be to set in place an economic structure that will help and not hinder the world's historic movement toward peace."

Even beyond these considerations, we have to recognize today that there is a growing interdependence among the policies of nations in the arenas of politics, security, and economics. To grasp the scope and degree of what is happening we need only look at the renaissance of "summitry". We need only remind ourselves of the tremendous range of issues coming to a head at the same time historically—the Strategic Arms Limitations Talks (SALT II); the discussions on Mutual and Balanced Force Reductions (MBFR); the Conference on Security and Cooperation in Europe (CSCE); the call for new forms of cooperation in dealing with the world energy crisis; international cooperation to bring stability and lasting peace to Indochina; and a string of conferences in the UN and elsewhere on law of the sea, the deep-sea bed, the use and control of natural resources and ecological balance.

The world economic talks—on monetary, trade, investment, development assistance, and other issues—are parallel efforts in this broad engagement of political forces to develop a more orderly means of resolving international problems on the basis of mutual advantage. The economic talks are a major element in this country's effort to develop an international order which serves the economic needs of nations while improving the arrangements and incentives for cooperation, so that economic relations can strengthen political ties and stabilize security relationships.

Henry Kissinger's historic speech last week on "The Year of Europe" emphasized this when he said, "It is the responsibility of national leaders to ensure that economic negotiations serve larger political purposes . . . Economic rivalry, if carried on without restraint, will in the end damage other relationships.

"The United States intends to adopt a broad political approach that does justice to our overriding political interest in an open and balanced trading order . . . We see these negotiations not as a test of strength, but as a test of joint statesmanship."

Thus, the Administration does not use lightly the phrase "era of negotiation." The President's openings to Moscow and Peking, his meetings with the Prime Minister of Japan and European leaders, his forthcoming European visits, indeed his message to Congress accompanying the trade bill, all leave little room for misinterpretation. In the words of the trade message:

"The world is embarked today on a profound and historic movement away from confrontation and toward negotiation in resolving international differences. Increasingly in recent years, countries have come to see that the best way of advancing their own interests is by expanding peaceful contacts with other peoples. We have thus begun to erect a durable structure of peace in the world from which all nations can benefit and in which all nations have a stake."

Movement on this historic course will have to be gained at the highest political levels. But that has already been recognized by leaders of many countries as is evidenced for example by the communique of the October 1972 Summit conference of European leaders. President Pompidou in particular, noted this need when he called, in December of last year, for political leadership to provide a framework within which the trade and monetary experts might conduct their negotiations. Thus, it is noteworthy that the themes stressing the broad international relationships and the role of economic talks in those broad relationships, are in sympathy with a mood felt at high levels in many capitals. They are responses to overtures from others, and not just shots in the dark. This overall recognition poses a surprise only for those who have not followed the evolution in this and other nations as evidenced by these international declarations in the last two years, and for those who prefer to believe that there is no policy, and no international mood of cooperation at the political level.

We need now, however, a further firm political commitment to the better world order we seek. We therefore must, at high levels of government, consider with our foreign partners what the framework of political commitment should be. What are the objectives and principles which should guide our political relations and our negotiators' efforts in particular fields? That is a big question—posing an historic challenge for the world's leaders. It is especially a challenge for the leaders of three great economic powers of the world who influence by their actions so much of what happens in the world today: the European Community, Japan and the United States.

Let me then turn to the specific problems of trade, in this broader framework. To build the better world economic structure which the President has called for, is not an easy task. Those who have special situations never like to have them altered. The political entrenchments are sometimes unbelievably resistant to change. However right the course we have chosen may be—and I think it is the right course—it will not always be easy to move ourselves and the world along this path.

The field of trade is especially characterized by political rigidities, ideologies, and pockets of special treatment. To achieve a more open and reformed world trade system, we have to have the ability to encourage change, and to prod it where the incentives to move are not enough. We need to create incentives for a more open and world marketplace and be able when necessary, to pose disincentives to unfair or illegal policies, and to practices which obstruct desired changes. This need to dislodge some of the most resistant forces—to negotiate in the hard core areas where change could never have been achieved in past international negotiations—is the reason why we have had to seek legislative authorities which create both incentives and penalties. It is only if you set aside our broad philosophic objectives that you can easily attack specific parts of our legislative proposals as too protectionist or too liberal. To give us the leverage we need to negotiate effectively we have asked Congress to pass legislation. Many of our trading partners already have negotiating power comparable to or more extensive than that which we are seeking. In fact we are at present much more constrained in what we can do internationally than other major trading nations—which is hardly a good basis from which to negotiate.

But negotiating authority is not enough. We also need the ability to manage effectively our day-to-day trade problems, and our domestic reactions to them, whether they be temporarily restrictive or liberalizing in effect. We need to be able to deal expeditiously with unfair or illegal practices—so that these are less likely to occur.

We also need to be able to open the international trading system on a global basis, to broaden the areas of economic opportunity, as well as to broaden the base of common economic interests in a stable world order. To bring more countries into the new world order, and to provide us with greater direct interests in the course of their economic evolution, we are requesting authorities to establish new trading relations with the Soviet Union and other non-market countries. We are also requesting authorities to provide new lower tariff incentives for developing nations to join in the process of growth of world trade.

But these three basic objectives—negotiating flexibility, management authority for day-to-day problems, and new openings for relations with more countries—have been described as a demand for "broad, sweeping, unprecedented authority without limit." Some accounts suggest that the President has asked the legislative branch of government not only to abdicate its trade powers, but guillotine itself as well.

We don't agree with that analysis and we don't agree for two reasons. First, compare the authorities granted by the Congress to the President in the Trade Expansion Act of 1962 (TEA) to those requested in the pending Trade Reform Act of 1973 (TRA). Let me highlight some points of that comparison. . . . The negotiating powers we seek to lower or restructure tariffs must be subject to negotiation and international agreement. Since tariffs are generally low in the U.S. (averaging 8 percent now), and often there is no tariff at all, the power to change drastically or affect trade through tariff reductions is already circumscribed by the point from where we start. We have emphasized that the results would be phased over five years or more. There will be Tariff Commission hearings. Executive Branch hearings, and extensive consultations with interested parties. How unlimited is all of that?

The TEA authorities were similar, except that then higher tariffs could be lowered by 50 percent in all cases, and to zero on any item for which the U.S. and the European Community combined accounted for 80 percent of world exports—and the phasing of reductions was just five years and no more.

Under the TEA we also had authority to increase tariffs; in fact to 50 percent over the 1934 rates—a level so high as to effectively be unlimited. In our bill we have not specified an upper limit, but there is no intent to increase many tariffs, or to increase any one if very much. Remember, our partners' agreement is necessary to any hikes under this authority.

The request to negotiate on non-tariff barriers does not change existing authority to negotiate and seek Senate treaty approval, Congressional passage of enabling statutes, or utilize existing Presidential authorities whatever they may be. But, we are seeking a new optional procedure which is designed not only to make our negotiating efforts more credible abroad, and less suspect at home, but also to give Congress an extensive and appropriate role. The new non-tariff barrier procedures we propose involve changes which require agreement of our trading partners, and advance notice to the Congress 90 days before concluding any agreements, so that Congress can express its views before commitments are made. We are also providing in many cases a subsequent period of time for Congress to overturn agreements if that should prove politically necessary to the Congress.

The import relief measures we are proposing are different in degree from what was in the TEA—but the approach is very similar, and is related to the nature of the injury or threat of injury involved in the specific

case. There is greater flexibility to respond to disruptive problems—but more factors to be weighed and a greater stress on the need for change through limits on duration of relief and through the requirement that levels of special protection be phased down over the temporary period of relief. The President had in the TEA discretion to invoke measures he determined necessary in such cases.

The proposed powers to retaliate are a redrafted and simplified version of retaliatory powers in the TEA. True, there is more in the new proposals, but this is designed to meet problems of third country competition—not foreseen in past years, and to make the powers intended in the past more usable.

I repeat what I already said—our trading partners in most cases already have these or similar powers—and more. Their forms of government in fact provide far greater flexibility than ours ever can have—or needs. It is a matter for us of choosing the right balance of authority, from our own national interest point of view. We believe we have done that in our proposed legislation.

But there is a second reason why the characterizations of unprecedented, unlimited authority are off base. If there is a blank check somewhere, it is in the President's Trade Message, in his invitation to the Congress to increase its participation in the entire range of trade policy-making and negotiation. The President said, "Just as we have consulted closely with the Congress in shaping this legislation, so the Executive Branch will consult closely with the Congress in exercising any negotiating authorities it receives. I invite the Congress to set up whatever mechanism it deems best for closer consultation and cooperation to ensure that its views are properly represented as trade negotiations go forward."

Somehow that placing of the ball on the Congressional side of the court has been largely overlooked.

Taking all of this into account, and the central role international negotiation at many levels plays in our thinking, you can see how complex the task of coming months is going to be. We think we have the apparatus, and the people, and the ideas, and the will to manage it, to help set the world on a better course. We believe other nations accept that fact, at the political level. We have joined in written undertakings with the European Community and Japan, in the aftermath of the Smithsonian Agreement of December, 1971, to negotiate "on the basis of mutual advantage and mutual commitment with overall reciprocity." —Mutual advantage, so that all are winners. —Mutual commitment, so that all play by the same rules in the future. —Overall reciprocity, so that an overall balance of advantage can be struck for each country, enabling the political changes that are necessary.

I go back then to my main theme, which I believe is shared in other capitals, in spite of comments from those who do not see the painting of the big picture in recent months. That theme is that the forthcoming trade negotiations, along with and supported by the monetary reform talks, are key to a wider range of international harmony.

We are aiming at a truly global undertaking. Some of you have referred to it as the Nixon Round. I am not sure that is exactly what suits the process we envisage—for while President Nixon has put his weight behind it, so have other leaders of the world. It is necessarily a work of what Henry Kissinger describes as "joint statesmanship." We have been looking for a better, more creative name. I expect that the process will be started in September by a Tokyo Declaration, since that is the city where ministers of negotiating countries plan to meet for a few days to launch the global talks. It may be that a set of principles and objectives can be embodied in the so-called Atlantic Charter Dr. Kissinger has suggested. Beyond that, we have not come up with the right name for the negotiating process. In the bureaucracy, it is known simply as the MTN (Multilateral Trade Negotiations).

But whatever name we give this common undertaking, we must remember it is just that, a joint effort, in search of a better world order.

I conclude with the President's words, "This structure of peace cannot be strong . . . unless it encompasses international economic affairs. Our progress toward world peace and stability can be significantly undermined by economic conflicts which breed political tensions and weaken security ties. It is imperative, therefore, that we promptly turn our negotiating efforts to the task of resolving problems in the economic arena."

TESTIMONY OF MINNESOTA GOVERNOR, WENDELL ANDERSON, ON PROPERTY TAX RELIEF

Mr. HUMPHREY. Mr. President, the Intergovernmental Relations Subcommittee of the Government Operations Committee today began hearings on the Property Tax Relief and Reform Act of 1973.

I am a cosponsor of that proposed legislation. The legislation would provide property tax relief for those persons suffering the heaviest burden from the property tax, it would strengthen the ability of State and local governments to raise their own revenues, and it would encourage the reform of property tax administration.

Mr. President, the bill now before Senate hearings is an outgrowth of efforts, by myself, the chairman of the Subcommittee on Intergovernmental Relations, (Mr. MUSKIE) and the Senator from Illinois (Mr. PERCY) during last year's Senate debate on revenue sharing to begin a Federal study of the property tax.

Mr. President, the Governor of my home State of Minnesota, Wendall Anderson, was the first witness before the Subcommittee on Intergovernmental Relations.

I believe that our State has an admirable record in the equalizing of the property tax burden. Governor Anderson is to be commended for his leadership on this front.

The Governor has directed a massive redesign of the property tax and school financing system in our State. Today, the State provides about 70 percent of the current operating cost of local schools. What we have done in Minnesota is to shift the financing of education from the property tax to revenues available to the State—the income and sales taxes.

At the same, the amount of funds going from the State to local communities was increased so that municipal property taxes on residents could be reduced. The results: Property taxes in Minnesota declined—that is right—declined by an average of 11.5 percent.

Mr. President, and, I am certain that all the cosponsors of the Property Tax Relief and Reform Act are proud to have Governor Anderson's endorsement of this legislation.

Said the Governor:

I support the basic approach . . . combining state and federal action to deal with the problems of property tax. The federal role is to encourage and aid state government.

The responsibility for action, however, is at the state and local level, where I believe it properly belongs.

Mr. President, I ask unanimous consent that Governor Anderson's testimony be printed in the RECORD.

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

TESTIMONY OF GOV. WENDELL R. ANDERSON, BEFORE THE SUBCOMMITTEE ON INTERGOVERNMENTAL RELATIONS, MAY 2, 1973

I appreciate the opportunity to testify today on the Property Tax Relief and Reform Act introduced by Senator Muskie and cosponsored by seven other Senators. I am pleased that one of those seven is Minnesota's Senator Humphrey.

I support the basic approach that Senator Muskie is taking in this bill—combined state and federal action to deal with the problems of the property tax. The federal role is to encourage and aid state governments. The responsibility for action, however, is at the state and local level, where I believe it properly belongs.

State governments must have such encouragement and assistance in order to correct a situation that has become almost a national scandal, our heavy reliance on the property tax to finance local government services, especially education.

First, the property tax places a shameful burden on low income individuals, especially the elderly. Second, the local nature of property taxes creates a great disparity in educational opportunity for our nation's children, both within states and among states, wherever there is heavy use of property taxation at the local level to support education. That is almost everywhere in the United States.

In Minnesota, as I will explain in a moment, we have taken action to begin to eliminate this disparity. Some other states have also begun to address it. But much more remains to be done.

Why is property tax relief and reform such a pressing issue? Mainly because the local property tax raises more public funds in the United States than any other tax except the Federal individual income tax.

Recently, I served as one of eight special advisors for an extensive study of school financing carried out at the President's request by the Advisory Commission on Intergovernmental Relations. This study shows that, nationally, property tax yields are estimated to be about $45 billion in 1973. This is second only to the Federal individual income tax as a source of revenue, bigger than the sales tax, bigger than the corporation income tax.

The property tax accounts for about two-fifths of all State and local tax collections. Nearly 85 percent of local tax dollars come from the property tax. School districts, for example, rely on the property tax for about 98 percent of their tax revenue. This requires a lot of money to be raised from a tax which has the faults of the property tax.

One of these faults, according to the ACIR's data, is the shameful way in which property taxes place their burden on those least able to pay. Nationally, property taxes on homes claim an average of 17 percent of the annual income of our poorest families. At an income of 3 to 4 thousand dollars per year, the tax takes nearly 8 percent. The highly regressive nature of this tax stands out in this survey. When your income reaches 10 to 15,000 dollars, the property tax falls to about 3.7 percent of your income; for incomes over $25 thousand, about 2.9 percent. This tax takes over five times as great a bite, percentagewise, from the lowest income individuals as from the highest. For those who haven't seen these figures in the ACIR report *Financing Schools and Property Tax Relief—A State Responsibility*, I have included some data from this report.

REAL ESTATE TAXES AS A PERCENTAGE OF FAMILY INCOME, OWNER-OCCUPIED SINGLE-FAMILY HOMES, BY INCOME CLASS AND BY REGION, 1970

Family income	United States total	Northeast region	North-central region	South region	West region	Percentage distribution: Number (thousands)	Percentage distribution: Percent district
Less than $2,000	16.6	30.8	18.0	8.2	22.9	1,718.8	5.5
$2,000 to $2,900	9.7	15.7	9.8	5.2	12.5	1,288.7	9.7
$3,000 to $3,900	7.7	13.1	7.7	4.3	8.7	1,397.8	14.1
$4,000 to $4,999	6.4	9.8	6.7	3.4	8.0	1,342.8	13.5
$5,000 to $5,999	5.5	9.3	5.7	2.9	6.5	1,365.1	22.8
$6,000 to $6,999	4.7	7.1	4.9	2.5	5.9	1,530.1	27.8
$7,000 to $7,999	4.2	6.2	4.2	2.2	5.0	5,377.4	45.0
$10,000 to $14,999	3.7	5.3	3.6	2.0	4.0	8,910.3	73.6
$15,000 to $24,999	3.3	4.6	3.1	2.0	3.4	6,365.6	94.0
$25,000 or more	2.9	3.9	2.7	1.7	2.9	1,876.9	100.0
All incomes	4.9	6.9	5.1	2.9	5.4	31,144.7	

Source: Advisory Commission on Intergovernmental Relations Financing Schools and Property Tax Relief—A State Responsibility, Washington, D.C. January 1973.

For the elderly, the picture is just as unfair. Nationally, real estate taxes on elderly homeowners take about 16 percent at the lowest income level. This is more shocking when you consider that, according to the same survey, one out of five homeowners over 65 are in this income class. The property tax takes about 8 percent of incomes of senior citizens between 3 and 4 thousand dollars, 6.2 percent for incomes of 5 to 6 thousand dollars. According to the same survey, nearly two-thirds of elderly homeowners had incomes under this level of 6 thousand dollars.

These figures understate the burden for some of our low income people. These figures are averages. Therefore, the burden is even higher for some even more unfortunate people, those above the average.

So the property tax does not raise revenues according to ability to pay. That is clearly a major weakness in the second largest tax source of public funds in the nation.

The second major fault of the property tax is the great disparity from one taxing district to another in the financial resources on which the property tax is based. The Rodriquez school finance case is a clear illustration. We're all familiar with this. Mr. Rodriquez is a Mexican-American from Texas. He has 3 or 4 children. They want to go to school and be doctors or lawyers or dentists. One wants to be a priest.

The problem is that Mr. Rodriquez lives in a predominantly Mexican-American district. They have very modest little homes where the property taxes are almost confiscatory. Yet they raised only $26 per year per student from those taxes. Across town in the affluent part of the area, real estate taxes are modest. But they could raise $500 or $600 per student. Mr. Rodriquez knew that unless he could do something to crack that system, his children would not get the education they need. The schools would not be good enough. His children could not become lawyers or doctors or dentists.

Well, Mr. Rodriguez went to court on grounds that this sort of unequal opportunity is unconstitutional. The Texas courts agreed with him. Unfortunately, the United States Supreme Court, in a close 5 to 4 decision, disagreed with Mr. Rodriguez. It therefore may be impossible to claim that this unequal opportunity goes against the U.S. Constitution. I will say, however, that it is clearly unfair to limit opportunity for young people because of local limitations in public resources. When you are well off, you can move or find an alternative school for your children. But Mr. Rodriguez and a lot of other people are poor. They can't afford to do either one.

No wonder that the local property tax is so unpopular. With this degree of regressiveness and inequity, it is rightly considered the most unfair of our major taxes.

There are other bad features of the property tax. Poor administration is one problem. Studies show significant variation in the valuation of property for tax purposes. Homes of equal market value are often assessed at quite different values. Thus, two individuals with the same income and the same value home in the same jurisdiction may pay considerably different valuations by the local assessors.

Property taxes also compound the problem of providing adequate housing for low and moderate income families. Communities want families and housing that they feel increase their tax base by more than expected costs. Zoning ordinances are used to keep out inexpensive housing and allow only the more affluent. This raises the cost of housing. It limits the range of alternative areas from which low and moderate income families can choose a place to live. The pressure increases the difference in resources between districts and therefore it also continues the disparities which exist in local government services, especially education.

Our property tax system also increases the difficulties in guiding development and land use. Industry wants to go where property taxes are already low. Municipalities want commercial and industrial development to contribute to their tax base. The result may be uneconomic from a larger view. But, businessmen can't be faulted for seeking to lessen their costs. And the competition for high value development by municipalities is understandable. Rich districts with lower taxes get more industries and become even richer. Poor districts become relatively poorer. And so we end up with tax enclaves, scattered development, industry where we really don't want it. For example, we have a coal burning power plant sitting along the St. Croix River, one of the most beautiful rivers in the country. It's done a lot for the tax base of one municipality. But what is it going to do to that magnificent river valley?

We faced all of these problems in Minnesota. Property taxes had grown steadily from $123 per capita in 1960 to $200 in 1970—an average annual percentage increase of 6 percent over the ten years. Total net property taxes in Minnesota increased 15 percent from 1969 to 1970 and 20 percent from 1970 to 1971, or well over a third in just two years.

We had a study done in 1970 on the whole property tax situation. It documented what we already knew about the level of the tax compared to incomes, and about the regressiveness of the property tax among homeowners.

The tax bite averaged over 3 percent of income in nearly a quarter of municipalities with over 2,500 population. And these figures are for 1968, prior to those 15 and 20 percent increases in total collections.

This study also showed that property taxes were four times as burdensome on incomes of $2,000 as on incomes of $20,000. The following tabel shows how regressive the taxes were in terms of percentage of income at different income levels.

Income group:	*Property tax percent of income*
$2,000	6.2
$4,000	4.1
$6,000	3.2
$8,000	2.7
$10,000	2.4
$14,000	1.9
$18,000	1.7
$20,000	1.6

Source: Report to the Governor's Minnesota Property Tax Study Advisory Committee, November 1970.

The difference in burden is also documented by data prepared in 1971 by my Council of Economic Advisors. They used data from the 1968 study and compared housing values and incomes at different income levels.

Income class	Mean housing value	Ratio, housing value to income
$2,000	12,900	6.45
$4,000	12,900	3.23
$6,000	13,000	2.17
$8,000	13,500	1.69
$10,000	15,500	1.55
$14,000	18,300	1.31
$18,000	22,000	1.22
$20,000	23,000	1.15

Source: Unpublished data prepared by the Minnesota Council of Economic Advisers.

The poorer you are, the greater the value of your home when compared to your income. The poorer you are, the higher the proportion of your income that goes for property taxes. Our property tax classification system provides some protection. But the data show that the property tax remains regressive by its nature.

I would like to emphasize again that these figures are averages. This study found considerable variation in housing values at each income level, so that the burden is even higher for some.

Minnesota also had a school financing problem. Assessed value in our ten richest school districts averaged about $6,000 per pupil unit. The tax base per pupil unit in the ten poorest averaged about $2,600 or a little over 40 percent of the richest. Mill rates in the ten poorest were close to double that in the richest, 224 mills as against 126 mills. Yet the richest districts on the average were spending 20 percent more per pupil for education.

Minnesota, like many other states, has a foundation aid formula for state aid to school districts. In 1970, the foundation level was $404 per pupil unit. However, the average expenditure per pupil unit for operating costs was $722. State support of local schools amounted to only 43 percent of the operating costs statewide. These costs do not include capital outlay or debt redemption. School district spending in 1969–1970 varied from a low of $370 per pupil unit to $903. Mill levies ranged from 90 mills to roughly 360 mills, or 4 times as much in the high-levy districts as in the low-levy districts.

Taxpayer dissatisfaction with the property tax burdens of this school finance system showed in a number of ways. It could be demonstrated by the voting on school bond issues throughout the state. In 1967–68, voters passed 81 percent of the school bond issues. In 1969–70, 58 percent of the issues passed. The next year, 1970–71, only a third, 33 percent, passed.

Municipal tax bases showed the same sort of variation. Among municipalities over 2,500, tax base per capita ranged from $281 to $1,914, a ratio of 6 to 1. Municipal mill rates for these same municipalities showed a greater range, from 27 mills to 158 mills, nearly 8 to 1.

And, as I said before, property taxes continued to rise. In 1967, the Minnesota Legislature enacted a sales tax to provide for property tax relief. Homeowners received a partial state payment of their property taxes, renters received a refund, and business received partial exemption of personal property. By 1970, this property tax relief has disappeared.

In 1971, when I began my term as governor, I felt that the two biggest issues were property tax relief and reform of the school finance system. These two problems are closely intertwined and could best, and possibly only, be solved jointly. What we did in Minnesota was to shift the bulk of school finance from the local to the state level. We raised our foundation aid level to $750 per pupil unit in 1972–73. The state now provides about 70 percent of the current operating cost of local schools in Minnesota. This meant a shift from financing education primarily by the property tax to the revenue sources available on a statewide basis, primarily income and sales taxes.

We think this was a great stride in assuring that educational opportunity should be a function of the total resources of the state and not the taxing ability of the local school district. For example, in 1971 the Anoka school district had to levey a tax of $531 on a $20,000 home to spend $537 per pupil. A few miles away, the Golden Valley school district—with more affluent families and substantial commercial-industrial property—levied $438 on a $20,000 home and spent $940 per pupil. The tax was 18 percent lower in Golden Valley, but it raised 64 percent more per pupil.

A year later the Anoka school district could reduce the tax on the same value home $172 or 32 percent, yet spend $627 per pupil. The difference between the taxes on comparable homes was reduced by 60 percent.

This is a dramatic turnaround.

We also raised the volume of state funds going to local units of government, the municipalities and counties, by $111 million. We wanted to provide tax relief here also, and we wanted to help local governments. They are really the ones who have been faced with rising demands for services and funds. One result of our program is that cities and villages in Minnesota now get more dollars from aid—federal, state, and county—than they get from property taxes.

We also provided additional relief to renters by doubling the Rent Credit, so that a renter can get up to $90 of his rent refunded.

What did this achieve for Minnesotans in property tax relief? Property taxes declined an average of 11.5 percent statewide. Yes, an eleven and one half percent *decrease*. That's quite a change from the 20 percent per year increase of previous year.

Until we took action, the Iron Range communities in northern Minnesota had some of the highest property taxes in the state. In 1971, taxes on an $18,000 home in the community of Eveleth were $782. In 1972 the taxes on that same home fell to $389, a reduction of over *50* percent. In Cook and Meadowlands, property taxes on a $18,000 home went down by *60* percent.

This wasn't accomplished easily. We had an 86 day special legislative session in order to work this out. We had an 86 day special legislative session in order to work this out. We had to increase state taxes by a considerable amount. We raised the liquor tax by 25 percent and the cigarette tax 6 cents a pack. We raised corporation tax rates slightly and eliminated deductibility of federal taxes for corporation income taxes. We raised the individual income tax rates by a tenth of a percent in the lowest bracket and by 2½ percent in the highest. We added a penny to the sales tax. We made some changes in other taxes. Altogether we increased state revenues by nearly $600 million over the biennium. That's a lot of money.

But we were able to deal with two major problems, the rising burden of property taxes and the unfairness in our educational finance system.

That property tax reduction meant a great deal to homeowners, farmers, and businessmen in Minnesota.

Let me give you just one example.

Joe Pfaffinger has a farming operation, partly in Minnesota and partly across the border in Iowa.

His Minnesota Real Estate Taxes dropped 19 percent last year.

But, Joe Pfaffinger's Real Estate taxes did not go down in Iowa. Joe Pfaffinger is now paying almost twice the property tax on his Iowa farm as on his Minnesota farm.

We achieved another important result through the combined increase in our state taxes and the reduction in local property taxes. We increased the degree of progressivity of our total state and local tax system in Minnesota. The sum of property, sales, and income taxes actually fell by 8 percent for the average homeowner with an income of $4,000. Combined state and federal taxes decreased for incomes up to the $6,000, and increased only 3 percent in the $20,000 bracket.

We also took some steps to ensure that property tax relief wouldn't be eaten away by rising local expenditures. In the five years prior to 1971, education spending had averaged an increase in excess of 15 percent each year. During the same period, municipal spending had increased on the average five and a half percent per year. Along with the aid increase to education and local governments, we imposed limitations on the rate of increase of levies. These limitations are enforced primarily by partial losses of aid for increases in excess of the limitations. To account for special needs, we do allow school district increases in excess of the limitation without penalty when the voters choose to do so by referendum.

In Minnesota we also tried to deal in another way with property tax problems. We passed a Fiscal Disparities law covering the Seven County Minneapolis-St. Paul Metropolitan Area. This law provides for sharing 40 percent of the growth in commercial-industrial valuation among all jurisdictions in that Metropolitan area. Allocation of the shared base takes account of population and the tax base, so that poorer units get a proportionately larger share. This will help reduce disparities. Just as important, however, this sort of mechanism would help to guide development in that region. It should lessen the competition for development and the problems associated with this competition. I should add that this law was recently declared unconstitutional by a district court. The decision is being appealed to the State Supreme Court. But the law clearly shows the direction we want to go in providing a fair taxing system in Minnesota.

The rate increases of 1971 will bring in additional revenue during the next two years due to growth in the base. This growth, along with some of our revenue sharing money, will provide more property tax relief during the next two years. We're going to raise the education foundation level again to keep the state share at 70 percent. More important, we intend to further equalize education spending. We plan to bring the below average districts up to the average over the next six year period.

In addition, we'll increase the aid going directly to homeowners and renters. The state now pays 35 percent of the nondebt levy on homesteads up to a maximum of $250. We propose to increase that rate and extend it to cover the debt levy which averages about 15 percent of the total levy. We'll also raise the rent credit that refunds a portion of property taxes paid by renters. This will probably go up to 10 percent of rents.

Minnesota also has a type of circuit breaker for the elderly, both homeowners and renters. We pay a percentage of their property taxes, in addition to the other aid. For very low incomes, the state pays 90% of property taxes. We'll raise the income limit this year to aid another 35,000 people. The circuit breaker protects our senior citizens from too high a level of taxes.

But for many, a credit will not handle the whole problem. Their property taxes keep going up, even though their working years are over and their incomes are often fixed. We've proposed therefore, that their property taxes be just as fixed. That would mean no property tax increase, period, for a Minnesotan 65 or older. Under this proposal, when a homeowner reaches 65, his property taxes will never go up again as long as he stays in that home. State funds will reimburse the local government's income loss, so the cost won't fall on other property owners.

We have also discovered that in Minnesota the property tax is being paid more and more by residential property. Residential property is being reassessed upward more rapidly than commercial property. In 1968 urban homestead property accounted for 36 percent of the total taxable value. Only two years later, in 1970, this proportion had increased to 38.5 percent. Figures aren't complete for 1972 but the proportion seems to have risen again. This latest rise does not include an exemption granted in 1971 for business personal property. As a short term solution for this shift of property taxes onto homeowners, we've requested a two year moratorium on reassessments. This would halt shifting of the tax onto homeowners and give us some time to study this situation further. That's a controversial proposal, but we are determined to avoid the worst effects of our property taxation system.

In providing needed incentives for more equitable assessment and property taxation, this proposed legislation should carefully avoid creating a similar problem for other states.

Homes may be assessed, informally or formally, at lower rates than other types of property. Our property classification system in Minnesota directly recognizes this approach as justified social and economic policy. Without such formal recognition, one result of equalizing assessments may actually be to raise taxes proportionately on small homes in comparison to commercial property. This does not seem to me to be the intention of this reform legislation, and such an effect should be avoided.

This program of property tax relief and educational reform has been generally popular in Minnesota. A poll taken in Minnesota in November, 1971, found that generally the program was considered equitable. We do sometimes hear complaints that our tax climate is unfavorable to business. I don't know any governor who doesn't hear that about his state. We also hear that people don't like to transfer to Minnesota because of the taxes. However, once they're in Minnesota they don't want to leave.

I've spent some time talking about Minnesota's situation. I've done this, first, to show that Minnesota has essentially the same problems as other states. Second, I described what we have done to try to deal with these problems. I believe we are proving that these problems can be solved, and other states can learn from Minnesota's experience. And I think that what we've done can help to define the national government's

role in approaching property tax problems as they really exist at the state level.

As I stated before, the national government's role should be generally indirect. Encourage our state governments to strengthen their own systems, to carry out necessary reforms. Provide financial assistance and technical aid in setting up state programs to improve assessment practices and other features of administration of the property tax.

I also support the use of federal funds to encourage states to adopt circuit breakers. This is an excellent means of protecting the poor of all ages from the regressiveness and the heavy burden of the property tax. As the information prepared by my Council of Economic Advisors showed, the regressiveness is not due solely to poor administration. Regressiveness follows from the different ratios of housing value to income. The state circuit breaker deals with this directly and effectively.

Encouraging state action can also take other forms than those in the proposed Property Tax Relief and Reform Act. The federal grant system could be used more to reward states with progressive tax systems. Minnesota's neighboring state of Wisconsin is generally recognized as a progressive state. In 1970 Wisconsin ranked second in the nation for income tax collections per $1,000 personal income and second in total state and local taxes per $1,000 of personal income. In fiscal 1971 Wisconsin ranked 47th in the nation in federal grants in aid per capita.

This proposed legislation also does too little to reward progressive states. I realize that it intends to provide relief where it is needed most. However, it should recognize the total state and local tax burden. This is partly a matter of equity. More than that, the best method of providing long-term property tax relief is to shift financing to non-property sources. The bill could encourage this by providing relatively more aid to states where a greater portion of the state and local taxes comes from non-property taxes. The $6 per capita aid limitation and the rate of federal participation could be varied to do this.

I think that it is important to recognize the total tax bill. Look at the states which rank as the top ten in property taxes per $1,000 personal income. Only two of them, Wisconsin and Massachusetts, also rank in the top ten in income taxes per $1,000 personal income. Four of them rank 25th or below. Also, only four of these ten rank in the top ten in total state and local taxes, and three rank 26th or lower. Those states making the greatest effort to use fair taxes, and those making the greatest effort to provide services at the state and local level should have their effort recognized.

Under the funding proposed by this bill, incentives to use non-property sources would be small. But where the chance exists, it should be used. The Revenue Sharing formula recognizes the need to some extent, but it is basically a per capita distribution. Minnesota receives its revenue share under the five factor formula, which does recognize income tax effort. But for most other states, the three-factor formula counts property taxes as much as non-property taxes. Hence there is no incentive for those states to adopt a fairer non-property tax system.

There are some things that I think the federal government ought not to do in the area of property tax relief. You should not enact a program of property tax relief directly from the federal government to the taxpayer. This is important for several reasons. First is the reform of education financing. Much remains to be done at the state level. Much will be done despite the Supreme Court's decision in the Rodriguez case. But property tax relief and reform provides a real handle on education financing for state governments. I think it works the other way around too. These two issues. I said before, can best be dealt with jointly. A large federal program direct to the local taxpayer would remove this state leverage.

Second, I think local government officials have some of the toughest problems and toughest jobs of any level of government. They're pressed for services and damned for tax increases to finance them. A direct federal program would aggravate this. Local officials would still be damned for raising property taxes, while federal officials would be thanked for their concern and kindness for the *income* tax reduction they provided.

Third, a federal program would cause some extra costs and perhaps hardships for people who must pay their property taxes now and then wait a year to receive a rebate from the federal government. Minnesota's major property tax relief goes through the local governments to the individual tax bill to avoid the problems I've just cited.

A direct federal program would also create inequities between states which rely primarily on the property tax and those who use non-property sources more heavily. And what is likely to happen to property tax rates if local officials feel that they can raise property taxes since the federal government will refund some of it? We will lose the opportunity for reducing inequities between taxing districts.

The federal government could provide a significant amount of tax relief directly in another way. Both equality of educational opportunity and income maintenance are national goals. The local share of the costs of these programs is financed heavily by the property tax. Expenditures for education and welfare and the tax burdens for support vary considerably within and among states. If the Federal government would assume the full costs of welfare, differences between taxing jurisdictions in levies for differing local welfare costs would be eliminated entirely. This would be especially effective in states with county participation in welfare costs, like Minnesota. The federal government now provides about 7 percent of the costs of elementary and secondary education in the United States. This could be raised to 30 percent, as the Education Commission of the States recommends, with an effect on local taxes similar to the effects of Minnesota's school finance reform.

That could cost a lot of money. Where would it come from? In the last ten years, the Congress has voted five tax cuts. Federal revenue could be $45 billion higher today without those tax cuts. That's about the same as total state and local property taxes today. At the state level, we've had to raise tax rates steadily over the last ten years.

I've spoken at some length supporting the goals and approach of the Property Tax Relief and Reform Act of 1973. There are a few comments on specifics of the bill that I'd like to make.

An important feature of the bill is the encouragement given to state circuit breakers. Circuit breakers are an excellent method, but not the only method of property relief. Minnesota has a circuit breaker of a slightly different form for our elderly. In 1972, it cost about $9 million. But, our major forms of relief direct to the homeowner and renter, the homestead credit and rent credit, cost $130 million in 1972 and will go up to over $160 million next year. We'd like to be sure that the bill provides some federal recognition of these forms of relief also. I would also like to point out that the bill as introduced, in section 302, D. (3) speaks of relief to families. Households composed of single persons ought to be eligible also.

Improving assessment practices as this bill aims to do is also important. Training is an important factor. Publication of assessment/sales ratios will probably do the most for removing inequities of this sort, since local taxpayers will demand better assessment when they recognize the effects of weaknesses of present methods. There may be some difficulties because of the work and expense of annual studies. Different classifications of property for tax purposes and small samples for some types of property might also cause some trouble.

The appeal procedure and automatic reassessment are powerful methods of dealing with assessment inequities. One slight change is needed here to achieve more uniformity in assessment. The bill would allow a 10 percent deviation each way around the average assessment/sales ratio. The 1966 average assessment/sales ratios ranged from 4.6 percent in South Carolina to 77 percent in Alaska and Kentucky. Allowable variation in South Carolina would be from Zero to 14.6 percent, but from 67 percent to 87 percent in Kentucky and Alaska. More uniformity could be achieved within states, along with more equal treatment among states, by basing the allowable variation on the mean ratio for that state. For instance, the allowable range may be 20 percent of the mean ratio. This would make the allowable variation in South Carolina roughly 3.5 percent to 5.5 percent and in Alaska and Kentucky 62 percent to 90 percent. This provides more uniformity in South Carolina and more even conditions imposed among states. You may also provide that automatic reassessment be at the mean ratio for the jurisdiction.

The federal aid for coordinating property taxation with land use policies is very important. We need to know much more about the effects of property taxation on land use and how to tie our tax policies into our planning.

To summarize my remarks, I support this bill. I think it can do something about the property tax situation in this country. It's just one step, but it's a step in the right direction.

I endorse the approach of working for property tax relief and reform through the state governments. State circuit breaker programs can provide the necessary protection against the awful burden of property taxes on low income people. At the same time, the approach followed by this bill leaves major property tax relief and reform as a lever for getting at the unfairness in our education financing system. The importance of this can't be overstated. Fairness in education finance is one of the major problems facing this country today, regardless of the current opinion of the Supreme Court.

The federal government should take a couple of other steps to provide property tax relief. Greater federal support for welfare costs and education costs can lift some of that property tax burden from local jurisdictions. In addition, the use of tax credits rather than deductions and extending credits to renters can lessen the regressive effect of the property tax. Also, more incentive for the use of non-property taxes at the state and local level could be provided in this bill and in other federal programs.

In Minnesota, we believe that we have accomplished a great deal in property tax relief and education finance. We propose to do more. We take a lot of pride in our program. There are many things unique about Minnesota. But reform of education financing and property tax relief is one area in which we would enjoy having a lot of company.

WE MUST NOT FORGET THE GENOCIDE CONVENTION

Mr. PROXMIRE. Mr. President, virtually every day the Senate was in session during the past 5 years, I have urged this body to take action on ratification of the genocide and other human rights conventions. With respect to the Genocide Convention, there has been wide-

spread support for ratification in this administration, in previous administrations, among many of the most prominent members of the bar, among the press, and among many of my constituents.

In March of this year, a subcommittee of the Committee on Foreign Relations again reported favorably on ratification of the Genocide Convention. The hearings which were held in 1950, 1970, and 1971, and the subcommittee's continued attention and favorable reports, attest to the intense interest in the convention and the widespread support in our Nation for basic human rights. Indeed, much of the resistance to the Genocide Convention has abated in the 20 years since the original 1950 hearings.

I genuinely believe that this lessening of resistance is attributable to the broader and deeper understanding of the provisions of the convention. It is a tribute to our deliberations here in the Senate that an exhaustive analysis has been made of the many questions and issues raised by the convention. Eminent scholars, members of the bar, officials of the administration, and representatives from the United Nations have all demonstrated that those questions and issues can and should be resolved in favor of ratification of the Genocide Convention.

It is my sincere hope that the Senate will ratify this important document in the next few months.

CITY OF EL SEGUNDO, TO HONOR URHO SAARI, GREAT COACH

Mr. TUNNEY. Mr. President, I am very happy to have the opportunity to join the proud people of El Segundo and the State of California in expressing our heartfelt thanks to Mr. Urho Saari for his enduring service and dedication in the field of athletics.

Mr. Saari's illustrious career as coach of winning swimming and water polo teams has brought credit and honor not only to the city of El Segundo, but also to the entire State of California. He has helped to shape and build the youths of today—the leaders of tomorrow's world.

The city of El Segundo, recognizing his leadership, has declared May 24, 1973, as Urho Saari Day—a fitting tribute to a great coach and citizen.

Mr. President, I ask unanimous consent to have printed in the RECORD a letter I recently received from Mr. Norm Barr, president of the El Segundo Chamber of Commerce.

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

EL SEGUNDO CHAMBER OF COMMERCE,
March 21, 1973.

Hon. JOHN V. TUNNEY,
U.S. Senate,
Washington, D.C.

DEAR SENATOR TUNNEY: El Segundo's swimming coach, Mr. Urho Saari is retiring this year. Mr. Saari has represented El Segundo, Los Angeles, the State of California and the United States in many swimming events and brought home to us many trophies and awards.

Due to his outstanding service to El Segundo, the City of El Segundo has declared May 24, 1973 as Urho Saari Day and issued the following proclamation:

"Whereas, Urho Saari as a Coach at El Segundo High School has compiled one of the greatest records in California High School athletics with a water polo team record of 376 wins and 92 losses since 1946, twelve CIF water polo championships and six CIF swimming championships, and

"Whereas, the El Segundo Swim Club under Urho Saari's leadership since 1947 has produced 18 individuals who have represented the United States 34 times in swimming and water polo in the Olympic Games and Pan American Games and has earned more than 40 team and individual national titles in water polo and swimming, and

"Whereas, Urho Saari was the United States water polo coach for the 1951 Pan American Games, 1952 Olympic Games, 1964 Olympic Games and Maccabia Games, and was water polo manager for the United States 1960 Olympics, and

"Whereas, Urho Saari was selected "National Water Polo Coach of the Year" in 1964 by American Swim Coaches Association, and named "Water Polo Coach of the Year" in 1965 by the Southern California Swimming, Water Polo and Officials Associations, and

"Whereas, Urho Saari was the swimming and/or water polo coach for several hundred professional lifeguards, including more than one-third of the permanent lifeguard staff of the Los Angeles County Department of Beaches, and was a lifeguard himself for eleven years in New York and California, and

"Whereas, Urho Saari was born and raised in Buffalo, New York, where he was graduated from Buffalo State Teachers College, served in the United States Army, was a YMCA swim coach, and has been swimming director and coach for the El Segundo Unified School District since 1941, and

"Whereas, Urho Saari's dedicated service and accomplishments in the field of aquatics is deserving of high praise and commendation;

"Now, therefore, I E. L. Balmer, Mayor of the City of El Segundo do hereby officially proclaim May 24, 1973 as Urho Saari Day in the City of El Segundo, and all residents are urged to join in honoring Mr. Saari for his outstanding achievements and his dedication to building the character of youth and leaders of today and tomorrow."

DR. KISSINGER'S ADDRESS ON EUROPE

Mr. HUMPHREY. Mr. President, although 1973 has been called by some "the year of Europe," the policy emphasis which this phrase implies was not evident until Dr. Henry Kissinger delivered an address to the Associated Press on April 23, 1973.

The President's national security adviser has delivered an eloquent and meaningful address on the future of relationships between countries facing the North Atlantic. Dr. Kissinger's remarks form a fitting opening statement for what must be a close examination of the various economic and security issues which both unite and divide nations on both sides of the Atlantic.

Since the end of the Second World War, our policy toward Europe has been guided by principles and philosophies, though relevant to the late 1940's and the early 1950's, lack a firm foundation in the realities of the 1970's and years beyond.

Henry Kissinger has endeavored to begin the process of policy reformulation which is so vitally necessary to keep alive a partnership in changing economic and political climates both in Europe and the United States.

Both the Congress and the executive branch have an obligation to carry through in the spirit of Dr. Kissinger's message. If there is to be a revitalized Atlantic partnership, then all of the partners must, in Dr. Kissinger's words:

Strike a new balance between self-interest and the common interest. We need a shared view of the world we seek to build.

Mr. President, I ask unanimous consent that Dr. Henry Kissinger's address to the Associated Press be printed in the RECORD.

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

[From the New York Times, April 24, 1973]

TEXT OF KISSINGER'S TALK AT AP MEETING HERE ON U.S. RELATIONS WITH EUROPE

Following is the text of an address delivered at the Waldorf-Astoria yesterday by Henry Kissinger, President Nixon's assistant for national security, at a luncheon of The Associated Press:

This year has been called the Year of Europe, but not because Europe was less important in 1972 or in 1969. The alliance between the United States and Europe has been the cornerstone of all postwar foreign policy. It provided the political framework for American engagements in Europe and marked the definitive end of U.S. isolationism. It insured the sense of security that allowed Europe to recover from the devastation of the war. It reconciled former enemies. It was the stimulus for an unprecedented endeavor in European unity and the principal means to forge the common policies that safeguarded Western security in an era of prolonged tension and confrontation. Our values, our goals and our basic interests are most closely identified with those of Europe.

Nineteen Seventy Three is the Year of Europe because the era that was shaped by decisions of a generation ago is ending. The success of those policies has produced new realities that require new approaches:

The revival of Western Europe is an established fact as is the historic success of its movement toward economic unification.

The East-West strategic military balance has shifted from American preponderance to near equality, bringing with it the necessity for a new understanding of the requirements of our common security.

Other areas of the world have grown in importance. Japan has emerged as a major power center. In many fields "Atlantic" solutions to be viable must include Japan.

We are in a period of relaxation of tensions. But as the rigid divisions of the past two decades diminish, new assertions of national identity and national rivalry emerge.

Problems have arisen, unforeseen a generation ago, which require new types of cooperative action. Insuring the supply of energy for industrialized nations is an example.

'DRAMATIC TRANSFORMATION'

These factors have produced a dramatic transformation of the psychological climate in the West—a change which is the most profound current challenge to Western statesmanship. In Europe a new generation—to whom war and its dislocations are not personal experiences—takes stability for granted. But it is less committed to the unity that made peace possible and to the effort required to maintain it. In the United States decades of global burdens have fostered and the frustrations of the war in Southeast Asia have accentuated a reluctance to sustain global involvements on the basis of preponderant American responsibility.

Inevitably this period of transition will have its strains. There have been complaints in America that Europe ignores its wider responsibilities in pursuing economic self interest too one-sidely and that Europe is not carrying its fair share of the burden of the common defense. There have been complaints in Europe that America is out to divide Europe economically or to desert Europe militarily or to bypass Europe diplomatically. Europeans appeal to the United States to accept their independence and their occasionally severe criticism of us in the name of Atlantic unity, while at the same time they ask for a veto on our independent policies—also in the name of Atlantic unity.

Our challenge is whether a unity forged by a common perception of danger can draw new purpose from shared positive aspirations.

If we permit the Atlantic partnership to atrophy, or to erode through neglect, careless or mistrust, we risk what has been achieved, and we shall miss our historic opportunity for even greater achievement.

In the Forties and Fifties the task was economic reconstruction and security against the danger of attack. The West responded with courage and imagination. Today the need is to make the Atlantic relationship as dynamic a force in building a new structure of peace, less geared to crisis and more conscious of opportunities, drawing its inspirations from its goals rather than its fears. The Atlantic nations must join in a fresh act of creation, equal to that undertaken by the post-war generation of leaders of Europe and America.

"NEW ERA OF CREATIVITY"

This is why the President is embarking on a personal and direct approach to the leaders of Western Europe. In his discussions with the heads of government of Britain, Italy, the Federal Republic of Germany and France, the Secretary General of NATO and other European leaders, it is the President's purpose to lay the basis for a new era of creativity in the West.

His approach will be to deal with Atlantic problems comprehensively. The political, military and economic issues in Atlantic relations are linked by reality, not by our choice nor for the tactical purpose of trading one off against the other. The solutions will not be worthy of the opportunity if left to technicians. They must be addressed at the highest level.

In 1972 the President transformed relations with our adversaries to lighten the burdens of fear and suspicion.

In 1973 we can gain the same sense of historical achievement by reinvigorating shared ideals and common purposes with our friends.

The United States proposes to its Atlantic partners that, by the time the President travels to Europe toward the end of the year, we will have worked out a new Atlantic charter setting the goals for the future—a blueprint that:

Builds on the past without becoming its prisoner.

Deals with the problems our success has created.

Creates for the Atlantic nations a new relationship in whose progress Japan can share.

We ask our friends in Europe, Canada and ultimately Japan to join us in this effort. This is what we mean by the Year of Europe.

ATLANTIC RELATIONSHIPS

The problems in Atlantic relationships are real. They have arisen in part because during the Fifties and Sixties the Atlantic community organized itself in different ways in the many different dimensions of its common enterprise.

In economic relations, the European Community has increasingly stressed its regional personality, the United States, at the same time, must act as part of and be responsible for a wider international trade and monetary system. We must reconcile these two perspectives.

In our collective defense, we are still organized on the principle of unity and integration, but in radically different strategic conditions. The full implications of this change have yet to be faced.

Diplomacy is the subject of frequent consultations, but is essentially being conducted by traditional nation states. The U.S. has global interests and responsibilities. Our European allies have regional interests. These are not necessarily in conflict, but in the new era neither are they automatically identical.

AN ABSENCE OF HARMONY

In short, we deal with each other regionally and even competitively in economic matters, on an integrated basis in defense, and as nation-states in diplomacy. When the various collective institutions were rudimentary, the potential inconsistency in their modes of operation was not a problem. But after a generation of evolution and with the new weight and strength of our allies, the various parts of the construction are not always in harmony and sometimes obstruct each other.

If we want to foster unity, we can no longer ignore these problems. The Atlantic nations must find a solution for the management of their diversity, to serve the common objectives which underlie their unity. We can no longer afford to pursue national or regional self-interest without a unifying framework. We cannot hold together if each country or region asserts its autonomy whenever it is to its benefit and invokes unity to curtail the independence of others.

We must strike a new balance between self-interest and the common interest. We must identify interests and positive values beyond security in order to engage once again the commitment of peoples and parliaments. We need a shared view of the world we seek to build.

No element of American postwar policy has been more consistent than our support of European unity. We encouraged it at every turn. We knew that a united Europe would be a more independent partner. But assumed, perhaps too uncritically, that our common interests would be assured by our long history of cooperation. We expected that political unity would follow economic integration, and that unified Europe working cooperatively with us in an Atlantic partnership would ease many of our international burdens.

It is clear that many of these expectations are not being fulfilled.

We and Europe have benefited from European economic integration. Increased trade within Europe has stimulated the growth of European economies and the expansion of trade in both directions across the Atlantic.

But we cannot ignore the fact that Europe's economic success and its transformation from a recipient of our aid to a strong competitor has produced a certain amount of friction. There has been turbulence and a sense of rivalry in internatonal monetary relations.

FEAR OF TRADE OBSTACLES

In trade, the natural economc weight of a market of 250 million people has pressed other states to seek special arrangements to protect their access to it. The prospect of a closed trading system embracing the European Community and a growing number of other nations in Europe, the Mediterranean and Africa appears to be at the expense of the United States and other nations which are excluded. In agriculture where the United States has a comparative advantage we are particularly concerned that Community protective policies may be strict access for our products.

The divergence comes at a time when we are experiencing a chronic and growing deficit in our balance of payments and protectionist pressures of our own. Europeans in turn question our investment policies and doubt our continued commitment to their economic unity.

The gradual accumulation of sometimes petty, sometimes major economic disputes must be ended and be replaced by a determined commitment on both sides of the Atlantic to find cooperative solutions.

The United States will continue to support the unification of Europe. We have no intention of destroying what we worked so hard to help build. For us European unity is what it has always been—not an end in itself but a means to the strengthening of the West. We shall continue to support European unity as a component of a larger Atlantic partnership.

This year we begin comprehensive trade negotiations with Europe as well as with Japan. We shall also continue to press the effort to reform the monetary system so that it promotes stability rather than constant disruptions. A new equilibrium must be achieved in trade and monetary relations.

We see these negotiations as an historic opportunity for positive achievement. They must engage the top political leaders for they require above all a commitment of political will. If they are left solely to the experts, the inevitable competitiveness of economic interests will dominate the debate. The influence of pressure groups and special interests will become pervasive. There will be no overriding sense of direction. There will be no framework for the generous solutions or mutual concessions essential to preserve a vital Atlantic partnership.

LARGER POLITICAL PURPOSES

It is the responsibility of national leaders to insure that economic negotiations serve larger political purposes. They must recognize that economic rivalry, if carried on without restraint, will in the end damage other relationships.

The United States intends to adopt a broad political approach that does justice to our overriding political interest in an open and balanced trading order with both Europe and Japan. This is the spirit of the President's trade bill and of his speech to the International Monetary Fund last year. It will guide our strategy in the trade and monetary talks. We see these negotiations not as a test of strength but as a test of joint statesmanship.

Atlantic unity has always come most naturally in the field of defense. For many years the military threats to Europe were unambiguous, the requirements to meet them were generally agreed on both sides of the Atlantic and America's responsibility was pre-eminent and obvious. Today we remain united on the objective of collective defense, but we face the new challenge of maintaining it under radically changed strategic conditions and with the new opportunity of enhancing our security through negotiated reductions of forces.

The West no longer holds the nuclear predominance that permitted it in the fifty's and sixty's to rely almost solely on a strategy of massive nuclear retaliation. Because under conditions of nuclear parity such a strategy invites mutual suicide, the alliance must have other choices. The collective ability to resist attack in Western Europe by means of flexible responses has become central to a rational strategy and crucial to the maintenance of peace. For this reason, the United States has maintained substantial conventional forces in Europe, and our NATO allies have embarked on a significant effort to modernize and improve their own military establishments.

While the Atlantic alliance is committed to a strategy of flexible response in principle,

the requirements of flexibility are complex and expensive. Flexibility by its nature requires sensitivity to new conditions and continual consultation among the allies to respond to changing circumstances. And we must give substance to the defense posture that our strategy defines. Flexible response cannot be simply a slogan wrapped around the defense structure that emerges from lowest-common-denominator compromises driven by domestic considerations. It must be seen by ourselves and by potential adversaries as a credible, substantial and rational posture of defense.

MUCH STILL TO BE DONE

A great deal remains to be accomplished to give reality to the goal of flexible response:

There are deficiencies in important areas of our conventional defense.

There are still unresolved issues in our doctrine, for example, on the crucial question of the role of tactical nuclear weapons.

There are anomalies in NATO deployments as well as in its logistics structure.

To maintain the military balance that has insured stability in Europe for 25 years, the alliance has no choice but to address these needs and to reach an agreement on our defense requirements. This task is all the more difficult because the lessening of tensions has given new impetus to arguments that it is safe to begin reducing forces unilaterally. And unbridled economic competition can sap the impulse for common defense. All governments of the Western Alliance face a major challenge in educating their peoples to the realities of security in the nineteen-seventy's.

The President has asked me to state that America remains committed to doing its fair share in Atlantic defense. He is adamantly opposed to unilateral withdrawals of U.S. forces from Europe. But we owe to our peoples a rational defense posture, at the safest minimum size and cost, with burdens equitably shared. This is what the President believes must result from the dialogue with our allies in 1973.

When this is achieved the necessary American forces will be maintained in Europe, not simply as a hostage to trigger our nuclear weapons but as an essential contribution to an agreed and intelligible structure of Western defense. This too will enable us to engage our adversaries intelligently in negotiations for mutual balanced reductions.

In the next few weeks, the United States will present to NATO the product of our own preparations for the negotiations on mutual balanced force reductions, which will begin this year. We hope that it will be a contribution to a broader dialogue on security. Our approach is designed not from the point of view of special American but of general alliance interests. Our position will reflect the President's view that these negotiations are not a subterfuge to withdraw U.S. forces regardless of consequences. No formula for reductions is defensible—whatever its domestic appeal or political rationale—if it undermines security.

Our objective in the dialogue on defense is a new consensus on security addressed to new conditions and to the hopeful new possibilities of effective arms limitations.

NEW PHASE OF DIPLOMACY

We have entered a truly remarkable period of East-West diplomacy. The last two years have produced an agreement on Berlin, a treaty between West Germany and the U.S.S.R., a SALT agreement, the beginning of negotiations on a European Security Conference and on mutual balanced force reductions, and a series of significant, practical bilateral agreements between Western and Eastern countries, including a dramatic change in bilateral relations between the U.S. and U.S.S.R. These were not isolated actions, but steps on a course charted in 1969 and carried forward as a collective effort. Our approach to détente stressed that negotiations had to be concrete, not atmospheric, and that concessions should be reciprocal. We expect to carry forward the policy of relaxation of tensions on this basis.

Yet this very success has created its own problems. There is an increasing uneasiness—all the more insidious for rarely being made explicit—that superpower diplomacy might sacrifice the interests of traditional allies and other friends. Where our allies' interests have been affected by our bilateral negotiations, as in the talks on the limitations of strategic arms, we have been scrupulous in consulting them; where our allies are directly involved, as in the negotiations on Mutual Balanced Force Reductions, our approach is to proceed jointly on the basis of agreed positions. Yet some of our friends in Europe have seemed unwilling to accord America the same trust in our motives as they received from us or to grant us the same tactical flexibility that they employed in pursuit of their own policies. The United States is now often taken to task for flexibility where we used to be criticized for rigidity.

All of this underlines the necessity to articulate a clear set of common objectives together with our allies. Once that is accomplished, it will be quite feasible, indeed desirable, for the several allies to pursue these goals with considerable tactical flexibility. If we agree on common objectives, it will become a technical question whether a particular measure is pursued in a particular forum or whether to proceed bilaterally or multilaterally. Then those allies who seek reassurance of America's commitment will find it is not in verbal reaffirmations of loyalty but in an agreed framework of purpose.

We do not agree on all policies. In many areas of the world our approaches will differ, especially outside of Europe. But we do require an understanding of what should be done jointly and of the limits we should impose on the scope of our autonomy.

THE CONTRIBUTION BY THE UNITED STATES

We have no intention of buying an illusory tranquility at the expense of our friends. The United States will never knowingly sacrifice the interest of others. But the perception of common interests is not automatic; it requires constant redefinition. The relaxation of tensions to which we are committed makes allied cohesion indispensable, yet more difficult. We must insure that the momentum of détente is maintained by common objectives rather than by drift, escapism or complacency.

The agenda I have outlined here is not an American prescription but an appeal for a joint effort of creativity. The historic opportunity for this generation is to build a new structure of international relations for the decades ahead. A revitalized Atlantic partnership is indispensable for it.

The United States is prepared to make its contribution:

We will continue to support European unity. Based on the principles of partnership, we will make concessions to its further growth. We will expect to be met in a spirit of reciprocity.

We will not disengage from our solemn commitments to our allies. We will maintain our forces and not withdraw from Europe unilaterally. In turn, we expect from each ally a fair share of the common effort for the common defense.

We shall continue to pursue the relaxation of tensions with our adversaries on the basis of concrete negotiations in the common interest. We welcome the participation of our friends in a constructive East-West dialogue.

We will never consciously injure the interests of our friends in Europe or in Asia. We expect in return that their policies will take seriously our interests and our responsibilities.

We are prepared to work cooperatively on new common problems we face. Energy, for example, raises the challenging issues of assurance of supply, impact of oil revenues on international currency stability, the nature of common political and strategic interests and long-range relations of oil-consuming to oil-producing countries. This could be an area of competition; it should be an area of collaboration.

Just as Europe's autonomy is not an end in itself, so the Atlantic community cannot be an exclusive club. Japan must be a principal partner in our common enterprise.

We hope that our friends in Europe will meet us in this spirit. We have before us the example of the great accomplishments of the past decades—and the opportunity to match and dwarf them. This is the task ahead. This is how in the nineteen-seventies the Atlantic nations can truly serve our peoples and the cause of peace.

THE ROOSEVELT-CHURCHILL CHARTER

The original Atlantic Charter—the inspiration for the "new Atlantic Charter" outlined by Henry A. Kissinger yesterday—was the eight-point unofficial joint declaration of peace aims by President Roosevelt and Prime Minister Churchill, drawn up in a meeting at sea and made public on Aug. 14, 1941.

The declaration listed these principals and aims:

Renunciation of territorial and other aggrandizement.

Opposition to territorial changes not in accord with "the freely expressed wishes of the peoples concerned."

Respect for all peoples to choose their form of government and restoration of sovereign rights to those forcibly deprived of them.

A commitment to the easing of trade restrictions and equal access of all nations to raw materials.

Fullest collaboration to secure better economic and social conditions for all.

A commitment to peace and freedom from fear and want.

Freedom to travel on the high seas.

The abandonment of the use of force, the disarmament of aggressor nations and the endeavor to "lighten for peace-loving peoples the crushing burdens of armaments."

SUPPORT OF CONSTRUCTION OF TRANS-ALASKA PIPELINE

Mr. GRAVEL. Mr. President, on April 30, the Honorable William E. Simon, Deputy Secretary of the Treasury, testified before the Public Lands Subcommittee of the House Interior and Insular Affairs Committee in support of construction of the trans-Alaska pipeline, and the Nation's critical need for Alaska's North Slope oil.

Secretary Simon spoke at length of our growing energy demands. He also spoke of the dollar drain by the increasing of oil imports to meet those demands. The situation is of such magnitude that unless we turn this tide we could very well find ourselves in a major financial crisis abroad which would result in a major depression at home. It took this country almost two decades to recover from the crash of 1929. I would hope that the leaders of this Nation would take all necessary steps to relieve our precarious position. While the construction of the trans-Alaska pipeline would in no way resolve our total problem, it would afford a positive approach to reducing oil imports, which, in turn would ease the balance-of-payments problem.

Mr. President, I ask unanimous consent at this time to have printed in the

RECORD the full text of Secretary Simon's testimony.

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

TESTIMONY BY THE HONORABLE WILLIAM E. SIMON

Mr. Chairman and Members of the Committee:

It is a privilege to appear before this Committee to present my views on a topic of intense national concern. The United States urgently needs Alaska's North Slope oil if we are to deal effectively with our emerging energy crisis. Further, it is critical that legislation be passed quickly to allow construction to commence on a trans-Alaska pipeline.

There is no question that this country critically needs its North Slope oil. Every barrel of that oil we can produce will reduce imports by a like amount. This Committee undoubtedly has heard many estimates of the rapidly increasing import levels we face if we don't reverse current trends. Estimates of oil imports in 1980 range between 10 and 15 million barrels per day. Imports of this magnitude could endanger our security and economic well-being.

These projections, however, assume that we do nothing and that present trends continue. Actually, we can take several steps to increase domestic supplies and decrease imports. The President has already moved decisively to increase energy supplies. The Congress can contribute substantially by passing legislation enabling us to initiate needed programs, such as the Alaska pipeline. The Alaska pipeline alone will not solve our energy problem. It will, however, materially ease our monetary and energy security problems. So let us begin with its construction now.

The United States faces serious economic and monetary problems today because of our rapidly deteriorating balance of payments. We cannot afford to permit these deficits to go on mounting unnecessarily by delaying the development of already proven domestic resources.

In the past this country has enjoyed energy security because of our shut-in production potential. This potential has now disappeared. Imports are soaring. And several countries upon which we may have to depend for future energy supplies have declared that they intend to use their oil as a political weapon. Can we afford to become increasingly dependent upon such countries by deliberately delaying the development of the largest find of oil in U.S. history?

The significance of our North Slope energy potential is not just the 2 million barrels per day that could someday be delivered through an Alaska pipeline. Nor is it the 10 billion barrel proven reserves in the Prudhoe Bay field. Alaska has far greater potential reserves. Projections indicate that the North Slope has potential reserves of as much as 80 billion barrels. Thus, we might someday achieve an Alaska production of 5 to 8 million barrels per day.

This, in turn, could possibly reduce our first round balance of trade outflows by $7 billion to $12 billion per year. Production at maximum rates would also materially strengthen our bargaining position with producing countries and increase our ability to meet any supply disruptions with minimum adverse economic consequences. It could, in short, go a long way toward solving our energy problems.

But to obtain the North Slope's full potential during the critical period of the 1980's, we must begin development now.

The question at this point is not whether we *should* develop our North Slope reserves. We should. We must. The question now being debated is how *best* to develop these reserves.

Some have contended that a pipeline route through Canada would be superior to an Alaska pipeline. Deliberations concerning the best pipeline route are necessary to make the right decision. All alternatives must be analyzed in terms of our overall national interest, not in terms of regional or private interests. Our analysis must consider economic and security interests as well as environmental interests. Timing is a crucial component of each of these factors. Given sufficient research and development, we can reasonably expect to develop our vast coal, oil shale, and nuclear resources so as to provide rapidly increasing portions of our energy needs by the late 1980's. Before this, however, we will face a critical period during the late 1970's and the 1980's. The long lead times for exploration and development, for constructing a transportation system, and for administrative approvals must be weighed against our rapidly increasing energy needs during this period, when our needs will be greatest.

There are many reasons why I believe that an Alaska pipeline is clearly superior to a pipeline through Canada. I will briefly mention several of these reasons and will then amplify my remarks concerning economics, security, and the balance of payments—areas in which I have the greatest interest because of my responsibilities as Deputy Secretary of the Treasury and Chairman of the Oil Policy Committee.

1. Building a Canadian pipeline instead of the Alaska pipeline would delay receipt of vitally needed Alaska crude oil by from three to five years and could significantly delay full development of our vital Alaska North Slope oil and gas reserves by as much as 10 years.

Both pipelines, as presently planned, could transport the same volume of oil. But they would not transport the same volume of Alaska oil. Canada would control the portion of any pipeline transversing Canada and would insist on reserving 50 percent of the throughput volume for Canadian oil.

The delayed starting date of a Canadian pipeline would defer further exploration and development of our North Slope resources at a time when security and international economic considerations dictate that we should be increasing exploration and development. Such delays would reduce this country's energy security and could have serious economic consequences in the event of a disruption of foreign supplies after 1978.

2. Our analysis indicates that the Alaska pipeline would provide substantially greater economic benefits to this country than a pipeline route through Canada. Assuming a delivery of 2 million barrels per day, the Alaska pipeline would result in increased benefits of up to $2.4 billion per year in 1980. By 1988, cumulative net benefits of the Alaska pipeline, over and above the Canadian pipeline, would approach $15 billion. This estimate will be elaborated later.

3. A Canadian pipeline would require a dollar outflow of several billion dollars during the construction period.

4. The Alaska pipeline would reduce our first round balance of trade outflows by about $2.3 billion per year over and above whatever balance of payments savings might be made possible by the Canadian pipeline. In view of our present and projected monetary problems, such a reduction of future cash drains could be vital to our economic health.

5. In the event of a major foreign supply disruption we can assume that emergency conservation procedures would be initiated to reduce demand. With the Alaska pipeline any surplus in District V (the West Coast) resulting from reduced demand could easily be transported through the Panama Canal and distributed through the existing pipeline network to points of need in the U.S. East and Midwest.

Conversely, with a trans-Canadian pipeline, any surplus in District II (the mid-Continent) resulting from reduced demand during an emergency could not be readily distributed to points of need in District I (the East Coast) and District V. Since pipeline flow is unidirectional, the existing transportation network would not allow the transporting of any surplus crude in District II to District I or District V.

6. Opponents of the Alaska pipeline contend that there is a greater need for Alaska oil in District II. This, of course, depends upon the definition of need. Without Alaska oil, the percentage of imports into District V would be as high, or higher than, into Districts I–IV. It is also argued that with an Alaska pipeline, the output of Alaska and California would exceed demand, resulting in a surplus in District V and a severe shortage in other areas of the country. This would have been true if construction of the Alaska pipeline had started in 1970 and been completed in 1973, as originally contemplated, but it is clearly not a valid argument today. The earliest we can now expect to complete an Alaska pipeline is mid-1977 or early 1978. By then, demand in District V will most likely exceed supply from California and southern Alaska by more than the capacity of the Alaska pipeline.

7. An Alaska pipeline would provide greater employment benefits to the United States.

8. An Alaska pipeline would produce earlier and substantially greater economic benefits to Alaska. It would allow a greater North Slope production, yielding large royalty payments. A Canadian pipeline would have to be looped to permit the same capacity for U.S. crude as an Alaska pipeline, and we have no assurance that the Canadians would permit looping of a line through Canada. Arguments that a trans-Canadian route would provide greater benefits to Alaska because it would allow a higher field price for crude oil are not valid. Our cost estimates indicate no significant difference in field price for North Slope crude, regardless of which route is selected.

9. With respect to the environmental matters, Secretary Morton has stated that the greater earthquake and water leg risks of the Alaska route are offset by larger unavoidable damage and increased risks to permafrost zones and at river crossings in the much longer Canadian route.

A Canadian pipeline route would cross over twice as much permafrost and muskeg area as the Alaska pipeline. Thus, about twice as much gravel would have to be mined and used for the berm to carry the pipeline over the frozen Arctic. The Canadian pipeline would also have to cross 12 rivers, each over one-half mile wide.

Largely as a result of environmental concerns reflected in the Interior Department's environmental impact statement, the Alaska pipeline has been redesigned, at a threefold increase in projected costs. As now contemplated, the Alaska pipeline is the most carefully designed pipeline, environmentally, ever conceived. In both routes, the lines would be constructed to prevent thawing of the soil in permafrost zones. In the seismic active areas along both routes, special designs would be utilized to withstand even the most severe earthquakes. Safety requirements that have been imposed in the maritime oil transport from Valdez to the West Coast—particularly double-bottom tankers—will significantly reduce the risk to the West Coast from accidental tanker spills. In fact, if we don't ship our oil from Alaska, in specially designed U.S. ships, foreign oil will enter the West Coast in foreign flag vessels that will not be subject to the same rigid standards.

I am not minimizing environmental risks. I do believe, however, that the past delays and resultant research have greatly reduced the magnitude of these risks, and that the

overall hazards at this time are not sufficient to further delay construction of the Alaska pipeline.

The above considerations, in my opinion, demonstrate that the Alaska pipeline is clearly superior to the Canadian in terms of economic benefits, balance of payments, security, and employment opportunities. Only in the environmental area does the Canadian route appear comparable, and here the risks and possible damage from either line have been significantly reduced by research during the past few years. Eventually there may be a need for a Canadian line, but all evidence points out that we should move forward on the Alaska pipeline now.

In view of the urgent necessity for early Alaska production, I strongly recommend Congressional action to allow construction of the Alaska pipeline at the earliest possible date.

Now I should like to amplify some of the statements I have made.

TIMING

If Congress moves expeditiously to amend the existing law to allow a wider pipeline right-of-way across government lands, environmental hearings and administrative procedures could perhaps be completed so that construction of the Alaska pipeline could commence during late 1974 or shortly thereafter. The Alaska pipeline could then be completed by late 1977 or early 1978.

The earliest a Canadian pipeline could be completed is 1980. More likely, it would take several additional years. The need to prepare detailed design and route analyses, a longer construction period, and the logical desire of Canadian Federal and Provincial Governments to review carefully the pipeline proposals will cause inevitable delay.

United States governmental approval of a Canadian route would be required and would be subject to the same types of objections and delays as the Alaska pipeline. The major sequential steps that would be followed in obtaining Canadian permission, and constructing a Canadian pipeline are as follows:

1. Final denial of the Alaska pipeline.
2. Soil borings and mile-by-mile pipeline design, and preparation of the environmental impact statement, and completion of financial arrangements.
3. Application to the Department of Indian Affairs and Northern Development (DIAND) for a pipeline right-of-way. Public Hearings: Approval by DIAND.
4. Application to the National Energy Board (NEB). Public Hearings: Approval by NEB.
5. Approval by the Canadian Cabinet.
6. Procurement of pipe, tanks, communication equipment, work equipment, barges, and construction of necessary camps. Arrangements for contracts following bids and awards.
7. Construction.

Now let me develop these points. It is unlikely that any work will commence on a detailed design of a Canadian pipeline prior to final denial on the Alaska pipeline. This is because the North Slope reserves are needed to justify a Canadian line.

Detailed soil testing and mile-by-mile pipeline design took three years on the Alaska pipeline. This could hardly be completed in appreciably less time for the much longer Canadian line. The Mackenzie Valley Pipeline Research, Limited, has made a preliminary feasibility study of the Canadian pipeline but has not started detailed pipeline design studies. They estimate 2½ years for planning and engineering. It could be considerably longer.

The Territorial Lands Act requires that a detailed environmental impact statement be prepared before a right-of-way permit is issued or before easements are allowed for construction. Jean Chritian, Minister of the Department of Indian Affairs and Northern Development, stated on March 1, 1973, that public hearings will be held under the Territorial Lands Act at an appropriate time after the Department receives an application based on a viable project proposal, accompanied by a detailed documentation of research pertaining to areas of social and environmental concern.

D. S. MacDonald, Canadian Minister of Mines, on January 24, 1973, stated that the decision on the actual route to be followed must first be taken by DIAND in conjunction with the territorial governments. An application could then be made to the NEB for a permit. In other words, DIAND's approval must precede an application to the NEB. Presumably, a favorable ruling by DIAND would be contingent upon a prior native claims settlement. Other applications before either DIAND or the NEB could be delayed by law suits such as those brought in this country.

In view of the uncertainty concerning the timing of approvals by DIAND, the NEB, and the Canadian Cabinet, and the large interest costs on premature investments that resulted from delays in construction of the Alaska pipeline, the consortium building a Canadian line would be unlikely to order pipe, and risk large losses on interest payments, prior to the final approval of the pipeline. Lead times of 18 months to 2 years could be required for pipe procurement and construction of necessary camps and roads.

Actual construction time, after the pipe is available and roads and construction camps have been prepared, is uncertain. The Mackenzie Valley Pipeline Research, Limited, has indicated that construction could be completed in 2½ years if there were no other major competing pipeline projects in progress at that time. However, it seems unlikely that the much longer Canadian line could be completed in less time than the Alaska pipeline. A 3-to-4-year construction period seems probable.

I suspect, Gentlemen, that at this point your heads may be spinning, and with ample reason. This is the gauntlet we shall have to run if we choose to go the Canadian route. Indeed, if the Canadians follow the sequence of events they have publicly stated they will follow, then completion of a Canadian pipeline prior to 1983 is unlikely.

ECONOMIC COMPARISONS

Opponents of the Alaska pipeline have asserted that a Canadian route would provide greater economic benefits to the Nation. Our studies indicate the opposite. To avoid confusion we have adopted a methodology similar to that of Mr. Charles T. Cicchetti, an economist whose studies suggest that a Canadian pipeline route is economically superior. We have defined the benefits of an Alaska or Canadian line as the resource cost of the alternate sources of supply, less the resource cost of North Slope crude oil delivered to the same market. Resource costs are defined as the costs of goods and services required to bring North Slope or foreign oil to United States markets. Transfer payments to other Americans, royalty payments to the United States or Alaska, profits in excess of capital costs, and United States taxes are not included in resource costs. Royalty payments and taxes paid to foreign countries, capital costs, and operating expenses are included among the costs of goods and services.

Recent projections made at Treasury indicate that the delivered resource cost of Middle East crude oil in 1975 will be approximately $3.08 per barrel on the West Coast and approximately $3.38 per barrel in Chicago. By 1980, such costs will likely increase $1.50 per barrel, or more, although this is speculation. Bear in mind that these are resource costs, not total costs. United States profits and transfer payments have been excluded. Future market prices will be higher. Our projections indicate delivered resource costs of North Slope crude oil of $1.30 per barrel in Los Angeles and $1.60 per barrel in Chicago. The difference between the delivered resources cost of foreign crude and the delivered resource cost of North Slope crude represents the net benefit to the U.S. economy from producing North Slope crude oil. Our projections indicate a net benefit of $3.28 per barrel in 1980 for either the Alaska or Canadian pipeline route.

Our analysis differs from Mr. Cicchetti's analysis primarily in that we assumed that any North Slope production would displace foreign oil in either market whereas Mr. Cicchetti assumed that it would replace a 50/50 mixture of domestic crude and foreign crude on the U.S. West Coast, and an 83/17 mixture of domestic and foreign crude in the Chicago area. We have also assumed more up-to-date cost estimates. With the United States now producing at peak capacity and imports rising rapidly, it is unrealistic to assume that North Slope oil would displace domestic crude oil rather than imports.

Our analysis indicates that on a barrel per barrel basis, there is essentially no economic difference in the benefit accruing to the Nation from either pipeline route. What is significant is the indicated difference in net benefits, considering that a pipeline through Canada would deliver U.S. crude at a later date and, initially, at much lower volumes for whatever additional time period is required to loop the Canadian line and increase its throughput.

Completion of the Alaska pipeline should yield a net benefit to the economy starting at $1 billion per year, and increase to $2.4 billion annually by 1980, when we estimate that it will reach its full capacity of 2 million barrels per day. In contrast, a Canadian pipeline would yield yearly benefits of only $600 million initially, increasing to $1.4 billion when the line reaches full capacity. The difference is due to the Canadian Government reserving a portion of the pipeline's capacity to carry its own crude.

During the interval between completion of the Alaska pipeline and the earliest completion date of a Canadian pipeline, the average net benefit from the Alaska pipeline should be about $1.9 billion, assuming an average throughput rate of 1.6 million barrels per day for the period. Following the time when a Canadian pipeline could be completed, the Alaska pipeline would still yield net benefits of $1 billion more per year than would accrue from a Canadian pipeline with the same capacity.

If we assume that a Canadian line would not be completed for five years following the completion of the Alaska pipeline, and that it would not be looped to allow North Slope production equal to the capacity of the Alaska pipeline for another five years, then accumulated net benefits from the Alaska pipeline over and above those of a Canadian pipeline for the 10 years would be $14.5 billion.

In our analysis we have made assumptions regarding future oil prices, the cost of the Alaska pipeline and a Canadian pipeline, and the probable timing of completion of both routes. We have attempted to be realistic, but where there was uncertainty we have chosen to err in a manner to minimize the differences between the benefits of the two pipeline routes. For instance, we chose to utilize the cost estimates for a Canadian pipeline prepared by the Mackenzie Valley Pipeline Research, Limited, rather than the much higher estimates of the Interior Department, or others. Consequently, our projections are probably on the low side.

Actually the numbers used are not critical. It is really immaterial to the basic argument whether the net benefits from the Alaska pipeline would be $2.4 billion in 1980,

or only one-third of that amount. It is immaterial whether we assume a two-year delay for completion of a Canadian pipeline compared to the Alaska pipeline, or a five-year delay. It is immaterial whether we assume a $3.00 price for foreign crude oil in 1980, or a $5.00 price. It is immaterial whether we assume that a pipeline through Canada would cost $4 billion, or $7 billion. *The point is that under any set of realistic assumptions* an analysis will indicate advantages for the Alaska pipeline over a Canadian pipeline amounting to hundreds of millions of dollars a year.

In fact, the only way that you can show an economic benefit for a Canadian pipeline comparable to the Alaska pipeline is to assume that each pipeline would carry equal volumes of North Slope crude oil (which is not a valid assumption), or to assume that the North Slope crude oil would displace domestic crude oil with appreciably different values in different markets, rather than foreign crude oil. This Committee should not be misled by analyses purporting to show an economic superiority for a Canadian pipeline when these analyses are based on *both* of the fallacious assumptions I have just mentioned.

The facts are that the Alaska pipeline will yield substantially greater economic benefits to this Nation than a pipeline through Canada with an equivalent capacity.

BALANCE OF TRADE BENEFITS

In addition to the economic benefits, the Alaska pipeline will provide substantial balance of trade benefits. During the period between the likely completion of the Alaska pipeline and the earliest completion of an alternative line through Canada, our foreign imports would be reduced by whatever throughput would be delivered through an Alaska pipeline. This would lower our first round balance of trade outflows by the tax paid cost of the foreign crude displaced *plus* the foreign component of shipping costs. By 1980 this would probably be about $4.00 per barrel, or higher. If we assume an average Alaska pipeline throughput of 1,600,000 barrels per day during this period, our yearly first round trade outflows would thus be reduced by approximately $2.3 billion, a not insignificant savings.

If a Canadian line were constructed, we estimate transportation charges of approximately $1.60 per barrel to the Chicago area. Approximately 60¢ per barrel of this would be for our portions of the line, and a return on our invested capital in the Canadian portion (assuming that we would contribute 49 percent of the investment in the Canadian portion). If we assume a capacity of 2,000,000 barrels per day (of which 1,200,000 barrels per day would be United States crude and 800,000 barrels per day Canadian arctic crude) our first round trade outflows from oil pumped through the Canadian line would be approximately $1.6 billion per year.

SECURITY BENEFITS OF THE ALASKA PIPELINE

More important than the economic and balance of trade benefits are the security advantages an Alaska pipeline would provide. During the critical period in the late 1970's and early 1980's, an Alaska pipeline would materially increase our ability to withstand a foreign supply disruption. Perhaps of even more significance than the 2,000,000 barrels per day, would be the stimulus an Alaska pipeline would give to exploration. The U.S. arctic has appreciably more potential than the 2,000,000 barrels per day capacity of an Alaska pipeline. The Prudhoe Bay field, alone, will supply this amount. For maximum security, the U.S. needs to develop additional potential.

Unfortunately, the delay in starting the Alaska pipeline has caused the oil companies to curtail and restrict their exploration efforts. This is a natural reaction since the companies cannot be expected to invest large sums of money for exploration and development until they have the prospects of selling within a reasonable period of time any crude which they may find.

Early initiation of the construction of the Alaska pipeline would stimulate exploration and development that could lead to an additional supply of several million barrels per day by the early 1980's. A Canadian line would not provide the same stimulation, both because of the later starting date and the lower initial U.S. throughput in a Canadian line.

I believe that an early start of the Alaska pipeline could contribute materially to our energy security. Not only would it provide the direct security of the initial Alaska pipeline throughput, it would lead to earlier exploration and development of other arctic reserves. Either of these factors could be critical to our economic well-being in the event of a serious supply disruption during the late 1970's or early 1980's.

LEGAL CONSIDERATIONS

The opponents of an Alaska pipeline have stated that alternative pipeline routes have not been extensively studied, as required by law. This is *not true*. Extensive investigations of a Canadian pipeline route have been made by the Department of the Interior, as well as by the State Department, the Defense Department, and the Office of Emergency Preparedness. Secretary Morton authorized construction of an Alaska pipeline in 1972 following consultations on the merits of various routes with the concerned Governmental Departments and Agencies. The Secretaries of Defense and State, and the Director of the Office of Emergency Preparedness all recommended immediate construction of the Alaska pipeline. I now repeat that recommendation.

In summary, I believe that the Alaska pipeline offers substantial economic, balance of payments, and security benefits to the United States compared to a Canadian pipeline route. It offers increased employment benefits and substantial economic advantages to Alaska. I believe that the environmental risks, while perhaps substantial initially, are now minimal, due to the stringent regulations that have been placed upon construction of the line and for the tanker shipments of the crude oil from Valdez to the West Coast markets.

I strongly urge the Congress to take immediate action to pass the necessary laws to allow us to proceed with the construction of this vital pipeline.

Thank you.

SENATOR LONG'S HEALTH INSURANCE PROPOSAL

Mr. RIBICOFF. Mr. President, on April 16, the distinguished chairman of the Senate Finance Committee, Senator RUSSELL LONG told the Louisiana State AFL–CIO Convention of his intention to introduce legislation providing uniform basic health benefits to low-income individuals throughout the Nation.

This measure, combined with his legislation to provide protection against the catastrophic costs arising from prolonged or expensive illnesses, is a major step forward in the legislative debate on national health insurance. Reform of our Nation's health care system will not be cheap. Major costs are involved in every health insurance bill which has been introduced in the Congress. One of the strengths of Senator LONG's measure is not only that it is relatively inexpensive compared to other health insurance bills, but that it provides coverage where it is needed most and reforms an open-ended program—medicaid—which grows in cost at an astronomical rate, but does not provide the health care that it should.

Medicaid now costs the States and Federal Government $10 billion. In Connecticut alone the State costs of medicaid exceeded $56 million in calendar 1972. The total medicaid cost for Connecticut when Federal matching money is included exceeds $112 million—almost double the cost to the State of Connecticut of all its other welfare programs.

The Long health plan for low-income persons would not only provide health benefits for those unable to work, but also for those who work but continue to be classified as poor, because of their low earnings.

The catastrophic element of Senator LONG's health strategy would protect all Americans against the danger of budget-breaking health expenses. Catastrophic illnesses and accidents strike at random and the specter of financial devastation accompanying these illnesses most be laid to rest.

I look forward to working with Senator LONG in the months ahead on the vitally important health insurance issue. His proposals deserve close attention.

I ask unanimous consent that the following statements describing Senator LONG's proposals be printed in the RECORD.

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

LONG ANNOUNCES NATIONAL HEALTH PLAN FOR LOW-INCOME FAMILIES

BATON ROUGE.—U.S. Senator Russell B. Long (D-La.), Chairman of the Senate Finance Committee, announced today he will introduce soon legislation to provide uniform basic health benefits to low-income individuals and families throughout the nation,

This new program not only would replace Medicaid but also would extend health benefits to millions of low-income working individuals and their families—including about one million migrant workers and dependents.

Long said the new program for low-income families, if enacted by Congress, would be coupled with catastrophic health-insurance protection covering virtually every American. Long reintroduced his catastrophic-illness proposal last month in the U.S. Senate.

Senator Long told the state convention of the Louisiana AFL–CIO today in Baton Rouge: "It is time to replace the existing inequities and uneven and uncertain coverage of the present welfare health plan, Medicaid, with a program providing uniform benefits and with uniform eligibility requirements throughout the country."

The estimated annual cost of the low-income plan is $5.3 billion in general revenues above present federal-state expenditures for Medicaid. The catastrophic-illness plan, financed from Social Security payroll taxes, will cost an additional $3.6 billion a year.

States would make a fixed contribution toward the cost of the low-income plan, based upon state spending for Medicaid and general-assistance health care in the year prior to the start of the new program.

Senator Long pointed out that the total federal cost of $8.9 billion for his program compares to an estimated $70 billion cost of the plan proposed by Sen. Edward Kennedy (D-Mass). Long's plan also is about $6 billion less in annual cost than legislation

endorsed by the American Medical Association.

Both the low-income program and the catastrophic plan would be administered by the Social Security Administration, which now oversees Medicare.

Benefits under Long's plan would include 60 days of hospital care (the catastrophic plan would pick up from the 61st day) and also take care of the cost of all medically-necessary physicians' services, home health services, skilled nursing-facility care and services in an intermediate-care facility.

Under the low-income proposal, as outlined by the Louisiana Democrat, coverage would be extended to individuals with annual incomes of $2,400 or less and to two-person families with $3,600 or less. The limit would be increased by $600 for each additional family member.

Long noted that families with incomes above the eligibility levels could have medical expenses constituting a "spend-down" to the eligibility point.

The example he cited was a family of four with an income of $5,500. That family would receive help after it had incurred $700 in medical expenses which brought it to the eligibility level of $4,800 for a four-person family.

But, he also noted that such a family probably would have either some private health-insurance protection through employment or would purchase private coverage on its own at less cost than the $700 "spend-down."

Generally, families with incomes above $5,200 would find it advantageous to purchase private health insurance. He said that his legislation would contain provisions designed to stimulate and assure the availability to lower-income families of health insurance policies which had adequate benefits and reasonable premiums.

Without such assurances, Long said, the lower-income family would not be able to choose to insure itself, rather than "spend down" to the eligibility level.

STATEMENT OF THE HONORABLE RUSSELL B. LONG BEFORE THE LOUISIANA AFL–CIO, BATON ROUGE, LA., APRIL 16, 1973

I really appreciate this opportunity to visit with so many old friends who have done so much to improve conditions for the working man.

But the Louisiana AFL–CIO's concern has always extended beyond the well-being of its members—you work, as I do, toward a better life for all Americans. We work toward that better life one step at a time.

Today, I want to tell you about legislation which I will shortly introduce in the Senate which, if enacted, would represent a major step forward for the American people.

This national health insurance proposal has two equally essential parts:

The first part consists of catastrophic insurance coverage for virtually all Americans. This plan, like Medicare, would be financed by Social Security payroll taxes and administered by the time-tested Social Security Administration. The plan would include nearly all employees covered under Social Security and their dependents, and all Social Security beneficiaries. It would make payment for the types of services covered by Medicare, after an individual had been hospitalized for sixty days or a family had incurred expenses of $2,000. The payments would cover expenses beyond those deductibles.

The second part of the bill will consist of an entirely new basic health benefits program for low-income individuals and families. While most middle-income families can afford and can obtain reasonably adequate private health insurance coverage toward the costs of their first sixty days of hospitalization and the first $2,000 of medical expenses, many millions of low-income individuals and families cannot afford or do not have such basic private health insurance protection available to them.

Let's face it. The poorest health insurance risk is the man who most needs the protection but is the least likely to get it.

The present Federal State program providing health benefits to the poor-Medicaid—does not generally cover low-income workers who are not on welfare. It is basically provided only to welfare families and, even then, benefit and eligibility levels vary all over the lot from State to State. In most States Medicaid is limited to poor aged, blind and disabled persons or fatherless families.

Today, for example, in one State a disabled person with $1,800 annual income might not be eligible for Medicaid whereas, in another State he would be. Further, that same disabled person might be covered for only fifteen days of hospitalization under Medicaid in one State while, in another, he would be eligible for unlimited hospitalization. Now, that just doesn't make sense, does it?

Aside from those obvious inequities in treatment of the poor, there is another inequity developing with implementation of the new Supplemental Security Income plan for aged, blind and disabled persons, where thousands of people in a State would be eligible for Medicaid and other thousands in the same State, and with the same income, would not. And in no State is Medicaid coverage available to a hard-working couple or small family with low income.

These general problems with the existing Medicaid program are best illustrated by specific cases, such as the man in Florida who recently had to divorce his wife of many years in an attempt to qualify her under Medicaid and thus obtain necessary medical care for her chronic illness.

The major new program which I am proposing would provide basic health benefits coverage with uniform national eligibility standards for all low-income individuals and families. It would be administered, as would catastrophic health insurance, by the Social Security Administration.

The basic benefits provided under the low-income plan are designed to mesh with the deductibles under the catastrophic program. This new proposal is directed primarily at providing necessary health benefits protection to the millions of working low-income families in the United States who receive no coverage at the present time, and eliminating the inequities and much of the red tape in the present Medicaid program.

Coverage under the new program would be available to all individuals and families with annual incomes at or below the following levels: (a) an individual with income at or under $2,400; (b) a two-person family with income at or under $3,600; and (c) a family of four with an income at or under $4,800. For each family member above the first two, the eligibility limit is increased by $600. In addition, families with incomes slightly above the eligibility levels would be eligible for benefits if their medical expenses reduced their income to these levels. For example, a family of four with an income of $5,200 would become eligible after they had expended $400 for medical expenses, including any health insurance premiums. However, since such a family could probably obtain reasonably adequate private health insurance coverage for $400, families with incomes above $5,200 would most probably seek to get such insurance, or often have at least some insurance through their employers. Of course, no person presently eligible for Medicaid would lose entitlement to benefits because of the new program.

The benefits covered by the plan would include sixty days of hospital care and all medically necessary physicians' services, laboratory and X-ray services, home health services and care in skilled nursing homes and intermediate care facilities without limitation. Nominal copayments would be required on patient-initiated elective services, such as the first one or two visits to a doctor's office.

The plan would also afford catastrophic insurance coverage to those few low-income families who are not covered under the catastrophic plan and would also pay for low-income families the coinsurance required under the catastrophic plan.

States would be free to provide additional benefits—such as drugs and optometric services—at their own expense.

Physicians and hospitals should be supportive of this proposal for it will authorize uniform reimbursement methods which for physicians will be generally somewhat higher than present Medicaid reimbursement and, in the case of hospitals, will virtually eliminate all bad debts. The plan would also cut red tape since doctors and hospitals would file claims with only one agency, instead of two or three as at present. No new bureaucracies would be created since the program would be administered by an existing and experienced agency of the Federal Government. Private insurance would have a substantially defined area in which to provide health insurance coverage. The Federal Government would have assumed responsibility for the population groups most in need of help—the aged, disabled, those with low incomes and those with catastrophic illnesses.

Parenthetically, you will note that the income levels for eligibility for this plan have been established at points somewhat above present definitions of poverty. There are two reasons for this: First is that the plan would not become effective until July 1, 1975 and, second, because we are, in a sense defining medical indigency rather than indigency.

I have noted that many individuals and families with incomes somewhat above the eligibility levels for the low-income plan would find it more advantageous to secure private health insurance than to "spend-down" to the eligibility levels. But, in order for them to make that choice, reasonably adequate and reasonably-priced private insurance must be readily available to them—and without a host of restrictions and exclusions.

For that reason, my bill would require the Secretary of Health, Education, and Welfare to report annually to the Congress as to whether good basic health insurance protection was actually and generally available to those of moderate means through private insurers at premiums which were reasonable in relation to benefits paid. If the Secretary of Health, Education, and Welfare found that basic private health insurance was not generally available at reasonable premiums, he would recommend to the Congress a mechanism and procedures for establishing a self-sustaining Federal insurance pool to assure general availability of basic health insurance to those individuals and families desiring to purchase such protection. I am confident, however, that private health insurers will meet the challenge without the necessity of a Federal insurance pool.

Now, how much does all of this cost? Well, very little that is worthwhile and does what needs to be done comes cheap.

The estimated cost of the low-income plan is $5.3 billion in general revenues above present Federal-State annual expenditures for Medicaid with an additional $3.6 billion for the catastrophic illness plan financed from Social Security payroll taxes.

States would make a fixed contribution toward the cost of the low-income plan based upon expenditures made by a State under Medicaid and general assistance for the types of benefits covered under the low-income

plan in the year prior to the start of the new program.

This total additional Federal cost of $8.9 billion for this program represents only one-eighth of that of the plan advanced by Senator Kennedy and is some $6 billion less in annual cost than the legislation endorsed by the American Medical Association.

The astronomical costs of the Kennedy and AMA proposals make them highly unlikely of enactment in my opinion. And the cost alone of the proposal I am outlining to you today will make for an extremely tough fight in Washington. But, frankly, I don't believe we can really do a comprehensive job for less than the cost of the low-income and catastrophic plans.

Let me tell you for a moment what this plan would mean for us in Louisiana. In Louisiana about one-fourth of the population would be covered under the low-income proposal. A large proportion of these people are working poor who are not now covered by the Medicaid program. Although not covered by Medicaid, the large majority of the new people covered are presently eligible for care at State expense in the Charity Hospital system. Thus Louisiana, along with other States, would realize substantial savings and would be protected against continuing increases in State costs for medical care.

In summary, the low-income plan is designed to mesh with catastrophic health insurance and will provide assistance to many millions of working poor people not presently covered by Medicaid who are not able to adequately protect themselves against the basic costs of health care, let alone the costs of catastrophic illness.

This afternoon, I have stressed the new part of my national health insurance package. Now, I'd like to review with you the catastrophic health insurance plan which completes the package.

As you know, catastrophic illnesses and accidents strike at random, and the specter of such a disabling or even fatal occurrence is a part of all our lives. However, in this age of medical and scientific progress, families live not only with the specter of disabling or fatal illness, but also with a haunting fear of the financial devastation accompanying these illnesses.

Astonishing medical progress has gone hand in hand with a skyrocketing increase in the costs of medical care—particularly the costs of the new and sophisticated techniques employed in the treatment of catastrophic illnesses or accidents. The costs of the complex medical care necessary for spinal cord injury, strokes, severe burns and cancer, to name only a few conditions, can be staggering and can easily go beyond the reach of the resources of nearly any family in America. Families can and do work for a lifetime, only to lose everything at the time they are struck by a catastrophic illness.

Basically, my bill would provide protection to all those who are currently and fully insured under Social Security, their spouses and dependents, and to all Social Security beneficiaries.

This very broad coverage includes about 95 percent of all persons in the United States.

The types of services covered under the catastrophic plan would be similar to those currently covered under parts A and B of Medicare except that there would be no limitation on hospital days or home health visits. Present Medicare part A coverage includes 90 days of hospital care, 100 days of post-hospital extended care and 100 home health visits. Present part B coverage includes physicians' services, laboratory and X-ray services, physical therapy services and other medical and health items and services. Unlike Medicare, which provides basic insurance coverage, people would be responsible for payment for the first 60 days of hospital care and the first $2,000 in medical expenses in a year.

The heart of any catastrophic plan is the deductibles, as this basically defines what will be considered a catastrophe, and distinguishes catastrophic coverage from basic health insurance. My proposal contains deductibles of $2,000 per family for part B physicians' benefits and 60 days hospitalization deductible per individual for hospitalization benefits. In other words, benefits would be payable for a family's medical bills beyond $2,000 and hospitalization would be covered from the 61st day of an individual's hospitalization. After the deductibles have been met, benefits will be payable as under Medicare, which calls for a coinsurance payment of 20 percent on medical bills and $17.50 per day for hospital coverage. These coinsurance payments would be limited to a maximum of $1,000, at which point no further coinsurance would be charged.

Most families would insure themselves through the use of present private health insurance arrangements against their basic health care costs, including the first 60 days of hospitalization and the first $2,000 of medical bills.

Passage of the catastrophic health insurance plan and the health benefit plan for low-income individuals and families would, as I said, when coupled with Medicare virtually assure that no American was denied adequate health care for financial reasons.

When my father was Governor of this State, one of his major goals was to make good medical care available to the poor citizens of Louisiana The charity hospitals which flourished under his leadership were a great step in that direction. Today, I think it is time that we take another step, not just in Louisiana, but throughout the United States to assure that the less fortunate among us—the aged, the disabled, those with low income and those with catastrophic illnesses—receive Federal assistance toward the costs of health care, and to assure that all citizens have adequate health insurance coverage available to them at a reasonable cost.

HEALTH BENEFITS COVERAGE FOR LOW-INCOME INDIVIDUALS AND FAMILIES

FACT SHEET

I. General approach

The plan would provide Federally-administered basic health coverage with uniform national eligibility standards for low income individuals and families. Basic benefits provided are designed to mesh with the catastrophic health insurance proposal. The plan is aimed predominately at providing coverage to low-income working individuals and families. In addition, the plan would eliminate the present inequity whereby people with the same incomes and needs are eligible for Medicaid in one State but ineligible in another, and would solve the inequity developing with implementation of the new aged, blind and disabled program where some recipients would be eligible for Medicaid and others—equally needy—would not. It would also provide substantial fiscal relief to States. Catastrophic coverage would start July 1, 1974 and the low-income program July 1, 1975.

II. Eligibility

Coverage would be available to all individuals and families having annual incomes at or below the following levels:

Individual	$2,400
2-person family	3,600
4-person family	4,800
Each additional person	600

To enhance administrative simplicity, eligibility could be certified on an annual or semi-annual basis. Additionally, to further simplify administration, and in view of the fact that this is not a welfare plan, there would be no assets test. Similarly, there would be no requirement of a categorical link or residency requirement as in welfare (aged, disabled, blind, etc.) benefits. Among other effects, this would solve the problem of covering one million migratory workers and dependents. A "spend-down" would be included so that a family of four with say $5,000 of income would be covered after it had spent $200 for medical care.

III. Benefits

The plan would cover sixty days of hospital care and medically-necessary physicians' services, skilled nursing facility care, home health services, plus intermediate care facility services. Nominal copayments would be required on patient-initiated elective services. The coinsurance amount under the catastrophic plan on medical expenses would be payable by the low-income plan, and those participants not otherwise eligible for regular catastrophic coverage would have catastrophic benefits provided under the basic low-income plan. States would be free to provide (at their expense) the optional and less costly services such as drugs and dental care.

IV. Payments and administration

The plan would use Medicare reimbursement bases and would apply all Medicare quality and cost controls. The Bureau of Health Insurance of the Social Security Administration, which administers Medicare, would also administer the low-income and catastrophic plans.

V. Financing

The low-income plan would be financed from general revenues, just as the Federal share of Medicaid is now financed, and also with State funds. States would pay a fixed amount equivalent to their total expenditures from State funds under Medicaid for the types of benefits covered under this plan during the year prior to the effective date of the program. Additionally, a State woud also pay 50 percent of the estimated amount that the State and local governments had expended in that same year for provision of these types of services to people not covered under Medicaid who would however be covered under the new plan. State contributions in future years would be limited to that initial contribution amount.

VI. Cost

The additional first full-year Federal cost above present Medicaid is estimated at $5.3 billion. Including the catastrophic plan, total additional first full year Federal costs are estimated at $8.9 billion.

VII. Miscellaneous

Many of the low-income working individuals and families will have some form of private insurance, adequate or inadequate. The low-income plan would be residual, paying on top of any other benefits. A provision would be included so that no group insurance plan could exclude an otherwise eligible individual on account of coverage under the low-income plan.

The program should mesh smoothly with private insurance. The individual or family should have good private health insurance available to them. For example, a family of four with $6,000 in income would have to expend $1,200 before it would be eligible for the low-income coverage. However, they would probably find it more advantageous to buy a private health insurance plan for $400 or $500 a year rather than run the risk of spending down. They must, however, be able to buy that alternative private insurance coverage. Therefore, the proposal would include various provisions requiring private insurers to make good basic coverage without a host of restrictions and exclusions available throughout the country at premiums reasonable in relation to benefits and pay-out.

The Secretary of HEW would report annually as to whether such coverage was in fact generally available and, if not, submit

his recommendations for a self-sustaining Federal health insurance pool as a means of affording these people an opportunity to buy health insurance where it was not otherwise reasonably available to them.

CURRENT U.S. POPULATION

Mr. PACKWOOD. Mr. President, I would like to report that, according to current Census Bureau approximations, the total population of the United States as of May 1 was 210,644,420. In spite of the widely publicized reduction in our fertility levels, which by the way I heartily applaud, this figure represents an increase of 1,587,909 since May 1, 1972. It also represents an increase of 135,653 in just the last month.

Over the year, therefore, we have added enough additional people to fill three cities the size of Seattle, and, in just the one short month, we have added the equivalent of New Haven, Conn.

Mr. President, I would also like to mention that, according to the Census Bureau, our population will be in the vicinity of 227 million by 1980. It is difficult to think of this many people in the abstract, but I might point out that the increase between today and 1980, about 17 million, would be like adding five new Chicagos in less than 7 years, or nearly one a year.

Mr. President, because the importance of having and understanding demographic data cannot be overemphasized, I ask unanimous consent to have printed at this point in the RECORD a chart prepared by the Population Reference Bureau. This chart provides a State-by-State breakdown of basic demographic information, and I draw the attention of my colleagues particularly to the projections of population in their States and in the entire United States by the year 1980, only 7 short years away.

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

U.S. POPULATION DATA SHEET—THE PARTS OF THE WHOLE

As a nation grows, national statistics become both more significant and, sometimes, less useful. Small changes in the national growth rate, for instance, reflect changing behavior in a greater number of people; but for the planner, the businessman, the politician, such numbers often contain too little detail to help them with the problems they face. They need data on a smaller scale.

When the revolutionary string of ex-colonies called the United States held its first census in 1790, it counted a little less than 4 million people. By 1900, 4 of its individual states had exceeded that population, and in 1970 the number had risen to 16. One of them, California, had a 1970 population more than 5 times as large as that of the original 13 states when the union was formed.

So population statistics even on the state level have grown somewhat unwieldy, particularly for those in local communities who are concerned with uncontrolled growth and development. Nevertheless, many decisions guiding the future growth of the country, and its individual communities, will be made at the state level.

To help in understanding the parts that make up the whole of the United States, the Population Reference Bureau has brought together demographic information for each of the states, presented in the form of a U.S. Population Data Sheet. Modelled on the pattern of the annual *World Population Data Sheet*, the U.S. edition contains current data for each state, as well as record of each state's decade-by-decade population since 1900.

The 7 censuses since the beginning of this century showed a growth of 167 percent in the national population, from 76 million in 1900 to 203 million in 1970. The first decade saw the most rapid growth, 21 percent, but the 1950s ran a close second. Almost 30 million people were added to the population during that baby-boom period, an increase of 18.5 percent from 1950 to 1960. Growth was slowest in the 1930s; population increased only 7.2 percent between the 1930 and 1940 censuses.

The 20th century growth rates of individual states have varied tremendously. Some have increased considerably less than the national average. In the 1960s, as in several preceding decades, a few states have lost population; North Dakota hit its peak population of 681,000 in 1930.

Some states, on the other hand, have grown phenomenally. The outstanding examples are in the West Coast region, which in 1900 made up 3.1 percent of U.S. population and by 1970 contained 12.5 percent of all Americans. California itself ranked 22nd in population in 1900; by 1970 it was the nation's most populous state, to the growing dismay of a number of that state's citizens. Florida is the other example of extraordinary growth; its population in 1970, 6.8 million, was almost 13 times what it was in 1900.

Population loss in individual states, and much of the extraordinary growth of some others, resulted from migration. Another demographic trend in the 20th century, urbanization, also came about largely because of migration. Only 5 percent urban in 1790, the U.S. population was still more than half rural in 1900. By 1970, however, almost three-quarters of the population lived in urban areas, and some states had even higher proportions of urban dwellers. Here again, California led the list: More than 90 percent in that state lived in urban areas. New York, New Jersey, Massachusetts and Rhode Island were next: 85 percent or more of their population was urban.

For those concerned with planning for future growth, population projections are an important tool. This Data Sheet gives Census Bureau projections of 1980 population for each state.

The projections are based on the assumption that migration rates into or out of states will remain at the levels of the 1960s. They also assume that fertility will be the same as the Census Bureau's Series E national population projections—a completed national fertility of 2.1 children per woman—adjusted for fertility variations from state to state.

The Series E fertility assumptions are close to present levels. Migration patterns could change significantly, however, particularly in states which had large migration either in or out during the 1960s. Population projections in general are uncertain instruments; in a mobile society such as the United States they must be used with even greater caution than usual.

U.S. POPULATION DATA SHEET

[Population figures in thousands]

	Area (square miles)	Date of admission	First census after admission[1]	1900	1910	1920	1930	1940	1950
United States	3,615,122	----------	3,929	76,212	92,228	106,022	123,203	132,165	151,328
Alabama	51,609	1819	128	1,829	2,138	2,348	2,646	2,833	3,062
Alaska	586,412	1959	226	64	64	55	59	73	129
Arizona	113,909	1912	334	123	204	334	436	499	750
Arkansas	53,104	1836	98	1,312	1,574	1,752	1,854	1,949	1,909
California	158,693	1850	93	1,485	2,378	3,427	5,677	6,907	10,586
Colorado	104,247	1876	194	540	799	940	1,036	1,123	1,325
Connecticut	5,009	1788	238	908	1,115	1,381	1,607	1,709	2,007
Delaware	2,057	1787	59	185	202	223	238	267	318
District of Columbia	67	----------	8	279	331	438	487	663	802
Florida	58,560	1845	87	529	753	968	1,468	1,897	2,771
Georgia	58,876	1788	83	2,216	2,609	2,896	2,909	3,124	3,445
Hawaii	6,450	1959	633	154	192	256	368	423	500
Idaho	83,557	1890	89	162	326	432	445	525	589
Illinois	56,400	1818	55	4,822	5,639	6,485	7,631	7,897	8,712
Indiana	36,291	1816	147	2,516	2,701	2,930	3,239	3,428	3,934
Iowa	56,290	1846	192	2,232	2,225	2,404	2,471	2,538	2,621
Kansas	82,264	1861	364	1,470	1,691	1,769	1,881	1,801	1,905
Kentucky	40,395	1792	221	2,147	2,290	2,417	2,615	2,846	2,945
Louisiana	48,523	1812	153	1,382	1,656	1,799	2,102	2,364	2,684
Maine	33,215	1820	298	694	742	768	797	847	914
Maryland	10,577	1788	320	1,188	1,295	1,450	1,632	1,821	2,343
Massachusetts	8,257	1788	379	2,805	3,366	3,852	4,250	4,317	4,691
Michigan	58,216	1837	212	2,241	2,810	3,668	4,842	5,256	6,372
Minnesota	84,068	1858	172	1,751	2,076	2,387	2,564	2,792	2,982
Mississippi	47,716	1817	75	1,551	1,797	1,791	2,010	2,184	2,179
Missouri	69,686	1821	140	3,107	3,293	3,404	3,629	3,785	3,955
Montana	147,138	1889	143	243	376	549	538	559	591

Footnotes at end of table.

U.S. POPULATION DATA SHEET—Continued

[Population figures in thousands]

	Area (square miles)	Date of admission	First census after admission [1]	1900	1910	1920	1930	1940	1950
Nebraska	77, 227	1867	123	1, 066	1, 192	1, 296	1, 378	1, 316	1, 326
Nevada	110, 540	1864	42	42	82	77	91	110	160
New Hampshire	9, 304	1788	142	412	431	443	465	492	553
New Jersey	7, 836	1787	184	1, 884	2, 537	3, 156	4, 041	4, 160	4, 835
New Mexico	121, 666	1912	360	195	327	360	423	532	681
New York	49, 576	1788	340	7, 269	9, 114	10, 385	12, 588	13, 479	14, 830
North Carolina	52, 586	1789	394	1, 894	2, 206	2, 559	3, 170	3, 572	4, 062
North Dakota	70, 665	1889	191	319	577	647	681	642	620
Ohio	41, 222	1803	231	4, 158	4, 767	5, 759	6, 647	6, 908	7, 947
Oklahoma	69, 919	1907	1, 657	790	1, 657	2, 028	2, 396	2, 336	2, 233
Oregon	96, 981	1859	52	414	673	783	954	1, 090	1, 521
Pennsylvania	45, 333	1787	434	6, 302	7, 665	8, 720	9, 631	9, 900	10, 498
Rhode Island	1, 214	1790	69	429	543	604	687	713	792
South Carolina	31, 055	1788	249	1, 340	1, 515	1, 684	1, 739	1, 900	2, 117
South Dakota	77, 047	1889	349	402	584	637	693	643	653
Tennessee	42, 244	1796	106	2, 021	2, 185	2, 338	2, 617	2, 916	3, 292
Texas	267, 338	1845	213	3, 049	3, 897	4, 663	5, 825	6, 415	7, 711
Utah	84, 916	1896	277	277	373	449	508	550	689
Vermont	9, 609	1791	154	344	356	352	360	359	378
Virginia	40, 817	1788	692	1, 854	2, 062	2, 309	2, 422	2, 678	3, 319
Washington	68, 192	1889	357	518	1, 142	1, 357	1, 563	1, 736	2, 379
West Virginia	24, 181	1863	442	959	1, 221	1, 464	1, 729	1, 902	2, 006
Wisconsin	56, 154	1848	305	2, 069	2, 334	2, 632	2, 939	3, 138	3, 435
Wyoming	97, 914	1890	63	93	146	194	226	251	291
Puerto Rico	3, 435	----------	----------	[2] 953	1, 118	1, 300	1, 544	1, 869	2, 211

NOTES

[1] 1812 admission date would mean 1820 census population, etc., U.S. population is for 1790, the first National Census; District of Columbia data is for 1800; California, Idaho, Maine, Rhode Island, Wyoming population is the year of admission; Florida and Texas, 1850. Territorial population data for Alaska (1900–50), Arizona (1900), Hawaii (1900–50), New Mexico (1900), Oklahoma (1900).

[2] Population: 1899 figure; birth and death rates: 1970 figures.
Population totals to the nearest thousand.

1790 to 1970 data from U.S. Bureau of the Census, U.S. Census of Population: 1970 Number of inhabitants, Final Report PC(1)–A1 United States Summary, U.S. Government Printing Office, Washington, D.C. 1971. (1970 Official Counts as corrected.)

Provisional statistics for State and national birth, death, and total infant mortality rates for 1971 are from U.S. Department of Health, Education and Welfare, Public Health Service, Health Services and Mental Health Administration, National Center for Health Statistics, Rockville, Md. Monthly Vital Statistics Report, Provisional Statistics, Annual Summary for the United States, 1971 (HSM) 73–1121, vol. 20, No. 13, Aug. 30, 1972.

U.S. POPULATION DATA SHEET

	1960	1970	Percent of change 1960–70	Net migration 1960–70 (percent) [1]	Percent urban 1970 [2]	Annual births per 1,000 population 1971	Annual deaths per 1,000 population 1971	Total infant mortality 1971 [3]	Population estimates mid-1972 [4]	Population projections 1980 [5]
United States	179, 323	203, 235	13. 3	1. 7	73. 5	17. 3	9. 3	19. 2	208, 232	226, 934
Alabama	3, 267	3, 444	5. 4	−7. 1	58. 4	19. 1	9. 7	23. 6	3, 510	3, 565
Alaska	226	302	32. 8	7. 1	48. 4	22. 9	5. 0	18. 3	325	352
Arizona	1, 302	1, 772	36. 0	17. 5	79. 6	21. 0	8. 6	18. 3	1, 945	2, 164
Arkansas	1, 786	1, 923	7. 7	−4. 0	50. 0	18. 1	10. 6	19. 9	1, 978	2, 052
California	15, 717	19, 953	27. 0	13. 4	90. 9	16. 8	8. 5	16. 8	20, 468	24, 226
Colorado	1, 754	2, 207	25. 8	12. 3	78. 5	18. 1	8. 1	18. 0	2, 357	2, 636
Connecticut	2, 535	3, 032	19. 6	8. 5	77. 4	14. 6	8. 5	15. 5	3, 082	3, 551
Delaware	446	548	22. 8	8. 5	72. 2	17. 7	9. 0	14. 4	565	655
District of Columbia	764	757	−1. 0	−13. 1	100. 0	33. 8	13. 9	28. 5	748	----------
Florida	4, 952	6, 789	37. 1	26. 8	80. 5	16. 5	11. 2	20. 7	7, 259	8, 280
Georgia	3, 943	4, 590	16. 4	1. 3	60. 3	20. 4	9. 0	21. 3	4, 720	5, 191
Hawaii	633	770	21. 5	1. 7	83. 1	20. 1	5. 7	18. 1	809	874
Idaho	667	713	6. 8	−6. 2	54. 1	19. 1	8. 4	16. 6	756	761
Illinois	10, 081	11, 114	10. 2	−0. 4	83. 0	17. 2	9. 6	20. 7	11, 251	12, 256
Indiana	4, 662	5, 194	11. 4	−0. 3	64. 9	18. 3	9. 3	18. 0	5, 291	5, 782
Iowa	2, 758	2, 825	2. 4	−6. 6	57. 2	16. 1	10. 3	17. 0	2, 883	2, 908
Kansas	2, 179	2, 249	3. 1	−6. 0	66. 1	15. 1	9. 6	19. 8	2, 258	2, 334
Kentucky	3, 038	3, 219	5. 9	−5. 0	52. 3	18. 1	10. 3	20. 4	3, 299	3, 372
Louisiana	3, 257	3, 643	11. 8	−4. 0	66. 1	20. 1	9. 2	22. 1	3, 720	3, 975
Maine	969	994	2. 4	−7. 2	50. 8	14. 3	10. 7	16. 3	1, 029	1, 016
Maryland	3, 101	3, 922	26. 5	12. 4	76. 6	14. 3	7. 9	18. 0	4, 056	4, 782
Massachusetts	5, 149	5, 689	10. 5	1. 4	84. 6	15. 7	9. 9	17. 1	5, 787	6, 277
Michigan	7, 823	8, 875	13. 4	0. 3	73. 8	17. 0	8. 5	19. 2	9, 082	10, 031
Minnesota	3, 414	3, 805	11. 5	−0. 7	66. 4	16. 3	8. 9	17. 8	3, 896	4, 245
Mississippi	2, 178	2, 217	1. 8	−12. 3	44. 5	21. 7	10. 4	26. 6	2, 263	2, 245
Missouri	4, 320	4, 677	8. 3	----------	70. 1	17. 1	10. 9	19. 0	4, 753	5, 070
Montana	675	694	2. 9	−8. 6	5. 34	17. 2	9. 5	20. 7	719	721
Nebraska	1, 411	1, 484	5. 1	−5. 2	61. 5	17. 0	10. 2	17. 2	1, 525	1, 570
Nevada	285	489	71. 3	50. 4	80. 9	18. 9	8. 3	22. 9	527	673
New Hampshire	607	738	21. 5	11. 3	56. 4	16. 6	9. 8	15. 6	771	878
New Jersey	6, 067	7, 168	18. 2	8. 0	88. 9	15. 1	9. 2	18. 0	7, 367	8, 300
New Mexico	951	1, 016	6. 8	−13. 6	69. 8	21. 6	7. 5	20. 9	1, 065	1, 088
New York	16, 782	18, 241	8. 7	−0. 6	85. 6	15. 5	10. 1	18. 6	18, 366	19, 789
North Carolina	4, 556	5, 082	11. 5	−2. 1	45. 0	18. 6	8. 8	22. 2	5, 214	5, 482
North Dakota	632	618	−2. 3	−14. 9	44. 3	17. 5	9. 2	15. 3	632	600
Ohio	9, 706	10, 652	9. 7	−1. 3	74. 3	17. 7	9. 2	18. 2	10, 783	11, 675
Oklahoma	2, 328	2, 559	9. 9	0. 6	68. 0	17. 2	9. 6	18. 4	2, 634	2, 787
Oregon	1, 769	2, 091	18. 2	9. 0	67. 1	15. 8	9. 3	18. 1	2, 182	2, 421
Pennsylvania	11, 319	11, 794	4. 2	−3. 3	71. 5	15. 2	10. 5	18. 1	11, 926	12, 157
Rhode Island	859	950	10. 1	1. 5	87. 1	15. 8	9. 8	18. 9	968	1, 027
South Carolina	2, 383	2, 591	8. 7	−6. 3	47. 6	20. 2	8. 8	22. 5	2, 665	2, 731
South Dakota	681	666	−2. 2	−13. 9	44. 6	17. 0	9. 9	17. 1	679	658
Tennessee	3, 567	3, 924	10. 0	−1. 3	58. 8	19. 1	10. 0	21. 6	4, 031	4, 259
Texas	9, 580	11, 197	16. 9	1. 5	79. 7	20. 1	8. 1	19. 5	11, 649	12, 812
Utah	891	1, 059	18. 9	−1. 2	80. 4	25. 8	6. 8	14. 1	1, 126	1, 234
Vermont	390	445	14. 0	3. 8	32. 2	17. 1	9. 7	15. 0	462	504
Virginia	3, 967	4, 648	17. 2	3. 6	63. 1	16. 9	8. 2	20. 8	4, 764	5, 229
Washington	2, 853	3, 409	19. 5	8. 7	72. 6	15. 7	8. 8	18. 6	3, 443	3, 958
West Virginia	1, 860	1, 744	−6. 2	−14. 2	39. 0	18. 0	11. 5	21. 9	1, 781	1, 634
Wisconsin	3, 952	4, 418	11. 8	0. 1	65. 9	16. 0	9. 1	15. 7	4, 520	4, 930
Wyoming	330	332	0. 7	−11. 9	60. 5	17. 4	8. 9	21. 1	345	342
Puerto Rico	2, 350	2, 712	15. 4	----------	58. 1	25. 4	[6] 7. 5	[6] 24. 5	----------	----------

NOTES

[1] Net inmigration and outmigration as a percentage of the 1960 population, U.S. Department of Commerce News, Release CB71-85, May 17, 1971.

[2] Urban population comprises all persons living in urbanized areas (usually containing at least one city of 50,000 or more and that portion of surrounding territory which meet specified criteria relating to population density) and places of 2,500 inhabitants or more outside urban areas. (1970 Census definition.) U.S. Bureau of the Census, U.S. Census of Population: 1970, Number of Inhabitants, Final Report PC(1)-A1 United States Summary, U.S. Government Printing Office, Washington, D. C. 1971.

[3] Annual deaths to infants under one year of age per 1,000 live births.

[4] July 1, 1972 population estimates from U.S. Bureau of the Census, Estimates of the Population of States: July 1, 1971 and 1972, Series P-25, No. 488, September 1972, U.S. Government Printing Office, Washington, D.C. 1972.

[5] 1980 population projections (Series I-E) from U.S. Bureau of the Census, Population Estimates and Projections, March 1972, Series P-25, No. 488, U.S. Government Printing Office, Washington D. C. 1972.

[6] Population: 1899 figure; birth and death rates: 1970 figures.

Population totals to the nearest thousand.

1790 to 1970 data from U.S. Bureau of the Census, U.S. Census of Population: 1970 Number of Inhabitants, Final Reoprt PC(1)-A1 United States Summary, U.S. Government Printing Office, Washington, D.C. 1971. (1970 Official Counts as corrected.)

Provisional statistics for state and national birth, death, and total infant mortality rates for 1971 are from U.S. Department of Health, Education and Welfare, Public Health Service, Health Services and Mental Health Administration, National Center for Health Statistics, Rockville, Md. Monthly Vital Statistics Report, Provisional Statistics, Annual Summary for the United States, 1971 (HSM) 72-1121, vol. 20, No. 13, Aug. 30, 1972.

CIVILIAN SCIENCE AND TECHNOLOGY POLICY ACT OF 1973

Mr. KENNEDY. Mr. President, I welcome the initiative of the distinguished Senator from Colorado (Mr. DOMINICK) in introducing his Civilian Science and Technology Policy Act of 1973. I know this represents a serious effort on his part to help promote the more effective application of science and technology to our civilian problems.

I have had a longstanding interest in achieving this goal. On January 4, I reintroduced S. 32, the National Science Policy and Priorities Act, which had passed the Senate overwhelmingly last August. As chairman of the Subcommittee on the National Science Foundation, I intend to give careful study to the bill by the Senator from Colorado, and then to hold hearings on S. 32 and his bill at the same time. I am hopeful that through these efforts we will succeed in enacting legislation that focuses the Nation's technical talent on our mounting civilian problems.

FAMILY FARM INHERITANCE ACT

Mr. BAYH. Mr. President, on May 2, I submitted testimony to the Ways and Means Committee of the House of Representatives urging that my bill, the Family Farm Inheritance Act, be attached to the tax reform bill which the Ways and Means Committee is now considering.

My testimony was based on new information which I have gathered since the initial introduction of S. 204 in January of this year. To assist my colleagues evaluate the merits of the bill, I want to reiterate some of my arguments in favor of the legislation.

First of all, it is my belief, in view of the disturbing decline in the number of farms and of families living on the farm, that Congress must give the most serious consideration to legislation designed to preserve the family farm and maintain a decentralized farm economy.

With this objective in mind, I have introduced a bill, S. 204, which would exclude the first $200,000 in the value of the family farm from the taxable estate of those farmers who have managed their own farms during their lives and have willed it to relatives who plan to carry on this tradition. All such family farms must be actively used to raise agricultural crops or livestock for profit rather than as a hobby. To be specific, in order to qualify for the exemption, the decedent must have owned the farm for at least 5 years and must have exercised substantial management and control over the farm before he died. Those who inherit must not only continue to exercise substantial management and control over the farm, but also must maintain ownership and live on the farm for at least 5 years. In the event that a farm is willed to several children, all inheritors are covered by the bill if one of them meets the residency and management qualifications set forth in the bill. Senators JAVITS and WILLIAMS are cosponsors of the bill.

I want to emphasize that this bill is not envisioned as a tax break for all farmers, but rather as a device to assist those farmers who are not likely to have sufficient liquid capital to meet the estate taxes. Presently, farmers usually have to sell part of their land to raise enough money to pay estate taxes; after one or two generations, so much of the farmland has been sold off that there is no longer a viable economic unit—particularly in these days when the average size of a farm is increasing, not decreasing. The result will probably be increased ownership of land by corporations despite the fact that research studies by USDA relating cost per unit to size have generally shown that all of the economies of size can be achieved by modern and fully mechanized one-man and two-man farms.

As everyone concerned about the rise of corporate farming knows, the individual farmer has been having a progressively harder time making ends meet. Fifty years ago there were about 32 million Americans—more than 30 percent of the entire population—living on the farm; today there are only about 9 million Americans—slightly more than 4 percent of our population—still on the farm. This number is decreasing steadily.

Moreover, it is the small farmer, the family farmer, who is being forced off the farm into our already overcrowded cities. In fact, every day about 300 family farms in this country have to be abandoned by their owners, because they are no longer viable. Cumulatively, a million family-sized farms were consolidated out of existence in the 1950's and another million in the 1960's.

The reasons for the demise of the family farmer are evident. While food prices in this country have gone up along with everything else, the farmer often has not shared in this increase. Food price increases have gone to retailers and middlemen, but too many farmers have seen their share of the retail food dollar remain constant, and at times, decline. At the same time, while the average American nonfarm worker labors an average of only 37 hours a week, the average farmer works 50 hours a week and earns less for his time. Farmers receive an average of only 5.4 percent return on their investment whereas there is a 10 to 12 percent average return on investment in industry.

One of the greatest problems faced by farm families is the estate tax—a tax which is uniquely burdensome for farmers because it is usually based on the inflated value of the land as a real estate parcel rather than on its fair value as a farming operation. Children who have spent years working the farm with their parents are suddenly confronted with a large tax when the owner of their operation dies. For a small farmer, estate taxes are particularly severe because most of his assets are generally nonliquid: his farm, his farmhouse, his livestock, his crops, and equipment comprise the bulk of his assets and they are all essential to the profitable operation of the farm. Nonfarmers, if only because their return on investment is usually greater, normally have a greater percentage of liquid assets with which they can meet estate taxes.

To illustrate the problem faced by family farmers, let us take the hypothetical case of a Mr. Jones, Jr., who is left a 300-acre farm valued at $700 an acre, plus farm cquipment, crops, and farmhouse, for a total valuation of $280,000. At the prevailing tax rate, he would have to pay $56,700 in Federal estate taxes. An average small farmer, Mr. Jones makes only about $10,000 a year from his farm; the income is already stretched thin to cover new farm equipment and family expenses. Assuming that Mr. Jones does not have large savings, he would be forced either to take out a mortage on the farm—if it is not already mortgaged—or sell part of his land in order to pay the estate tax on his father's farm. Either way, he would decrease by a considerable margin the already small profit he is able to make from the farm. Furthermore, the burden of estate taxes could very possibly be so great that Mr. Jones, Jr., might find out that he can no longer make enough money on the farm to support his family. Thus he would be forced to sell the farm and look for work elsewhere.

Unless we want to see a continuing decline in the number of family farmers, and an eventual domination of the farm industry by large corporate farms, it is essential to help small farmers meet what are now unbearably high estate taxes.

Mr. President, there are two probable criticisms of this bill which I would like to address: First, small businesses would probably ask for similar tax breaks; and second, the cost could be high.

In response to the first consideration, I am certainly aware that small family businesses often have as difficult a time making ends meet as small family farms do, and that they need encouragement if they are to prosper. However, it seems to me that family farms differ from family businesses in significant respects which entitle farms to separate consideration with reference to estate taxes. The rapid technological changes, marginal profits, and the need for capital in farming encourage forced saving and reinvestment by all family members. Since farm households are relatively more self-sufficient than urban households and since the cost of rural living is generally lower than that of urban living, members of the family often are not remunerated for their contributions to the farm; rather, all wages and profits are pooled and reinvested in more land, new machinery or better fertilizer and seed. Members of the younger generation may be taxed on money which otherwise might have come to them in the form of a salary. Combined with the fact that most profits are plowed back into the farm is the fact that the return on investment is generally lower in farming—5.4 percent—than in business—10 to 12 percent. Thus, farmers tend to have less liquid capital saved with which to pay estate taxes.

Farmers also suffer most dramatically from the fact that their estates are taxed at the real estate value of the land, rather than on the basis of the farming value of the land. The current shortage of land is pushing up real estate values both for the farmer and for the small businessman located in a city; however, a far greater proportion of a farm's assets are tied up in land. The farmer who finds that suburban sprawl is forcing up the value of his main asset simply cannot absorb the increased costs of that particular item.

The second main argument against my proposal is likely to be one of cost. The Department of the Treasury has estimated that the revenue loss would be about $200 million annually. Unfortunately, I do not know the nature of their calculations leading to this estimate. However, the Department of Agricultural Economics at Purdue University has provided a second, tentative estimate of an annual revenue loss falling somewhere between $50 and $100 million—and probably closer to $50 million than to the higher figure. While the estimate is preliminary, the details of their computations should be helpful in evaluating possible assumptions behind the Department of Treasury's estimate. I ask unanimous consent that a copy of the preliminary computation table, a memorandum outlining some of the assumptions used in the extrapolations, and a copy of the bill be printed in the RECORD at the conclusion of my remarks.

Mr. President, I believe that some tax modifications are necessary to assist family farmers bear the burden of estate taxes; I intend also to present this proposal to the Senate Finance Committee at the appropriate time.

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

ESTIMATE OF REDUCTION IN FEDERAL ESTATE TAX PAID ON FARMS IN 5 CORN BELT STATES (INDIANA, ILLINOIS, IOWA, MISSOURI, AND OHIO) IN 1971 WHICH WOULD HAVE BEEN REALIZED IF THE FEDERAL EXEMPTION HAD BEEN $260,000 INSTEAD OF $60,000

Net worth in 1966 [1]	Net worth in 1971 [2]	Average net worth in 1971	Percent of farms in each size category [3]	Estimated number of farms in each size category in 1971 [4] (thousands)	1 percent of estimated number of farms in 1971	Estimated estate tax on average net worth in 1971 [6]	Total estate tax in 1971 (1 percent of farms times average) (thousands)	Estimated estate tax under S. 204 on average net worth	Estimated estate tax under S. 204 in 1971 (1 percent of farms times average) (thousands)
Under $10,000	Under $12,050	$6,025	12.6	75.0	750				
$10,000 to $15,000	$12,050 to $18,075	15,063	5.8	34.5	345				
$15,000 to $20,000	$18,075 to $24,100	21,088	9.2	54.8	548				
$20,000 to $30,000	$24,100 to $36,150	30,125	16.8	100.0	1,000				
$30,000 to $40,000	$36,150 to $48,200	42,175	12.0	71.5	715				
$40,000 to $50,000	$48,200 to $60,250	54,225	8.1	48.2	482				
$50,000 to $60,000	$60,250 to $72,300	66,275	7.2	42.9	429	$239.25	$102.6		
$60,000 to $75,000	$72,300 to $90,375	81,338	7.5	44.7	447	1,787.32	798.9		
$75,000 to $100,000	$90,375 to $120,500	105,438	8.2	48.8	488	5,952.86	2,905.0		
$100,000 to $150,000	$120,500 to $180,750	150,625	7.7	45.9	459	17,665.00	8,108.2		
$150,000 to $200,000	$180,750 to $241,000	210,875	2.5	14.9	149	34,501.50	5,140.7		
$200,000 to $400,000	$241,000 to $482,000	361,500	2.1	12.5	125	79,812.00	9,976.5	$20,566	$2,570.8
$400,000 and over	$482,000 and over	700,000	0.3	1.8	18	176,700.00	3,180.6	116,500	2,097.0
Total			100.0	595.5			30,212.5		4,667.8

[1] Net worth of farm operator families (census definition of farm) in the Corn Belt States, 1966, based on pesticide survey.

[2] Net worth size classes increased by 20.5 percent. This was the estimated increase in the total equity values in farm production assets in the United States between 1966 and 1971, based on the "Balance Sheet of the Farming Sector," Agriculture Information Bull. No. 359, ERS, USDA, January 1973, p. 27.

[3] The percentage shown is for 1966, based on the pesticides survey. The percentages were assumed the same in 1971.

[4] Derived by extrapolating the percentage decline (1.5 percent per year) in the total number of farms shown by the census between 1964 and 1969 to 1971. The number in each category was determined by multiplying the total number of farms by the proportion in each size category.

[5] In 1971, there were 6.6 administrator and executor farm sales per 1,000 farms. An additional 4.7 were inheritance and gifts. Thus 10 per 1,000 were assumed here.

[6] Computed from the Federal Estate Tax Schedule. The total was adjusted for the estimated credit for State death taxes.

Note: Estimated tax reduction: $30,212,500 minus $4,667,800 equals $25,500,000 annually. This figure may be too high, as indicated in the attached memorandum.

MEMORANDUM ON PROCEDURES FOR ESTIMATING ANNUAL REVENUE LOSS WHICH MIGHT BE EXPECTED UNDER S. 204, FAMILY FARM INHERITANCE ACT

FIVE CORN BELT STATES

The attached table shows the procedure employed in arriving at a preliminary estimate of the annual revenue loss which might be expected under S. 204 for five Corn Belt states (Indiana, Illinois, Iowa, Missouri and Ohio). The computation was made for these five states because of the availability of a size distribution of estimated net worth, which was not available for the U.S. as a whole.

The table indicates the various assumptions and adjustments which were made at various stages in the estimating procedure. Given the assumptions shown, the estimated revenue loss for the five states in 1971 was $25.5 million. This figure is probably too high for the following reasons:

1. The marital deduction, which it might have been applicable, was not made. No information is available as to how important it would have been, but it likely would have been applicable to a substantial number of estates.

2. Other expenses, such as lawyers fees and the like were not deducted from average net worth estimates.

3. Several estates, particularly the larger ones, were likely transferred at least partially by gift or in accordance with estate plans which reduced the estate tax liability. Moreover, in 1969 around one percent of U.S. farms were incorporated. These tended to be the larger farms. In Indiana, for example, the 1969 Census of Agriculture indicated that of the 1,162 farms having sales of $100,000 or more, 173 or about 15 percent were incorporated.

In future years, trends which would partially offset the above three factors would be (1) Further inflation, which would increase the dollar value of farm assets and move more and more farms into the higher tax brackets, and (2) The changing size structure of U.S. farms, whereby the number of farms in the larger size categories is expected to increase even though the total number of farms is likely to continue declining. In fact, to the extent that the proportions of farms in the largest categories rose between 1966 and 1971, this factor would offset part of the overestimation of revenue loss attributable to the three factors listed above. However, one might expect that as farm size increases, more farms likely become incorporated.

EXTRAPOLATION OF FIVE STATES ESTIMATES TO THE UNITED STATES AS A WHOLE

The five Corn Belt states account for about 22 percent of farm production assets in the U.S. Hence if the estimated revenue loss in the five states were raised proportionally according to the ratio of the production assets in the U.S. to the five states, the U.S. revenue loss, not taking into account the other qualifications mentioned above, would be over $100 million.

However, the size distribution of farms in the 5 states shows a higher percentage of farms in the largest size classes than the average for all other states.

For example, the 1969 Census of Agriculture showed that in the five Corn Belt states, 4.8 percent of the farms had gross sales of $60,000 or more, while for all other states, farms with gross sales of $60,000 or higher accounted for 4.3 percent of the total number of farms. This would significantly reduce the extrapolated U.S. revenue loss, in that the larger farms are subject to most of the estate tax. The largest three categories in the attached table accounted for 4.9 percent of the farms in the five states but 61 percent of the estimated tax.

CONCLUSIONS

Taking into account various assumptions, adjustments and considerations, the potential U.S. revenue loss from S. 204 might range between $50 million and $100 million annually. It is believed that the actual figure would be nearer to the lower range of the estimate than the higher.

However, this estimate should be considered tentative. It is based on several approximations and assumptions the reliability of which is not known.

S. 204

A bill to amend the Internal Revenue Code to encourage the continuation of small family farms, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Family Farm Inheritance Act".

SEC. 2. Part IV of chapter 11B of the Internal Revenue Code of 1954 (relating to deductions from the gross estate) is amended by adding at the end thereof the following new section:

"SEC. 2057. INTEREST IN FAMILY FARMING OPERATIONS.

"(a) GENERAL RULE.—For purposes of the tax imposed by section 2001, the value of the taxable estate shall be determined by deducting from the value of the gross estate the lesser of (1) $200,000, and (2) the value of the decedent's interest in a family farming operation continually owned by him or his spouse during the five years prior to the date of his death and which passes or has passed to an individual or individuals related to him or his spouse.

"(b) SUBSEQUENT DISQUALIFICATION RESULTS IN DEFICIENCY.—The difference between the tax actually paid under this chapter on the transfer of the estate and the tax which would have been paid on that transfer had the interest in a family farming operation not given rise to the deduction allowed by paragraph (a) shall be a deficiency in the payment of the tax assessed under this chapter on that estate unless, for at least 5 years after the decedent's death—

(1) the interest which gave rise to the deduction is retained by the individual or individuals to whom such interest passed, and

"(2) the individual or any of the individuals to whom the interest passed resides on such farm, and

"(3) such farm continues to qualify as a family farming operation.

"(c) DEATH OF SUBSEQUENT HOLDER.—In the case of the subsequent death of an individual to whom the interest in a family farming operation has passed, his successor shall be considered in his place for purposes of paragraph (b).

"(d) DEFINITIONS.—

"(1) FAMILY FARMING OPERATION.—A 'family farming operation' is a farm:

"(A) actively engaged in raising agricultural crops or livestock 'for profit', within the meaning of section 183, and

"(B) over which the owner or one of the owners exercises substantial personal control and supervision.

"(2) RELATIONS.—An individual is 'related' to the decedent or his spouse if he is that person's father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, or half sister."

CONNECTICUT GENERAL'S PREPAID GROUP PRACTICE PLAN

Mr. RIBICOFF. Mr. President, in view of the continued national concern over health care delivery problems, I am especially pleased that private enterprise is taking an active and forward-looking role in trying to solve some of the basic problems of making health care available to as many Americans as possible at a low rate.

Recently Connecticut General Life Insurance Co., a leading insurer in the prepaid group practice field, announced that it is joining with a number of New York doctors in the establishment of a major prepaid group practice health plan, Healthcare.

Connecticut General is already participating in comprehensive prepaid plans in Phoenix, Ariz., and Columbia, Md. Connecticut General is providing more than $1 million in initial capital for Healthcare. I commend them for their initiative in this new medical field.

I ask unanimous consent that the following articles be printed in the RECORD.

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

HEALTHCARE: A REASONABLE ALTERNATIVE

Healthcare, New York's first major prepaid insured health plan in more than a quarter century, will open its doors this fall in the heart of downtown Brooklyn. The new Plan offers major improvements on health care delivery while retaining the best aspects of personalized current medical practice.

The innovations and efficiencies of the Plan are designed to provide comprehensive health care at a cost no greater and possibly less than the consumer's present total out-patient and hospital expenses.

Healthcare will include in-hospital care, out-patient care, emergency service, home care and health maintenance features.

Healthcare has been co-developed by a group of 65 prominent Brooklyn physicians, called the First Downtown Brooklyn Medical Group, P. C. and Connecticut General Life Insurance Company, the leading insurer in the prepaid group practice field.

By joining in this unusual cooperative effort, the physicians' group and CG are creating a "reasonable alternative" to those federal legislative proposals that would radically alter the future of medical care delivery and financing in the United States.

Healthcare, without government assistance or new burdens on the taxpayers, will feature new efficiencies, modern facilities, the latest equipment and the expertise of established physicians to bring quality care on a personal basis.

The attitudes and ideas of enrollees will be solicited frequently in the sponsors' continuing evaluation of Plan performance.

Connecticut General, which is already participating in similar plans in Phoenix, Ariz., and Columbia, Md., will provide over $1 million in initial capital, handle marketing, and participate in a variety of administrative and management activities.

Care will be provided through the Plan's medical facility located at 333 Livingston Street in the center of downtown Brooklyn's redevelopment area. Among the site's advantages will be ready access to all subway lines and buses.

The 30,000 square foot facility will contain multiple reception, consultation, examination and minor surgery suites. There will be extensive x-ray and diagnostic facilities, a medical library and a spacious conference area for physician and patient use. Healthcare center will include separate areas for internal medicine, surgery, obstetrics and gynecology, pediatrics, emergency walk-in, rehabilitation medicine, radiology, isotope study, laboratory, pharmacy and administration.

A centralized file system with complete health records of each enrollee, will be a part of a "problem oriented" rapid retrieval and record analysis system. A Plan spokesman said the system "significantly reduces red tape for the patient and makes more 'doctor-patient time, less doctor-paper time.'" In addition, this minimizes the frustration of form-filling for enrollees, employers and doctors alike.

The central facility will emphasize the comfort and privacy of Plan enrollees. It will avoid traditional "clinic" waiting rooms and stark interiors, having instead a warmer, more cheerful atmosphere.

Enrollment will be initially available to persons living in Brooklyn and parts of Manhattan, Queens and Staten Island.

The geographic definition will place Plan Participants within about 30 minutes or less travel time to the medical facility.

Healthcare expects to have 5,000 participants initially. An enrollment level of 30,000 is projected for the end of its first operational year. Expansion of the Plan to include larger numbers of persons living in other areas of metropolitan New York and beyond is anticipated as the program grows.

The Plan will be offered as part of an employer's group health insurance program. Freedom of choice between modes of health care delivery will be preserved since employees will have the option of enrolling in Health-care or continuing their traditional indemnity health insurance. Enrollees can cancel their plan participation at any time without penalty.

Healthcare's monthly premium rates will be $69.75 for a family and $25.25 for a single person. This premium may be paid entirely by an employer or by a Plan enrollee, depending on the employer's benefit plan. A co-payment of $2 per visit for normal out-patient services and $7 per visit for house calls will help keep monthly premiums low.

HOW HEALTHCARE WILL WORK

Healthcare eliminates nearly all of the financial uncertainty which the typical consumer now faces for health care. Plan participants and their families will receive virtually all of their medical and hospital care by prepaying the monthly premium. Thus, enrollees will be able to budget ahead for family health costs without facing burdensome fluctuations or deficits.

In fact, with a few exceptions, such as long-term psychiatric treatment, participants and their families are covered for total costs, less the co-payment fee. This includes protection even for many "catastrophic" illnesses—the kind that can wipe out a family's financial resources.

Upon enrolling, a participant will be counseled on his choice of his own primary doctor from those available on the Healthcare staff thus preserving the personal doctor-patient relationship. When the services of other staff specalists are required, the Plan participant will be referred to them—all at the same location.

The Brooklyn Hospital, with a tradition of quality medical service for more than 125 years, is a university-affiliated institution which will serve as the in-hospital and emergency care facility for enrollees. It is

located two-and-a-half blocks from the Healthcare center. In addition, The Caledonian Hospital and other conveniently located hospitals will provide additional scources of in-hospital and emergency care for Plan participants.

Emergency care will be provided through a special in-hospital facility available exclusively to Plan enrollees at The Brooklyn Hospital. Physician services and those of health professionals will be available to participants 24 hours a day. During regular daytime hours, services will be provided at the Plan's own facility. At night and on weekends it will be provided at the special hospital quarters. Twenty-four hour telephone service is also planned. When necessary, home-bound patients will be provided with care and tests at home.

A primary feature of the Plan will be its emphasis on caring for the healthy as well as the sick. Its health maintenance program is designed to encourage good health habits and reduce the necessity for hospitalization.

By eliminating economic considerations from the doctor-patient relationship and making the medical care delivery system accessible 24 hours a day, the Plan encourages participants to seek early medical care before a problem becomes serious. Early detection or prevention can reduce or eliminate the need for prolonged hospitalization, the most costly component of medical services today. The economic impact of loss of wages and the psychological trauma of being an in-hospital patient may thus be minimized or avoided completely.

Healthcare proposes to encompass the health needs of all enrollees. This will range from the well, the worried well, the asymptomatic sick and the sick.

The "well patient" feels healthy and has no symptoms of ill health. Systematic health evaluations and health counseling will help keep him well.

The "worried well patient" does not feel well, but evidences no findings of physical disease. If diagnostic tests are negative, this patient may be on continued surveillance to detect the development of disease or provide treatment for anxiety.

The asymptomatic sick enrollee feels healthy but is actually sick. Health evaluation may elicit disease and permit treatment before it becomes incurable, results in complications, or requires more costly treatment and care.

The sick patient feels sick and is sick. The Plan's 24-hour service permits early diagnosis and therapy thereby minimizing suffering and costly hospital confinement.

The Plan's formal maintenance programs will include mental health, nutrition programs, pre and postnatal counseling and rehabilitation following a coronary episode or after major surgery.

THE EVOLUTION OF THE MEDICAL CARE SYSTEM

Existing methods of delivery of medical care by physicians have evolved from the standard solo practitioner and solo specialist to associated practices, partnerships or two or more physicians, prepaid panel medical groups such as Health Insurance Plan of New York (HIP), Kaiser Permanente (KP), medical corporations and foundations for medical care. Voluntary health insurance plans and, in some instances, union-sponsored health plans have helped provide for the financing of the health care of a large segment of the United States population. The explosion of medical knowledge and know-how and the intricate demands and detail of subspecialty practices have led to the grouping or partnership of physicians with various backgrounds in order to provide comprehensive quality care.

Despite our national experience of over 40 years with prepaid plans of medical care, less than 5 percent of the United States population are so covered. Indeed, less than 10 percent are so covered in the heartlands of HIP and KP.

Yet, the call for change in present health delivery systems, with their ever-mounting costs, grows stronger.

The true needs are for comprehensive, personal, quality medical care with reasonable cost, efficiency, choice of physician and maintenance of the traditional physician-patient relationship.

The greatest factor in the increasing expense of medical services has been skyrocketing costs for in-patient hospital care. The price for hospital services rose 10.5 percent during 1972 and all indications are that this cost will continue to rise.

For Healthcare enrollees, a certified hospital admission program will eliminate many unnecessary and costly hospital admissions and reduce costs by providing many services in the out-patient facility.

Pressure is mounting in Congress and elsewhere for greater government involvement in health care delivery systems. Congressman Wilbur Mills, who has cautioned against radical federal solutions to health delivery problems, points out the federal government already plays a substantial financial role in health, and illustrates his point by two facts:

The first fact, he notes, is that "two government programs alone, Medicare and Medicaid, are paying out more money in this fiscal year for patient care than will all of private health insurance—Blue Cross, Blue Shield and commercial insurance companies."

The second fact, he says is that "out of a total of $75 billion in fiscal year 1971 spent for health, government at all levels paid $28.5 billion, or 38 percent."

Healthcare does not pretend to solve all health care problems but it does create a framework for future solutions by providing efficient, quality, cost-saving and prepaid comprehensive care. The Plan initially will concentrate on employer groups but it is expected that this enrollment base can eventually be broadened to cover individuals who are not in employer groups, and also those persons in Medicare and Medicaid.

Healthcare is a co-development of practicing physicians with one of the nation's leading health insurers. The medical group is independent of the insurer in medical policy. Non-medical decisions are made jointly by the medical group and the insurer. The physicians are university-affiliated and actively involved in teaching medical students, interns, residents, fellows, and physicians' associates.

In addition to highly trained, multi-specialty physicians rendering care to Plan enrollees, allied health personnel will augment the services provided. A corps of highly skilled nurse clinicians and trained physicians' associates will improve the quantity and reduce the cost of medical care. National experience has demonstrated the enthusiasm and effectiveness of such allied health professionals.

Healthcare can thus provide an opportunity to utilize increasing number of allied health personnel, thereby increasing job opportunities in the central city.

CONNECTICUT GENERAL

As the nation's sixth largest health insurer with annual group health premium volume of $550 million, Connecticut General is vitally concerned with the problems of soaring health care costs and resulting possibilities of federal health insurance. The company's leadership position in the development of prepaid group practice is perhaps the most important and visible expression of that concern.

By entering the insured prepaid group practice field in Columbia in 1969, Connecticut General altered the traditional role of an insurance company in the health services field by becoming involved in the total process of delivering and financing health care rather than remaining in the typical role of the insurance company as an overseer of the payment system.

Connecticut General's involvement with insured prepaid group practice has consisted of a combination of its abilities (financial evaluations, risk-taking capital, various insurance coverages, marketing expertise and administrative and management systems and abilities) and those of physicians' groups operating from a plan's own central facilities and utilizing area hospitals for in-patient care.

A CG spokesman recently elaborated on the potential of this direct medical group-insurance company relationship:

Each party has essential functions to make it work. Insurers know about risk-taking, actuarial measurements, financing and business administration.

The physicians, exclusively, have the medical skill. Separately, neither the insurers nor the physicians can hope to build a successful prepaid group practice. Working together, we will be an unbeatable combination.

The Columbia plan, co-developed with Johns Hopkins Medical Institutions, now has over 13,000 enrollees and will expand as the new city of Columbia grows. The Phoenix plan, which opened its doors in October, 1972, is being co-developed with a group of local physicians. Its enrollment now exceeds 5,000.

Insured prepaid group practice functions side-by-side with the traditional solo and group practice of medicine, foundations for medical care and other health care providers. Competition and freedom of choice for the consumer are necessary ingredients for Healthcare to be the "reasonable alternative" envisioned by both the physicians' group and Connecticut General and are encouraged by the Plan's "dual choice" enrollment features.

"Flaws recognized in health care reforms in countries like Great Britain have been eliminated from Healthcare," a spokesman said. "These include the lack of physician continuity for in-patient and out-patient care, the lack of consumer input, the problems of quality control and the excessive bureaucracy which have precipitated changes in their national health services. On the positive side, we believe that Healthcare's type of reform preserves some of the basic principles of the free enterprise system that historically have served our nation so well."

Healthcare will be subject to the tough disciplines of the marketplace as it strives to maintain high performance standards at competitive costs. Both the physician group, with its medical skills, and Connecticut General, with its business skills, will be strongly motivated to maintain a health plan which compares favorably with other options.

The Plan will be non-governmental, avoiding bureaucracy with its cost and inefficiency. It will avoid legal hamstrings and require no enabling legislation. It will have the strengths of the insurance industry as opposed to the federal government involvement and taxpayers' costs.

Healthcare will be consistent with the direction of proposed legislation, whether voluntary or compulsory. It will be attractive to management and labor and will return badly needed physicians to the urban scene.

Healthcare is a reasonable alternative for physicians, for patients, for Congress to help salvage the best of the current methods of health delivery and provide useful application of all the new techniques and knowledge currently available.

SENSIBLE SURGERY FOR SWELLING MEDICAL COSTS

(By Michael B. Rothfeld)

(NOTE.—This article from the April 1973 issue of Fortune magazine describes the grow-

ing importance of privately developed prepaid group practice plans in the United States. It makes reference to Connecticut General Life Insurance Company's early entry into this field. CG was already a co-developer for plans in Columbia, Maryland and Phoenix, Arizona when First Downtown Brooklyn Medical Group, P. C., invited the company to join in forming Healthcare, a New York City plan.)

Early on a January evening in 1970, a half dozen physicians and officials of the Department of Health, Education, and Welfare held an urgent private meeting at Washington's Dupont Plaza Hotel. Their concern was the rapidly rising cost of medical care, which already had helped to cause an ominous $2-billion cost overrun in the medicare and medicaid programs. When the group broke up at 2:00 A.M., the seed had been planted for a whole new national health strategy, and a new term—Health Maintenance Organization (HMO)—had been coined to identify the key element in the plan. In essence, the idea was simple and sensible: why not give doctors more incentive to keep people well, and especially to treat illness before it requires costly hospitalization, instead of paying them mainly to cure the sick?

In the three years since the meeting, HMO's have expanded and proliferated throughout the nation at an unprecedented rate. They are beginning to introduce modern management methods into an $80-billion business that lacks them. And they are bringing some advantages of competitive enterprise to a field that has long restricted competition in the name of medical ethics. Most important of all, HMO's are demonstrating that they can help reduce the cost of medical care.

A $12.5 BILLION INDUSTRY

Three years ago some thirty medical organizations—basically prepaid medical-group practices—could be classified as HMO's. Today there are nearly sixty with an enrollment of about eight million clients; an additional eighty HMO's are in various stages of development. Provided that Congress and the states adopt favorable enabling legislation, government and private sources figure that as many as 50 million people could be enrolled by the mid-1980's. Blue Cross alone hopes to have 280 HMO's in operation by then—enough to give every policyholder the option to join one. With no allowance for inflation, all this expansion would create a $12.5-billion industry inside what is expected to be a $150-billion health market.

The HMO idea is winning support from a surprisingly wide variety of sources. Both the Committee for Economic Development and the A.F.L.–C.I.O. have strongly endorsed the concept. Major employers, including A.T. & T., and such unions as the United Auto Workers have begun offering employees and members the option to enroll in an HMO. Thirteen states now permit medicaid recipients to join. One of them is California, where HMO's expect to enroll nearly 500,000 medicaid patients by this autumn. In California, Arizona, and Minnesota, the organizations are vying with one another to sign up union, government, and employer groups.

Not only Blue Cross but several large commercial insurance companies, particularly Connecticut General Life Insurance Co. and the Equitable Life Assurance Society, have made significant commitments to HMO's. C. G. has established a subsidiary to help operate them in Maryland, New York, and Arizona. Equitable recently helped to organize and recruit clients for a new HMO at the prestigious Lovelace-Bataan medical complex in Albuquerque. Sensing a growing demand for large-scale health-care systems, a few industrial companies are exploring ways to put their financial, legal, and managerial talents to use in HMO's. Westinghouse, for example, is studying the possibility of starting one in Florida.

Perhaps the strongest impetus to the expansion of HMO's has come from Washington. In both his 1971 and 1972 health messages, President Nixon not only endorsed the concept but said HMO's "ought to be everywhere available so that families will have a choice" about their health-care system. Reflecting Nixon's interest, the Department of HEW in 1971 established a Health Maintenance Organization Service. By the end of last year the service had distributed $26 million in planning and development grants or contracts to some eighty-five potential HMO sponsors. Service officials have also made considerable effort to promote the idea among banks, Wall Street investors, and physicians. Despite the current pressures to cut the federal budget, the Administration wants to increase its grants for HMO development to $60 million during the next fiscal year.

The Administration's enthusiasm is shared by many in Congress and the state legislatures. As a part of last year's big increase in social-security taxes and benefits, Congress voted to allow medicare patients to enroll in HMO's, beginning in July. Two bills now pending in Congress would expand the scope of federal aid to HMO's by providing large-scale loans and loan guarantees as well as grants. Four states—Florida, California, Pennsylvania, and Tennessee—have passed enabling laws during the past two years, and similar legislation has been introduced in at least ten others. The main effect of such laws is to override statutes that have restricted the growth of HMO's by prohibiting the advertising of medical services, the solicitation of patients, and, in some cases, even the creation of corporations to provide medical care.

Actually, health-maintenance organizations have been operating in the U.S. under various labels for forty-four years. For the most part, they have caught on slowly. In addition to legal restrictions, they have faced varying degrees of opposition from organized medicine. Some of their physicians have been expelled from local medical societies and hospital staffs. A number of state courts have now prohibited such practices, but the antipathy remains. For example, the Maryland Medical Association voiced angry objections to the HMO in the new town of Columbia while the plan was being formulated.

Another major problem has been the public's lack of understanding about what an HMO is and does. The largest and best known is the California-based Kaiser-Permanente health system, which serves 2,500,000 people from Cleveland to Honolulu (see "Better Care at Less Cost Without Miracles," Fortune, January, 1970). But comparatively few people seem to be aware of such smaller organizations as the twenty-seven-year-old Group Health Cooperative of Puget Sound in Seattle and the forty-four-year-old Ross-Loos Medical Group in Los Angeles, which have operated with great success.

One reason for the public's confusion may be that both old and new HMO's have a bewildering variety of sponsors and formats. Some are for profit, others are not; some are organized by consumers, others by physicians and insurance companies; some contract with hospitals, others own their own. But all have three fundamentals in common: (1) they are *formally organized businesses;* (2) they *arrange for and provide comprehensive care,* from simple checkups to complicated surgery; (3) they do so "at risk" because they operate each year within a fixed revenue pool that comes from *prepayment for services.*

By contrast, the traditional American health system is a "cafeteria of services." The patient is shuttled about between family doctors and diagnostic or treatment specialists, and between laboratories, hospitals, and the corner drugstore. The arrangement is inefficient because it involves piecemeal diagnosis, treatment, and record keeping. As a consequence, complains one New York City neurologist who has practiced medicine for fifty-five years, "the patient's left-toe specialist doesn't know what the right-toe specialist is up to."

The drawbacks of the conventional system have contributed greatly to the escalation of the nation's medical costs. These have increased by 66 percent per capita over the past five years, 2.7 times the inflation rate for the whole U.S. economy, and now account for roughly 7.6 percent of the gross national product. Despite health insurance, consumers last year paid 35 percent of the nation's $83.4-billion health bill out of their own pockets.

THE LURE OF A FREE CADILLAC

HMO's, as President Nixon has pointed out, "are motivated to function more efficiently." Patients save time because physicians, labs, and pharmacies are organized within a system, often under one roof. Clients choose a family physician, but most HMO's also have night office hours and at least one doctor on duty twenty-four hours a day. The fixed-price contract overcomes the consumer's reluctance to seek medical advice for minor ailments. The HMO also permits doctors to spend more time with patients because the administrative staff copes with much of the paper work that may consume as much as a quarter of a physician's time.

An HMO can be pretty attractive for doctors in other ways, too. Many physicians have a large gross income, but it must cover office rent, clerical and technicians' salaries, malpractice and other insurance, and payments to the bank that has financed expensive medical equipment. Additional money must be set aside to provide for retirement. After business expenses, the median pretax income of physicians is estimated to be about $42,000. Salaries in HMO's average $35,000 to $40,000. However, most HMO's offer $5,000 to $10,000 of fringe benefits such as liberal retirement plans, profit sharing, and life and malpractice insurance. To recruit new doctors, HMO International in Los Angeles even offers them the free use of a company-leased Mercedes or Cadillac.

SHIFTING THE EMPHASIS TO THE DOCTOR'S OFFICE

By far the most important advantage of HMO's is that their fixed annual fees hitch the profit motive toward a new goal in medicine: keeping the cost down. HMO's buy drugs and other supplies in bulk. They pare expenses by operating their own diagnostic labs, having specialists on their staffs and, often, facilities for minor surgery. HMO physicians have a personal incentive to cure ailments before the need arises for expensive hospital treatment. In addition to their salaries, many HMO doctors draw a year-end bonus that depends upon how much profit or surplus the organization earns. One HMO even assesses its doctors penalty payments if there is a deficit.

Under these conditions it is understandable that HMO's achieve their most significant cost savings by shifting the focal point of care from the hospital, with its spiraling costs, to the doctor's office. Hospital costs now constitute the largest single element, 39 percent, of the nation's medical bill, and they are rising faster than any other item for which patients pay.

One reason is that doctors often feel obliged to put patients who are not seriously ill in hospitals. They do so partly to protect themselves against the increasing risk of malpractice suits and partly because of the perverse pressure of health insurance. Ordinary health insurance frequently does not cover a substantial portion of the cost of diagnostic procedures or treatment performed outside hospitals. But such minor surgery as cutting out cysts or simple abortions can be done safely in a well-equipped HMO clinic.

The most respected figures on how HMO's reduce the use of hospitals were developed

in a study of the Federal Employees Health Benefits Program, released in 1971. Researchers compared eight years of data covering federal employees and their dependents enrolled in the five most common types of health plans: Blue Cross–Blue Shield, commercial insurance, consumer organizations, medical-care foundations, and prepaid group practice (essentially HMO's). The prepaid group-practice plans showed the lowest yearly hospital utilization, 422 hospital days per 1,000 members, less than half the rates for Blue Cross (924 per 1,000) and commercial insurers (987 per 1,000). The rate compared closely with that for medical foundations (471 per 1,000), in which clients prepay an annual fee for the services of solo practitioners.

Economies in HMO's add up to substantial savings. According to officials of the California State Department of Health Care Services, when medicaid patients shift from fee-for-service practice to prepaid group-practice plans or HMO's, costs drop by 10 to 20 percent. In a seven-year study of 3,200 southern California families, Dr. Milton Roemer, a professor of public health at U.C.L.A., found that out-of-pocket medical expenses and total costs were much lower for families in HMO's than for those covered by Blue Cross–Blue Shield or commercial insurance plans even though average HMO fees were somewhat higher than the premiums for the other plans.

At FORTUNE's request, actuaries at two insurance companies calculated what the premium would have to be for traditional health insurance if it covered all the care provided by an HMO. Connecticut General found that a single person would pay about 27 percent more than the all-encompassing HMO annual fee. For an average family the cost would be 54 percent greater. Northwestern National, which is also involved in managing an HMO, reported that single persons would pay 33 percent more and families 41 percent more. Both companies attributed the lower cost of HMO plans to organizational efficiencies and fewer hospital admissions.

To get another perspective on the same subject, three separate comparisons were made between the cost of care actually received by the average family in an HMO and the same care if provided through the traditional fee-for-service system, including insurance. Connecticut General found that a family enrolled in the Columbia (Maryland) HMO could save 28 percent a year compared with the cost of a high-benefit insurance plan, and 32 percent compared with the type of health insurance actually carried by most families in the same area (see chart on page 116). The Harvard Community Health Plan found that, considering the increased probability of visits to a hospital, a family of two adults and 1.5 children in a fee-for-service system would pay $689 a year for care, compared with $434 at the Harvard plan. Using federal data on average health-care expenditures across the nation, Northwestern National figured that a typical HMO saves a family of two adults and three children $115 a year in out-of-pocket costs.

SKIMPY CARE DOESN'T PAY

The HMO physician's incentive to reduce hospital admissions raises a touchy question: at what point does cost cutting become corner cutting? Indeed, this is the favorite question asked by critics of the movement.

There is no sure-fire way to measure the quality of care that patients receive under any medical system. But HMO's have a number of safeguards built into their structure. It simply is not in the economic self-interest of HMO physicians to skimp on care. The longer most serious diseases go untreated, the more likely the ultimate expense of delayed therapy will rise. Much worse, any HMO that acquired a reputation for poor care might face a catastrophic loss of business. Clients generally enroll for one year at a time and in some HMO's an even quicker exit is possible. The study of federal employees found that when hospitalization *does* occur in an HMO, the patient usually stays for the same number of days as a patient in the fee-for-service system.

An important control, which affects both quality and cost, is regular review of each physician's work by other doctors in his HMO. At the Harvard Health Plan, for example, computers tabulate the procedures, drugs, and tests utilized by every physician. This information, plus some randomly selected diagnoses, is reviewed by a committee of physicians in each department. As a result, says Dr. H. Richard Nesson, the Harvard plan's medical director, the organization dropped some tests and drugs that were found to be ineffective. A number of other HMO's also use the review process to identify doctors who are putting an exceptionally high or low number of patients in the hospital, and the doctors are likely to be asked to justify their decisions.

There is considerable evidence that HMO's can perform minor surgery outside the hospital with no increased risk for the patient. Since 1941 the Ross-Loos Medical Group, which has 120,000 clients, has performed over 50,000 tonsillectomies and thousands of other minor operations requiring anesthesia in its own offices, without keeping the patient overnight. Even members of the medical establishment agree that outpatient surgical procedures are safe if performed under the proper conditions. Dr. John R. Kernodle, a gynecologist who is chairman of the American Medical Association's board of trustees, says he used to do dilations and curettages in his office when hospital space was scarce. "When there is an abundance of hospital beds," he says, "then doctors use them."

Consumers, at least, seem to feel that HMO care is adequate. Some HMO's have formal consumer-complaint mechanisms and, since subscribers can change physicians within the HMO at will, a doctor who has been losing too many patients could lose his job as well. U.C.L.A.'s Dr. Roemer found in his study that 20 percent of the families enrolled in the Blue Cross-Blue Shield plans and 17 percent of the families with commercial health insurance were dissatisfied with the care they received. But that figure dropped to only 8 percent for those enrolled in prepaid group-practice plans.

A $2 MILLION ENTRY FEE

While there are many advantages in an HMO once it is running, reaching that point is always a difficult and at times exasperating process. It often takes an investment of at least $2 million, an effort of two to four years, and an enrollment of at least 20,000 for a completley new HMO to break even. The sponsor usually must hire a staff, acquire facilities, and incur big selling costs before significant numbers will enroll.

The ability to raise large sums of money is crucial. In the past, most of the organizations have been funded initially by physicians, charities, consumer groups, bank loans, or private bond placements. But as a rule, an HMO cannot raise enough money by any of these means to permit quick expansion to an efficient size. Even worse, when borrowing saddles an HMO with big fixed payments, unexpected delays in starting up can lead to serious cash-flow problems. The new interest shown by insurance companies will help to overcome such difficulties, but if HMO's are to spread and grow as rapidly as Washington envisages, they will need to find some new sources of capital.

One possibility, so far used by only one major HMO, is the stock market. Dr. Donald K. Kelly's HMO International went public in 1969 through a merger with Medicalab Management Corp. of Los Angeles, whose shares were already traded over the counter. Having expanded rapidly since then, the company and its subsidiaries and affiliates now run twenty-one facilities in southern California, with 110,000 clients. Last fiscal year, consolidated revenues jumped to $8,800,000 from $3,200,000 in 1971, and profits nearly quadrupled to $500,807. In two years the bid price of HMO International shares has jumped from $1 to a recent high of $22.

To attract equity capital, an HMO obviously would have to be a profit-making corporation. Unfortunately, this idea becomes quite an emotional issue among otherwise rational people. Some think health care is contaminated by the very idea of profits. Others, such as the A.F.L.-C.I.O., like to belabor profit-making HMO's with examples of the corner cutting that has occurred in some nursing homes and hospitals run for profit. Critics contend that profit-seeking HMO's would be under pressure from shareholders too interested in making a fast buck. As a result, enacted or pending legislation in several states favors nonprofit HMO organizations, and the Pennsylvania law flatly limits the field to nonprofit corporations.

THE PITFALLS OF "NONPROFIT" MEDICINE

Strangely, these arguments overlook a central point: the lack of discipline in cost control that attends nonprofit or cost-plus enterprises throughout the economy. The U.S. medicalcare system has always been conducted chiefly on a profit-making basis. At least until recently, even nominally nonprofit hospitals amassed substantial surpluses. Their current fiscal problems might well be less severe if they were profit-making organizations with a strong incentive to control costs. Despite restrictive state laws, profits have played an important role in the rise of HMO's. Their sponsors set up a nonprofit marketing and administrative group, which then contracts with a for-profit medical partnership to deliver services. The arrangement is widely used, not only by Don Kelly but by the Columbia Medical Plan, and even the highly respected Kaiser Foundation Health Plan and its Permanente Medical Groups.

Provided that for-profit HMO's can avoid unreasonable legislative handicaps, the question remains whether they would be attractive to potential investors. The twenty-seven-year-old Kaiser plan provides an opportunity to see what a *mature* HMO might look like on a profit-making basis. In 1971 the nonprofit Kaiser plan reported a tax-free net income of $12,352,000. Adjusting that figure for accelerated depreciation plus other minor charges, and for corporate income taxes, the organization's return on its $105,815,000 net worth (or "equity") would have been 8.8 percent.

This is only 0.3 percent below the average return for the Fortune 500 that year and about equal to that of the oil industry (9 percent). If Kaiser leased its facilities, as many new HMO's do, that return could be considerably higher. Kaiser's financial strength enables it to borrow from the Bank of America at the prime rate. In January, Standard & Poor's awarded the Kaiser plan an "A" bond rating—its first to a private nonprofit corporation.

Despite the potential for private financing, one major new funding source for HMO development is likely to be the taxpayer. The $60 million for grants and contracts proposed in Nixon's new budget would help forty HMO's to begin operating and would finance feasibility studies and planning activities for eighty more. A much more costly measure sponsored by Senator Edward Kennedy, which passed the Senate last year, would authorize $1.4 billion in direct aid plus an unspecified amount for loan guarantees to help develop new HMO's over three years. A more modest bill cosponsored by Representatives Paul G. Rogers and Dr. William R. Roy would provide about $300 million for the

same purposes. Action on these measures seems likely this year, though the probable outcome is far from clear. Such government aid would help many more HMO's to open. Moreover, all the major health-insurance bills before Congress would let the beneficiaries join HMO's. That could have an enormous impact on their growth.

HOW THE CUSTOMERS ARE RECRUITED

Whether funds for developing new HMO's come from the government or from private sources, it is clear that the industry must find a better way to sell itself to the public if it is to enjoy fast growth. In California, where the HMO concept is relatively well known and accepted, the problem is not too severe. But in other parts of the country, HMO's must buck their old enemies: ignorance and hostility. Not long ago, for example, the Cambridge Medical Improvement Society advertised in a local newspaper that Harvard's HMO, which is considering expanding into Cambridge, would deprive local residents of free choice in medical care.

The fastest way to sign on subscribers is through group-enrollment plans arranged with employers, unions, and consumer organizations. It is a difficult, two-step process. First, the HMO must persuade company officials to provide an HMO option to employees. That often requires some benevolent help from the company's insurance carrier. Once the "dual choice"—as the industry calls it—has been established, there is the even tougher problem of actually recruiting the customers. One frequent difficulty is persuading a mother to change her obstetrician-gynecologist and her children's pediatrician.

So far, HMO's have enrolled mostly government employees, members of consumer cooperatives and unions, and medicaid recipients. Whether they can attract more affluent subscribers, and achieve a more representative balance in their populaion mix, remains to be seen.

Another big obstacle for HMO's is their lack of national sales networks. If an HMO could offer benefits to an employee or union group spread all over the country, it would be easier to win a contract with an I.B.M. or a General Motors. The only health-industry companies that now have such networks are Blue Cross and the commercial insurers.

HMO's attract the insurance companies for several reasons. With the big debate about national health insurance approaching, involvement in a new and economical delivery system may win the companies some good marks in Congress. It also gives them another product to sell to employer and union groups. Perhaps most important, HMO's offer insurance companies a chance to collect a 2 or 3 percent fee for selling the service, and another fee for management, without exposing themselves to any risk of fluctuating claims.

HMO's prospects for growth will also be greatly affected by how they are regulated. Some state courts have ruled that organizations providing medical care are not insurers. So a tug-of-war has begun over whether state health or insurance authorities—or both—should exercise jurisdiction. Certainly, paid-up consumers ought to be protected against their HMO's going broke; they should be able to receive care in another organization or be permitted to obtain indemnity insurance without penalty. But if, like insurance companies, HMO's were required to maintain hefty reserves, or if they had to operate with the same restrictions as insurers on their real-estate holdings, their growth might be crippled.

A model HMO bill pushed by the National Association of Insurance Commissioners does not propose specific real-estate investment or reserve requirements, leaving that up to the individual commissioner. The clear intent, however, is that, except for health matters, the state insurance department would be the supreme authority. Given the wide variance in performance of state insurance departments, regulation of HMO's probably should not be left to the states. Even the tough New York State insurance department is questioning whether it ought to be heavily involved in HMO regulation, with the exception, perhaps, of making sure that consumers will be protected if an HMO becomes insolvent.

THE A.M.A. PUTS ON THE PRESSURE

In a move that is even more important than their funding provisions, the HMO bills before Congress (except for the Administration's) would remove such groups from the jurisdiction of state insurance departments and would override other restrictive state laws. Financial stability would be left to the marketplace, although periodic reports would be made to the Secretary of HEW. The legislation would also set up quality controls; the Kennedy bill goes so far as to establish a National Commission on Quality Health Care Assurance.

The passage of such federal legislation would open the way for a rapid expansion of HMO's. That legislation has received the endorsement of almost every interested group but organized medicine, which is trying to block or at least to delay passage of these bills. A House committee staff member says: "We've had more pressure from the A.M.A. on this issue than on anything since medicare."

The A.M.A. is certainly correct when it asserts that not all of the data on HMO's are in. HMO's will indeed be difficult to develop in areas with low population density. Some critics argue that their costs should come down, on the ground that they may provide *too much care*. And it's clear that even if HMO's can decrease hospital admissions, the underlying causes of cost inflation in hospitals would remain to be tamed.

Still, the trends in medicine these days is toward more organized systems, in group practices and in full-time hospital-staff practice. All the serious studies so far support the conclusion that when well managed and properly financed, HMO's can sharply reduce the cost of care at a level of quality at least equal to that of the fee-for-service system, while earning a decent return for lenders and investors. And HMO's will pay an important social dividend: they will provide access to better medical care for millions of Americans who have never had that opportunity.

ORDER FOR ADJOURNMENT UNTIL 11:30 A.M. TOMORROW

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 11:30 a.m. tomorrow.

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

ORDER FOR RECOGNITION OF SENATORS HARRY F. BYRD, JR., AND GRIFFIN TOMORROW

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that following the recognition of the two leaders tomorrow under the standing order, the distinguished senior Senator from Virginia (Mr. HARRY F. BYRD, JR.) be recognized for not to exceed 15 minutes, and that he be followed by the distinguished Republican leader, Mr. GRIFFIN, for not to exceed whatever time remains prior to the hour of 12 o'clock noon.

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

QUORUM CALL

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

PROGRAM

Mr. ROBERT C. BYRD. Mr. President, the program for tomorrow is as follows:

The Senate will convene at 11:30 a.m. After the two leaders or their designees have been recognized under the standing order, the distinguished senior Senator from Virginia (Mr. HARRY F. BYRD, JR.) will be recognized for not to exceed 15 minutes, following which the distinguished assistant Republican leader (Mr. GRIFFIN) will be recognized for not to exceed 15 minutes and, in any event, not to extend beyond the hour of 12 o'clock noon.

At 12 o'clock noon, the Senate will resume its consideration of the unfinished business, and the 1 hour for debate, under rule XXII on the motion to invoke cloture on the bill, S. 352, will begin running. At the conclusion of that hour, the Chair will ask the clerk to establish the presence of a quorum. Upon the establishment of this mandatory quorum, or around 1:10 p.m. or 1:15 p.m., the vote will occur on the motion to invoke cloture. That will be a yea-and-nay vote.

Subsequent to the vote on the motion to invoke cloture, there will quite likely be additional yea-and-nay votes. As to what those votes will invoke depends on the outcome of the vote on the motion to invoke cloture.

ADJOURNMENT TO 11:30 A.M.

Mr. ROBERT C. BYRD. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 11:30 a.m. tomorrow.

The motion was agreed to; and at 5:03 p.m. the Senate adjourned until tomorrow, Thursday, May 3, 1973, at 11:30 a.m.

NOMINATIONS

Executive nominations received by the Senate May 2, 1973:

IN THE AIR FORCE

The following officer under the provisions of title 10, United States Code, section 8066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 8066, in grade as follows:

To be lieutenant general

Maj. Gen. Daniel James, Jr., [redacted] FR (major general, Regular Air Force) U.S. Air Force.

The following officer to be placed on the retired list in the grade indicated under the provisions of section 8962, title 10 of the United States Code:

To be lieutenant general

Lt, Gen. Otto J. Glasser [redacted] FR (major general, Regular Air Force), U.S. Air Force.

The following officer under the provisions of title 10, United States Code, section 8066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 8066, in grade as follows:

To be lieutenant general

Maj. Gen. William J. Evans, [redacted] FR (major general, Regular Air Force) U.S. Air Force.

IN THE ARMY

The following-named officers 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

Lt. Gen. William Eugene DePuy, [redacted] (Army of the United States), major general, U.S. Army.

To be lieutenant general

Maj. Gen. Donn Royce Pepke, [redacted], (Army of the United States), brigadier general, U.S. Army.

Maj. Gen. Orwin Clark Talbott, [redacted], U.S. Army.

IN THE ARMY

The following-named officers for promotion in the Army of the United States, under the provisions of Public Law 92–129.

ARMY PROMOTION LIST

To be lieutenant colonel

Abbuhl, Willmott, [redacted].
Abernathy, Eugene B., [redacted].
Ackiss, Ernest L., Jr., [redacted].
Adams, Louis W., [redacted].
Agostini, Victor M., [redacted].
Akers, Jimmy D., [redacted].
Akin, Jere H., [redacted].
Aldrich, Robert J., [redacted].
Alexander, Joseph D., [redacted].
Alhouse, Robert D., [redacted].
Allen, Kenneth D., [redacted].
Allen, Lee, [redacted].
Allen, Richard H., [redacted].
Allen, Sydna B., Jr., [redacted].
Alley, Frank M., Jr., [redacted].
Alt, Richard M., [redacted].
Alvarez, Roy R., Jr., [redacted].
Amos, John O., [redacted].
Anderson, Douglas J., Jr., [redacted].
Andre, David H., [redacted].
Andrew, John K., [redacted].
Andrews, John D., [redacted].
Appel, Cyril H., [redacted].
Apruzzese, Vincent, [redacted].
Arndt, Terrence L., [redacted].
Arnold, Wallace C., [redacted].
Arrington, Edward W., [redacted].
Arwood, Thomas B., [redacted].
Atwood, John B., [redacted].
Auyong, Stephen K., [redacted].
Bacon, Donald D., [redacted].
Bacon, Stanley, Jr., [redacted].
Bair, Arthur H., Jr., [redacted].
Baker, Larry A., [redacted].
Baldwin, Roy G., [redacted].
Balkovetz, Fred W., [redacted].
Ball, James W., [redacted].
Banks, John W., Jr., [redacted].
Banning, Robert D., [redacted].
Barksdale, Lewis B., [redacted].
Barnebey, Hoyt W., [redacted].
Barnes, William R., [redacted].
Barrett, Thomas E., [redacted].
Barrow, John P., [redacted].
Barrus, Rollin L., [redacted].
Baxter, Thomas R., [redacted].
Bayha, William T., [redacted].
Beachem, Paul J., [redacted].
Beaumont, Marion E., [redacted].
Beavers, Leslie E., [redacted].
Beckel, Charles E., [redacted].
Beckett, Jack A., [redacted].
Beebe, Donald J., [redacted].
Behnke, James E., [redacted].
Behrenhausen, Richard, [redacted].
Belinsky, Howard M., [redacted].
Benjamin, Donald C., [redacted].
Bennett, Eugene W., [redacted].
Bennett, Roger M., [redacted].
Berman, Leo, [redacted].
Berti, John R., [redacted].
Best, James W., [redacted].
Beyer, Kurt C., [redacted].
Beyer, Lawrence F., [redacted].
Bice, Burton C., [redacted].
Bieber, John D., [redacted].
Biemeck, John F., IV, [redacted].
Bihn, Marvin A., [redacted].
Bishop, Robert L., [redacted].
Biskup, Robert L., [redacted].
Blackburn, Frederick, [redacted].
Blair, John D., IV, [redacted].
Blakely, Clyde H., [redacted].
Blanchard, Robert D., [redacted].
Blankenship, Malcolm, [redacted].
Bledsoe, Charles R., [redacted].
Bloom, John D., [redacted].
Boes, Richard W., [redacted].
Bogart, William V., [redacted].
Bogenrife, Richard, [redacted].
Bohach, John L., Jr., [redacted].
Boles, John L., [redacted].
Boles, Wayne T., [redacted].
Bolt, Richard R., [redacted].
Boone, George F., [redacted].
Boothe, Robert S., [redacted].
Boren, Charles M., [redacted].
Bosking, William H., [redacted].
Boss, Jerry L., [redacted].
Bowdan, Melvin R., Jr., [redacted].
Bowers, Robert F., [redacted].
Bowker, Charles A., [redacted].
Bowling, Harold K., [redacted].
Boyd, William J., [redacted].
Boylan, Peter J., Jr., [redacted].
Boyle, David J., [redacted].
Boylston, Graves L., [redacted].
Bradin, James W., IV, [redacted].
Bradley, Holley D., [redacted].
Bradley, William A., [redacted].
Brashear, Hollis N., [redacted].
Brasuell, Perry T., [redacted].
Bratisax, Roland J., [redacted].
Brenner, Donald R., [redacted].
Brewer, James S., [redacted].
Bridgewater, Tom W., [redacted].
Briggs, Gaither E., [redacted].
Brockwell, Daniel P., [redacted].
Broocke, Nathan I., [redacted].
Brosset, Lester R., [redacted].
Brothwell, Richard, [redacted].
Brown, Bruce L., [redacted].
Brown, Donn W., [redacted].
Brown, Larry D., [redacted].
Brown, Noel L., [redacted].
Brown, Richard L., [redacted].
Browning, David B., [redacted].
Brunelle, Pierre V., [redacted].
Brunkow, Richard O., [redacted].
Bruscas, Lawrence C., [redacted].
Bruschette, Jerome, [redacted].
Buczek, Richard C., [redacted].
Bullard, Monte R., [redacted].
Bunij, Edwin W., [redacted].
Bunker, David L., [redacted].
Bunting, Willis R., [redacted].
Buono, Daniel P., [redacted].
Burch, Walter M., [redacted].
Burke, James A., [redacted].
Burleson, Grady L., [redacted].
Burnham, Charles A., [redacted].
Burns, George K., [redacted].
Burns, Walter L., [redacted].
Burrell, Raymond E., [redacted].
Butterfield, Jay T., [redacted].
Byars, Harold W., [redacted].
Caddigan, James L., [redacted].
Caffrey, Eugene L., [redacted].
Cain, Moses A., [redacted].
Callender, William, [redacted].
Campbell, George C., [redacted].
Campbell, John G., [redacted].
Campbell, Luther U., [redacted].
Campbell, William R., [redacted].
Cannon, Edwin E., Jr., [redacted].
Cannon Robert S., [redacted].
Carbone, Anthony J., [redacted].
Carlson, Leonard A., [redacted].
Carlton, Terry M., [redacted].
Carmichael, Rex, Jr., [redacted].
Carmichael, Roderick, [redacted].
Carnanan, Ronald J., [redacted].
Carpenter, William, [redacted].
Carter, Bobby J., [redacted].
Case, Ralph W., Jr., [redacted].
Casey, Andrew H., [redacted].
Cavezza, Carmen J., [redacted].
Cavoli, Ivo J., [redacted].
Cercy, James C., [redacted].
Chambers, James A., [redacted].
Chambers, Michael D., [redacted].
Chancellor, Robert, [redacted].
Chandler, Edward V., [redacted].
Chase, Leigh F., [redacted].
Chavis, Langley J., [redacted].
Chelberg, Robert D., [redacted].
Chesher, Phillip B., [redacted].
Childs, Leo M., [redacted].
Churchill, Carl L., [redacted].
Clack, Fred C., [redacted].
Claiborn, Max R., [redacted].
Clark, Claude L., [redacted].
Clark, Howard W., [redacted].
Clark, Jack T., [redacted].
Clark, Niles C., Jr., [redacted].
Clark, Richard A., [redacted].
Clark, Shannon D., [redacted].
Clarke, Robert L., [redacted].
Clough, William S., [redacted].
Coble, Donald R., [redacted].
Cochran, Pinckney C., [redacted].
Coffman, Joe P., [redacted].
Coker, James R., [redacted].
Cole, John W., [redacted].
Cole, Leslie W., [redacted].
Coleman, Lynn F., [redacted].
Connell, Frank M., [redacted].
Connolly, John D., [redacted].
Cook, Donald M., [redacted].
Cook, Robert W., [redacted].
Cooney, Terence P., [redacted].
Cooper, William H., [redacted].
Coppley, Johnny R., [redacted].
Corliss, William D., [redacted].
Cortelli, Richard J., [redacted].
Cote, Joseph R., [redacted].
Cote, Paul R., [redacted].
Cotts, David G., [redacted].
Covington, Dwight H., [redacted].
Craig, Jack A., Jr., [redacted].
Craig, Joe F., [redacted].
Cramer, Rockwell C., [redacted].
Cramer, Ronald P., [redacted].
Creasy, Calvin H., [redacted].
Creel, William R., [redacted].
Creighton, Francis, [redacted].
Cremer, John C., [redacted].
Cresci, Anthony B., [redacted].
Crews, Roy A., [redacted].
Crowle, James L., [redacted].
Crysel, James W., [redacted].
Curran, Francis P., [redacted].
Curran, Joseph S., Jr., [redacted].
Custer, Leslie L., [redacted].
Daines, Guy E., [redacted].
Damron, James K., [redacted].
Dantzscher, David D., [redacted].
Darby, Barney D., Jr., [redacted].
Darden, Earl, [redacted].
Dast, William A., [redacted].
Davenport, Robert L., [redacted].
David, Ronald C., [redacted].
Davis, Alexander D., [redacted].
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Davis, George C., [redacted].
Davis, Kenneth M., Jr., [redacted].
Davis, Paul L., [redacted].
Davis, Roy J., [redacted].
Deasy, William T., [redacted].
Delbuono, John A., [redacted].
Dembinski, Mark L., [redacted].
Dent, William P., [redacted].

Denzler, Ancil L., xxx-xx-xxxx
Depace, Anthony J., xxx-xx-xxxx
Derocher, Robert F., xxx-xx-xxxx
Dercuen, Dudley, xxx-xx-xxxx
Dethlefsen, James D., xxx-xx-xxxx
Devine, Earl M., xxx-xx-xxxx
Dewar, John D., xxx-xx-xxxx
Dice, Jack W., xxx-xx-xxxx
Dickey, James R., xxx-xx-xxxx
Dickson, Richard C., xxx-xx-xxxx
Digiacinto, Joseph, xxx-xx-xxxx
Dikes, Billie N., xxx-xx-xxxx
Dilworth, Robert L., xxx-xx-xxxx
Dishner, Wilbert J., xxx-xx-xxxx
Doehle, Douglas A., xxx-xx-xxxx
Doherty, Terence, xxx-xx-xxxx
Donahue, John C., xxx-xx-xxxx
Donlen, Roger H., xxx-xx-xxxx
Dooly, Billy B., xxx-xx-xxxx
Doster, David A., xxx-xx-xxxx
Doyle, Bernard K., Jr., xxx-xx-xxxx
Drago, James P., xxx-xx-xxxx
Dreska, John P., xxx-xx-xxxx
Drew, John B., xxx-xx-xxxx
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Dublisky, Ernest B., xxx-xx-xxxx
Dubois, Raymond E., xxx-xx-xxxx
Duckloe, John H., xxx-xx-xxxx
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Dunn, Earl N., xxx-xx-xxxx
Durant, Henry L., xxx-xx-xxxx
Durian, Ronald S., xxx-xx-xxxx
Dyer, Travis N., xxx-xx-xxxx
Earl, Ronald A., xxx-xx-xxxx
Earley, Neal E., xxx-xx-xxxx
Easley, Michael F., xxx-xx-xxxx
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Edmond, Holman, Jr., xxx-xx-xxxx
Eldredge, Richard B., xxx-xx-xxxx
Ellerthorpe, Donald, xxx-xx-xxxx
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Elton, Robert G., xxx-xx-xxxx
Endy, Clarence, Jr., xxx-xx-xxxx
England, Willis R., xxx-xx-xxxx
Enright, Joseph F., xxx-xx-xxxx
Essex, Peter E., xxx-xx-xxxx
Evans, Gerald C., xxx-xx-xxxx
Evans, Robert D., xxx-xx-xxxx
Fader, Wesley R., xxx-xx-xxxx
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Farill, Trent G., xxx-xx-xxxx
Farley, Dennis S., xxx-xx-xxxx
Farquharson, William, xxx-xx-xxxx
Ferguson, Michael L., xxx-xx-xxxx
Ferrick, John F., xxx-xx-xxxx
Fields, Harold T., Jr., xxx-xx-xxxx
Filer, Robert E., xxx-xx-xxxx
Finch, James T., xxx-xx-xxxx
Fisher, Hugh M., xxx-xx-xxxx
Fitzsimmons, John E., xxx-xx-xxxx
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Fletcher, Michael J., xxx-xx-xxxx
Flowers, Robert G., xxx-xx-xxxx
Fogelquist, Kenneth, xxx-xx-xxxx
Foote, Brian G., xxx-xx-xxxx
Forbes, Maynard C., xxx-xx-xxxx
Ford, Harold L., xxx-xx-xxxx
Forsyth, Frank R., Jr., xxx-xx-xxxx
Fournier, Albert L., xxx-xx-xxxx
Fowler, Darrell V., xxx-xx-xxxx
Fox, James H., xxx-xx-xxxx
Foy, William H., xxx-xx-xxxx
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Frank, Gordon B., xxx-xx-xxxx
Frankoski, Joseph P., xxx-xx-xxxx
Freeman, Lowell F., xxx-xx-xxxx
Frentz, Austin D., Jr., xxx-xx-xxxx
Frey, Heino J., xxx-xx-xxxx
Fritts, William B., xxx-xx-xxxx
Fritz, James E., xxx-xx-xxxx
Frost, Robert W., xxx-xx-xxxx
Fudge, Eugene E., xxx-xx-xxxx
Funk, David L., xxx-xx-xxxx
Galbreath, Carlton, xxx-xx-xxxx
Galgano, Donald L., xxx-xx-xxxx
Galiber, Leayle G., xxx-xx-xxxx
Gammons, Vance S., xxx-xx-xxxx
Gantt, John R., xxx-xx-xxxx
Gardner, Lawrence A., xxx-xx-xxxx
Gartman, Etric P., xxx-xx-xxxx
Gaudreau, Ronald P., xxx-xx-xxxx
Gay, Raymond D., xxx-xx-xxxx
Gear, Edward R., xxx-xx-xxxx
Gehler, William C., xxx-xx-xxxx
Gelinas, Wilfrid E., xxx-xx-xxxx
George, James T., xxx-xx-xxxx
Gergulis, John G., xxx-xx-xxxx
Gess, William D., Jr., xxx-xx-xxxx
Ghidella, Edward R., xxx-xx-xxxx
Gibson, Jefferson D., xxx-xx-xxxx
Gilliam, Glen L., xxx-xx-xxxx
Ginex, Thomas D., xxx-xx-xxxx
Gingras, Ronald W., xxx-xx-xxxx
Gladfelter, Terry T., xxx-xx-xxxx
Good, Walter R., xxx-xx-xxxx
Good, William K., Jr., xxx-xx-xxxx
Goode, Roosevelt M., xxx-xx-xxxx
Goodman, Donald W., xxx-xx-xxxx
Gordon, Thomas R., xxx-xx-xxxx
Grande, Alfred F., Jr., xxx-xx-xxxx
Graves, Howard D., xxx-xx-xxxx
Gravett, Ray A., xxx-xx-xxxx
Gray, Michael K., xxx-xx-xxxx
Gray, Peter A., xxx-xx-xxxx
Gray, Ted J., xxx-xx-xxxx
Greenberg, Paul L., xxx-xx-xxxx
Greene, Therman R., xxx-xx-xxxx
Greer, James A., xxx-xx-xxxx
Griffith, Allen L., xxx-xx-xxxx
Griffith, Jerry R., xxx-xx-xxxx
Grim, Richard A., xxx-xx-xxxx
Grimes, Charles T., xxx-xx-xxxx
Griswold, Edward C., xxx-xx-xxxx
Gross, Gerald D., xxx-xx-xxxx
Guild, William B., xxx-xx-xxxx
Guillory, Kenneth R., xxx-xx-xxxx
Guinn, Ollie R., xxx-xx-xxxx
Gustafson, Carl S., xxx-xx-xxxx
Hackett, Robert T., xxx-xx-xxxx
Hadjis, John, xxx-xx-xxxx
Hagan, Craig A., xxx-xx-xxxx
Hager, Robert H., Jr., xxx-xx-xxxx
Hamby, Jerrell E., xxx-xx-xxxx
Hancock, James B., xxx-xx-xxxx
Hanson, Charles K., xxx-xx-xxxx
Hardman, Richard W., xxx-xx-xxxx
Hardwick, Willis C., xxx-xx-xxxx
Hardy, John D., xxx-xx-xxxx
Harmon, James J., xxx-xx-xxxx
Harnett, Alvin H., xxx-xx-xxxx
Harper, William E., xxx-xx-xxxx
Harrington, David B., xxx-xx-xxxx
Harris, Henry L., xxx-xx-xxxx
Hart, Roxie R., xxx-xx-xxxx
Harvey, Henry J., xxx-xx-xxxx
Haskell, Charles T., xxx-xx-xxxx
Haskins, Franklin C., xxx-xx-xxxx
Hastings, Clark W., xxx-xx-xxxx
Hatch, Alden E., xxx-xx-xxxx
Hawkins, Eugene D., xxx-xx-xxxx
Hawley, Gerald S., xxx-xx-xxxx
Hawranick, Theodore, xxx-xx-xxxx
Hayes, James S., xxx-xx-xxxx
Hazlewood, Richard, xxx-xx-xxxx
Healey, Roger Jr., xxx-xx-xxxx
Hearn, Forrest, xxx-xx-xxxx
Hedrick, James M., Jr., xxx-xx-xxxx
Hedrick, Miles C., xxx-xx-xxxx
Helbling, James J., xxx-xx-xxxx
Hendry, Jerry W., xxx-xx-xxxx
Henry, Charles W., Jr., xxx-xx-xxxx
Henry, John F., III, xxx-xx-xxxx
Herr, Edward L., xxx-xx-xxxx
Herrmann, Richard A., xxx-xx-xxxx
Herzig, Charles W., xxx-xx-xxxx
Hess, Ronald H., xxx-xx-xxxx
Hinds, William H., xxx-xx-xxxx
Hines, Frank E., xxx-xx-xxxx
Hingst, John M., xxx-xx-xxxx
Hirzel, James W., xxx-xx-xxxx
Hoff, Charles G., Jr., xxx-xx-xxxx
Hogan, Jerry H., xxx-xx-xxxx
Holcombe, Jerry V., xxx-xx-xxxx
Holden, Joseph B., xxx-xx-xxxx
Holecek, John F., xxx-xx-xxxx
Holmes, Ernest L., xxx-xx-xxxx
Hornaday, Robert W., xxx-xx-xxxx
Horne, Norman, xxx-xx-xxxx
Horton, Floyd W., xxx-xx-xxxx
Houston, Darrell G., xxx-xx-xxxx
Howard, Ronald D., xxx-xx-xxxx
Hoyt, Max B., xxx-xx-xxxx
Hradecky, Vaclav, xxx-xx-xxxx
Hubbard, Gerald C., xxx-xx-xxxx
Huber, Thomas H., xxx-xx-xxxx
Hudson, William K., xxx-xx-xxxx
Hughes, William L., xxx-xx-xxxx
Hull, Arthur V., xxx-xx-xxxx
Hull, Sammy K, xxx-xx-xxxx
Hull, Samuel R, xxx-xx-xxxx
Humphrey, Johnny M., xxx-xx-xxxx
Hunnicutt, Roy D., xxx-xx-xxxx
Hutcheson, Samuel Z., xxx-xx-xxxx
Hutnan, George P., xxx-xx-xxxx
Hyers, James E., xxx-xx-xxxx
Hyink, James L., xxx-xx-xxxx
Imes, Allan B., xxx-xx-xxxx
Iverson, George R., xxx-xx-xxxx
Ivey, Charles E., xxx-xx-xxxx
Ivey, Donald J., xxx-xx-xxxx
Iwai, Robert H., xxx-xx-xxxx
Jackson, George B., xxx-xx-xxxx
Jackson, Raymond F., xxx-xx-xxxx
Jackson, Raymond L., xxx-xx-xxxx
Jacbson, Walter R., xxx-xx-xxxx
Janosko, Eugene S., xxx-xx-xxxx
Jarock, Norman E., xxx-xx-xxxx
Jebavy, Ronald J., xxx-xx-xxxx
Jenkins, John J., xxx-xx-xxxx
Jennette Alexander, xxx-xx-xxxx
Jernigan, Cecil L., xxx-xx-xxxx
Johnson, Donald L., xxx-xx-xxxx
Johnson, Floyd C., xxx-xx-xxxx
Johnson, James H., Jr., xxx-xx-xxxx
Johnson, James D., xxx-xx-xxxx
Johnson, John W., xxx-xx-xxxx
Johnson, Robert L., xxx-xx-xxxx
Jones, Colonel B., xxx-xx-xxxx
Jones, Fletcher L., xxx-xx-xxxx
*Jones, Julius E., xxx-xx-xxxx
Jones, Robert P., xxx-xx-xxxx
Jordan, James P., xxx-xx-xxxx
Jordan, Joseph C., Jr., xxx-xx-xxxx
*Joulwan, George A., xxx-xx-xxxx
Joyce, John P., xxx-xx-xxxx
Kafonek, Richard H., xxx-xx-xxxx
Kageleiry, Harry Z., xxx-xx-xxxx
Kail, Richard L., xxx-xx-xxxx
Kaiser, Samuel E., xxx-xx-xxxx
Kaler, William R., xxx-xx-xxxx
Kane, Paul N., xxx-xx-xxxx
Karegeannes, Harry, xxx-xx-xxxx
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Seufert, Helen J., xxx-xx-xxxx
Shoman, Ernest A., Jr., xxx-xx-xxxx
Soltys, Anthony W., xxx-xx-xxxx
Souza, Mavis G., xxx-xx-xxxx
Swenson, James W., xxx-xx-xxxx
Tracy, Joseph M., xxx-xx-xxxx
Trafford, Alfred F., xxx-xx-xxxx
Tweito, Thelma W., xxx-xx-xxxx
Ware, Jean M., xxx-xx-xxxx
Wargo, Vincent J., xxx-xx-xxxx
West, Nina, xxx-xx-xxxx
Wilson, Anne M., xxx-xx-xxxx
Woods, Francis X., xxx-xx-xxxx
Yoder, Delores E., xxx-xx-xxxx
Zilonka, Bernice M., xxx-xx-xxxx

VETERINARY CORPS

To be lieutenant colonel

Bellamy, Albert D., xxx-xx-xxxx
Bixby, Howard H., xxx-xx-xxxx
Blanchard, Decatur, xxx-xx-xxxx
Carraway, Claude W., xxx-xx-xxxx
Depaoli, Alexander, xxx-xx-xxxx
Ferguson, James A., xxx-xx-xxxx
Freel, Marvin E., xxx-xx-xxxx
Keefe, Thomas J., xxx-xx-xxxx
Keel, James E., xxx-xx-xxxx
Morris, James M., xxx-xx-xxxx
Ottenberg, John C., xxx-xx-xxxx

ARMY MEDICAL SPECIALIST CORPS

To be lieutenant colonel

Appleby, Howard A., xxx-xx-xxxx
Carmona, Louis S., xxx-xx-xxxx
Day, Donna J., xxx-xx-xxxx
Dobbs, Eunice R., xxx-xx-xxxx
Durey, Doris J., xxx-xx-xxxx
Fisk, Mary L., xxx-xx-xxxx
Fritsch, Ann D., xxx-xx-xxxx
Gross, Marie L., xxx-xx-xxxx
Hall, Wilma F., xxx-xx-xxxx
Hansen, Nancy P., xxx-xx-xxxx
Hyde, Patricia L., xxx-xx-xxxx
Latimer, Estill V., xxx-xx-xxxx
Miller, Clara L., xxx-xx-xxxx
Minogue, Rita C., xxx-xx-xxxx
Mount, Dorothy M., xxx-xx-xxxx
Pavlis, Patricia M., xxx-xx-xxxx
Sanchez, Aida N., xxx-xx-xxxx
Strayer, Eleanor J., xxx-xx-xxxx
Thompson, Margaret, xxx-xx-xxxx
Williams, Bertha C., xxx-xx-xxxx

The following named officers for promotion in the Regular Army of the United States under the provisions of title 10, United States Code, sections 3284 and 3299:

ARMY PROMOTION LIST

To be captain

Buys, Albert P., xxx-xx-xxxx
Canfield, William J., xxx-xx-xxxx
Cardell, Larry E., xxx-xx-xxxx
Dismukes, William F., xxx-xx-xxxx
Ewart, Loel A., xxx-xx-xxxx
Fontenot, Russell J., xxx-xx-xxxx
Gary, William C., xxx-xx-xxxx
Koehler, Walter L., xxx-xx-xxxx
Kulhavy, Bill J., xxx-xx-xxxx
Long, Donald W., xxx-xx-xxxx
McLaughlin, Gary D., xxx-xx-xxxx
Mitrook, Ronald, xxx-xx-xxxx
Moyer, Raymond, Jr., xxx-xx-xxxx
Morris, Roger H., Jr., xxx-xx-xxxx
Offineer, Gary W., xxx-xx-xxxx
Riddle, Stephen S., xxx-xx-xxxx
Smith, Gordon R., xxx-xx-xxxx
Stokes, John J., xxx-xx-xxxx
Sweeney, Robert T., xxx-xx-xxxx
Taylor, Warren P., xxx-xx-xxxx
Webb, Hershel B., xxx-xx-xxxx

DEPARTMENT OF DEFENSE

Howard H. Callaway, of Georgia, to be Secretary of the Army, vice Robert F. Froehlke, resigned.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

William A. Morrill, of Virginia, to be an Assistant Secretary of Health, Education, and Welfare, vice Laurence E. Lynn, Jr.

U.S. ARMS CONTROL AND DISARMAMENT AGENCY

The following-named persons to be Assistant Directors of the U.S. Arms Control and Disarmament Agency:

Amrom H. Katz, of California, vice Spurgeon M. Keeny, Jr., resigned.

Robert M. Behr, of Michigan, vice Vice Adm. John Marshall Lee, U.S. Navy, resigned.

EXTENSIONS OF REMARKS

BESS MYERSON: CONSUMER CRUSADER

HON. HUBERT H. HUMPHREY

OF MINNESOTA

IN THE SENATE OF THE UNITED STATES

Wednesday, May 2, 1973

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have an article which originally appeared in the Minneapolis Tribune and reprinted in the April 25 issue of The Washington Post, printed in the Extensions of Remarks.

The article dealing with the resignation of Ms. Bess Myerson as New York City's director of consumer affairs, was written by Geri Joseph, a contributing editor of the Minneapolis Tribune, a distinguished journalist and a dear personal friend. Her article on Bess Myerson is a tribute to one of our country's most illustrious citizens and public servants from whom much is still to be heard.

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

BESS MYERSON: BEAUTY QUEEN TO CRUSADER

(By Geri Joseph)

Nobody handed Bess Myerson a medal when she resigned as New York City's chief of consumer affairs. But judging from letters and phone calls, a lot of people think she deserves one. Including a few dozen friends who gathered recently to bombard her with compliments, kisses and endless good wishes.

There were Mrs. Herbert Lehman, white-haired and dignified widow of the late New York senator, and Theodore Kheel, the skillful settler of strikes. Louis Stuhlberg, chief of the big Ladies Garment Workers' Union, came, and so did Eleanor Holmes Norton, chairman of the Human Rights Commission.

Alex Rose, head of the Liberal Party, was there, too, looking none the worse for trauma after his unsuccessful venture with Gov. Rockefeller. (The two men tried to make former Mayor Robert Wagner the 1973 mayoralty choice of Republicans and Liberals.)

"You got liberated without a movement," Rose told Miss Myerson, referring to her lifestyle, not her resignation. His whispered remark as he gave her a hug was not for publication, but it could have been a bit of political advice. Other Myerson fans have been urging, even pleading with her, to run for public office. Try for president of the New York City Council, they suggest. Or better still mayor.

Only in America, as the saying goes, could a former beauty queen from the Bronx be among those mentioned for one of the nation's hardest jobs: mayor of New York city. But then Miss Myerson is no ordinary ex-Miss America, and unlike most of her sister winners, she has not faded into quick oblivion.

Her standing with New Yorkers was proven recently when Gov. Rockefeller commissioned a poll to determine the popularity of possible mayoralty candidates. Miss Myerson's name led all the rest. It was flattering, she admitted, but it also inspired con-