By Mr. STAGGERS:

H.R. 10620. A bill to amend the Public Health Service Act to provide assistance and encouragement for the development of comprehensive area emergency medical services systems; to the Committee on Interstate and Foreign Commerce.

By Mr. STEELMAN (for himself, Mr. WYLIE, Mr. LEHMAN, Mr. BREAUX, and Mr. STOKES):

H.R. 10621. A bill to provide that appointments to the offices of Director and Deputy Director of the Office of Management and Budget shall be subject to confirmation by the Senate; to the Committee on Government Operations.

By Mr. STEPHENS:

H.R. 10622. A bill to authorize the disposal of silicon carbide from the national stockpile and the supplemental stockpile; to the Committee on Armed Services.

Mr. TEAGUE of California:

H.R. 10623. A bill to amend title 38, United States Code, to permit payment of the annual reporting fee to certain joint apprenticeship training committees; to the Committee on Veterans' Affairs.

By Mr. ULLMAN:

H.R. 10624. A bill to authorize the Secretary of the Interior and the Secretary of Agriculture to conduct a study with respect to the feasibility of establishing the Desert Trail as a national scenic trail; to the Committee on Interior and Insular Affairs.

By Mr. YOUNG of Alaska:

H.R. 10625. A bill to amend the act prohibiting certain fishing in U.S. waters in order to revise the penalty for violating the provisions of such act; to the Committee on Merchant Marine and Fisheries.

By Mr. FRASER (for himself, Mr. HARRINGTON, Ms. ABZUG, and Mr. EDWARDS of California):

H. Con. Res. 319. Concurrent resolution expressing the sense of the Congress with respect to the observance of human rights in Chile; to the Committee on Foreign Affairs.

By Mr. HUBER (for himself, Mr. BROWN of California, Mr. GILMAN, Mr. GUNTER, Mr. HECHLER of West Virginia, Mr. PODELL, Mr. RONCALLO of New York, Mr. SYMMS, Mr. WALDIE, and Mr. WINN):

H. Con. Res. 320. Concurrent resolution offering honorary citizenship of the United States to Alexander Solzhenitsyn and Andrey Sakharov; to the Committee on the Judiciary.

By Mr. PEYSER:

H.R. Res. 571. Resolution that it is the sense of the House that the U.S. Ambassador to Austria be withdrawn until the Austrian Government reinstates its policy permitting transit for Soviet Jews; to the Committee on Foreign Affairs.

By Mr. FINDLEY:

H. Res. 572. Resolution directing the Attorney General to inform the House of certain facts; to the Committee on the Judiciary.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

308. By the SPEAKER: A memorial of the Legislature of the State of California, relative to providing assistance to Nicaraguan earthquake victims; to the Committee on Foreign Affairs.

309. Also, memorial of the Legislature of the State of California, relative to commemorative postage stamps in recognition of the contributions of the Nation's hunters and fishermen; to the Committee on Post Office and Civil Service.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. HALEY:

H.R. 10626. A bill to authorize the Secretary of the Interior to sell reserved phosphate interests of the United States in certain lands in Florida to John Carter and Martha B. Carter; to the Committee on Interior and Insular Affairs.

By Mr. SISK:

H.R. 10627. A bill for the relief of Benjamin Baxter; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

296. By the SPEAKER: Petition of the Fourth Mariana Islands District Legislature, Saipan, Mariana Islands, Trust Territory of the Pacific Services Corp., to the Micronesian Legal Islands, relative to the Committee on Education and Labor.

297. Also, petition of Simeon Mongcopa and Guillermo Alcoran, Dumaguete City, Philippines, relative to compensation for U.S. guerrillas in the Philippines during World War II; to the Committee on Foreign Affairs.

298. Also, petition of the Ohio Young Democrats, Yellow Springs, Ohio, relative to the Hatch Act; to the Committee on House Administration.

299. Also, petition of E. D. Guess, Fowler, Colo., relative to the broadcast license of radio station WXUR; to the Committee on Interstate and Foreign Commerce.

300. Also, petition of Ronald Del Raine, Marion, Ill., relative to redress of grievances; to the Committee on the Judiciary.

301. Also, petition of the Municipal Council, Irvington, N.J., relative to the death penalty; to the Committee on the Judiciary.

302. Also, petition of Stephen L. Suffet, Kew Gardens, N.Y., and others, relative to impeachment of the President; to the Committee on the Judiciary.

SENATE—*Monday, October 1, 1973*

The Senate met at 11 a.m. and was called to order by the President pro tempore (Mr. EASTLAND).

PRAYER

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

Almighty God, our Heavenly Father, who has brought us safely to the beginning of a new week, rule over us in this Chamber that first we may love Thee with our heart and mind and soul and strength and then serve this Nation and its people in the spirit of the Master. Transfigure every duty, great and small, that we may work with constancy and joy. Keep us from failing or falling. Keep our goals high, our vision clear, our minds keen. In the end grant us thankful hearts for having labored here to advance Thy kingdom.

In Thy holy name we pray. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Friday, September 28, 1973, be dispensed with.

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

WAIVER OF THE CALL OF THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the call of the legislative calendar, under rule VII, 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.

SENATOR HUGHES OF IOWA

Mr. MANSFIELD. Mr. President, the Louisville Courier-Journal on September 10, 1973, published an editorial entitled "Senator HUGHES Will Be Missed."

I read in part as follows:

Current wisdom holds that next year will be a fruitful one for the Democrats in Congressional races, so the announcement that a liberal Democrat will not seek re-election could be dismissed as a minor flaw in an otherwise rosy picture. But when the loss is someone as energetic, hard-working and decent as Iowa's Harold Hughes, observers of all political persuasions who care about an effective Senate cannot but be saddened.

Further on it states:

His political triumphs were particularly noteworthy because of his background as a largely self-educated former truck driver and a reformed alcoholic. In the Senate he has pressed vigorously for reform of the nation's drug laws and for more sympathy and attention for victims of alcoholism.

We wish the Senator success in his new endeavors, but we can't help feeling he will be sorely missed in the Senate.

Mr. President, I agree.

Mr. President, I ask unanimous consent to have this editorial printed in the RECORD.

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

SENATOR HUGHES WILL BE MISSED

Current wisdom holds that next year will be a fruitful one for the Democrats in Congressional races, so the announcement that a liberal Democrat will not seek re-election could be dismissed as a minor flaw in an otherwise rosy picture. But when the loss is someone as energetic, hard-working and decent as Iowa's Harold Hughes, observers of all political persuasions who care about an effective Senate cannot but be saddened.

Senator Hughes says he will give up his seat and devote his time as a lay worker to two religious foundations. The foundations' gain is the Senate's loss. After serving three terms as governor of the usually Republican state of Iowa, he was elected to the Senate

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in 1968, even though Iowans, as expected, gave President Nixon a solid majority in that year's presidential race.

His political triumphs were particularly noteworthy because of his background as a largely self-educated former truck driver and a reformed alcoholic. In the Senate he has pressed vigorously for reform of the nation's drug laws and for more sympathy and attention for victims of alcoholism.

He has also been a consistent critic of the U.S. military involvement in Indochina and was instrumental in uncovering the secret bombing campaign in Cambodia and the supposedly unauthorized bombing of North Vietnam during periods of negotiation in late 1971 and early 1972.

We wish the Senator success in his new endeavors, but we can't help feeling he will be sorely missed in the Senate.

Mr. HUGH SCOTT. Mr. President, the contributions of the distinguished Senator from Iowa (Mr. HUGHES) have been very considerable. He will be, indeed, very much missed in this Chamber.

He has made a decision of conscience. We must honor him for that. We in the Senate are aware how, more often than not, problems of conscience beset us and hard decisions have to be made.

This decision of the Senator does him great credit. In Iowa, what needs now to be taken as a lesson by both political parties is to find in the candidate of each party men and women who are hard working, energetic, and decent and let them contend against each other, fairly and honorably, let them advocate their causes, their beliefs, their intentions, as fugitive men of this body in their desire to serve their country, their State, and their people, and let them be chosen along those lines and with those important principles in mind; because I think the next election will probably turn not only in Iowa but around the country on the character and the personalities of the individuals on the issues which they generate and on the judgment of the people whether the candidate is really good for them and whether he has their interest genuinely at heart. The public is perfectly capable of passing on the differing philosophies as they evolve.

I do not think that the extraneous issues which have occupied our time, our thoughts, and our concerns so much in Washington will be major issues in the campaign for Federal offices or, for that matter, State offices, as recent elections have tended to illustrate.

I hope that in the course of the next campaign we can convince the people of this country that politics is an honorable profession, and that the elected or would be elected officials are capable and are worthy of the trust of the people and of their franchise. That is the way in which elections should be conducted.

We have learned a lot of things here. We have learned that some things are not good for the Republic. We have known those things all along but we have seen some of them happen and we know how very bad they are. I think the public does, too.

Therefore, I hope that we will conduct our campaigns along the lines I have mentioned.

ORDER OF BUSINESS

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

(The remarks Senator HATFIELD made when he introduced S. 2502, to amend the Internal Revenue Code of 1954, providing certain tax credits, are printed in the RECORD under Statements on Introduced Bills and Joint Resolutions.)

ORDER OF BUSINESS

The PRESIDENT pro tempore. Under the previous order, the Senator from South Dakota (Mr. MCGOVERN) is recognized for not to exceed 15 minutes.

COMPROMISE: KEY TO ECONOMIC RECOVERY

Mr. MCGOVERN. Mr. President, this morning I shall speak briefly on the subject of the economy. I hope to be making a series of statements on various aspects of the economic difficulties that confront our country in the next few weeks. This represents the first in that series.

Mr. President, the fundamental flaw with the administration's economic policy is an almost panicked procession from phase to phase, characterized by poor timing and little forethought, so that the overall effect is not prudence, confidence, and revival, but carelessness, uncertainty, and further decline.

Indeed, the three phases so far this year, far from promoting order in the marketplace, have themselves become a principal source of disorder.

So I was particularly disappointed to learn from President Nixon's news conference and the subsequent statements of his spokesmen that phase IV, now only 2 weeks old, seems to be unraveling.

What the President said on September 5, and I quote:

> A number of my advisers, including, incidentally, Arthur Burns, have strongly recommended that the answer to this whole problem of inflation is in the tax structure.

He went on to endorse the concept of altering the investment tax credit but concluded, and again I quote:

> I think a number of suggestions have been made on the tax front which might be helpful in the control of inflation, but there isn't a chance that a responsible bill would be passed by this Congress.

Thereafter, the President's chief domestic advisor, Mr. Laird, floated the President's trial balloon on a variable investment tax credit and an income tax surcharge. That proposal appears to have been withdrawn, after Mr. Shultz publicly told Mr. Laird to "keep his cotton pickin' hands off economic policy" and the prospect of a general tax increase met with a cool reception on Capitol Hill.

What is the meaning of all this:

First, that President Nixon is not satisfied with his anti-inflation strategy but he is reluctant to seek from the Congress the economic tools he feels he needs to restore price stability; and

Second, there is a deep philosophical dispute among the President's principal advisors over the relative wisdom of conflicting economic approaches.

It is understandable that Mr. Nixon is dissatisfied with public economic policy and looks to the tax structure for better policy.

The most important thing for the economy is to achieve price stability and orderly growth. To do this, the President must opt for one economic approach or the other. He cannot permit Mr. Shultz to step on the fiscal accelerator while Mr. Burns applies the monetary brakes. For if things remain as they are we will experience the boom to bust cycle of the first Nixon administration.

So, I hope that we can renew now the constructive search for effective action to curb inflation. Our economic problems are so serious that they transcend the differences between the President and the Congress; I fear that if effective steps are not taken promptly, we face the prospect of an even more serious wage-price spiral next year—and perhaps a serious recession.

I say this, Mr. President, in a spirit of accommodation. I hope that these words from his opponent last year, coupled with those of the Senate and House majority leadership, will signal to Mr. Nixon that a compromise between him and the Congress is as possible as it is essential.

For discussions I have had with Members on both sides of the aisle since our return from the August recess have convinced me that the President will find a constructive response if he will meet the Congress half way.

In his second state of the Union message, the President said that in addition to his phase IV program, he hoped to control inflation by increased farm production, keeping the Federal budget down, and keeping interest rates high. He also acknowledged that his difference with Congress was not on how much to spend but on where to spend it. However, the President has remained adament about his view of national priorities, taking the hard line and threatening to veto any bill that decreases his military budget or increases his civilian budget.

So my first suggestion is that the President sit down with the leadership of the Senate and the House and compromise on the budget, costing out the probable outlays for the bills we will consider this year and next year. The key to this compromise is for the President to give at least a little on the military budget. The bombing halt in Indochina and the changed realities there since the budget was submitted last January alone indicate that as much as $3 billion could be cut from military spending without affecting the President's recommended baseline force. And an inconsequential 1- or 2-year delay in the development of several weapons systems could save the taxpayer as much as $3 billion more.

The basis for compromise is clearly present.

A major obstacle to a balanced budget would be a refusal to compromise. On the other hand, I am confident if the White House manifests a genuine spirit of cooperation, the Congress will quickly conclude an agreement on overall spending at a level that is both economically sound and socially responsible. Indeed, we, for our part, have already proven our willingness to cooperate by enacting a budget ceiling even lower—by $700 million—than the President requested.

The President may have the votes for his military and overseas budgets. But it is clear that he does not have the votes

for his reduced domestic program, except by relying on the veto.

So the best the President can hope for is that Congress will pass the military and foreign programs he supports and the domestic programs he opposes. If this happens, we will travel again the uncertain path of veto and impoundment—and that will not moderate, and almost certainly will aggravate—the spreading climate of economic doubt which is at the heart of inflationary psychology.

Moreover, such a course would threaten to bust the budget in any case, if and when the Supreme Court rules on the constitutionality of impoundment.

Reasonable compromise would help both to resolve our economic crisis and to restore confidence in the Presidency as well.

My second suggestion is in the area of tax policy. The record inflation we have seen recently has been different in kind from the inflation on the first Nixon administration. And perhaps that is the reason, as the President has said, that the administration's economic forecasts have not been very good this year. The 1970–71 inflation was a textbook wage-price spiral. And although some of us criticized the phase I and phase II controls as biased in favor of big business, all agreed that temporary controls would flatten out the wage curve and, therefore, prices.

But in 1973 wage increases have been moderate. During the first 6 months of this year wages rose at annual rate of approximately 6 percent, while consumer prices rose at a substantially higher rate. So this time the worker could not be blamed for skyrocketing prices. And President Nixon recognized this by exempting wages from the summer price freeze.

And congressional spending could not convincingly be blamed either. The Federal budget for last year was held $4 billion below the President's recommended budget ceiling. Moreover, the projected budget deficits for the first two quarters of this year were sharply reduced with an actual billion-dollar surplus in the second quarter.

Last January, with wages under control and with Federal spending at a level the President thought proper, the administration relaxed the phase II controls in the expectation that the inflationary pressures had abated.

What has happened since then is history. Consumer prices soared, reaching an annual rate of nearly 10 percent this spring. Wholesale prices shot forward at an annual rate of over 20 percent between January and June.

In sum, phase III was an unmitigated disaster.

What the administration had failed to take into account was the effect of the fiscal, monetary, and farm policies of the prior year and a half.

During the first 2 years of his Presidency, Mr. Nixon practiced the economics of Herbert Hoover, seeking to restrain prices by raising unemployment. The result was recession—a major recession and inflation at the same time. Joblessness soared above 6 percent while the Consumer Price Index jumped 6½ points.

Then in a stunning reversal of his prior position, the President announced he had become a Keynesian. His new economic policy comprised elements of fiscal stimulation through tax reduction and increased Government spending, plus the comprehensive wage and price controls his congressional critics had advocated. This, combined with a rapid increase in the money supply, resulted in a degree of economic recovery by the time of his reelection.

But then Mr. Nixon, in shifting to phase III, forgot the other side of the Keynesian coin—the discipline of restraint. The economy, stimulated by record budget deficits and multibillion dollar tax breaks to big business raced forward at a dangerously rapid rate. And this expansion proportionately increased the demand for industrial commodities.

This increased commodity demand sharply escalated the prices manufacturers had to pay for material and in turn the prices consumers had to pay for goods. In the first 6 months of this year, crude materials went up at a rate of 18 percent, fuel and power, 18 percent; lumber, 30 percent; wool, 20 percent; petroleum products, 30 percent and so on down the line. As a result, wholesale prices also increased sharply—the cost of consumer finished goods rose at a rate of 19.4 percent, durable goods 9.8 percent, industrial commodities 12.6 percent and petroleum products a whopping 61.8 percent.

Arthur Burns, as Chairman of the Federal Reserve Board, repeatedly warned that the economy was expanding too fast and that serious demand-pull inflation would result. And when his warning went unheeded by Mr. Shultz and Mr. Stein, he did what he could to slow economic growth by increasing interest rates to record levels.

But the Federal Reserve's high-interest policy has been only a mixed success. Monetary policy is at best a rough hewn tool. It has reduced real growth in the gross national product from 8 percent in the first quarter of this year to less than 3 percent in the second quarter and an estimated 4 percent in the third quarter.

And this slowed growth has been bought at great cost. Because money is in short supply, housing starts are expected to decline by as much as one quarter to one third next year. If that is allowed to happen, the cost to the economy will be between $12 to $16 billion in the housing industry alone, not to mention the secondary effect on related industries. This would repeat the kind of needless dislocation which led to the first Nixon recession.

The second cost of this high interest rate policy has been the redistribution of income from the worker and the consumer to big business in the form of inflated profits. The loss of real income by working people threatens to inspire the kind of wage-price spiral we had in 1970–71.

Beyond these factors, high interest rates are a direct cost of living hardship on all those who depend on credit—especially small merchants, farmers, home buyers, and consumers at large. For millions of Americans, the attempt to reduce the cost of living by raising interest rates amounts to an actual increase in their cost of living.

A further irony of the high interest rate policy is that the higher cost of borrowing for the Government means a probable addition to the Federal budget of some $4 billion this year alone in the form of increased interest on Government debt.

This is the economic schizophrenia of present economic policy. Mr. Shultz is heating up the economy by tax incentives to big business while Mr. Burns tries to cool it down by making the cost of money more expensive.

Mr. Nixon has in effect replaced laissez faire economics with helter-skelter economics.

And the end result of contradictory economic policy is that Federal spending goes up, economic expansion continues, inflation soars, and consumers are priced out of the money market.

Moreover, the most recent economic evidence, indicates that the risk of recession is real. Due to the food inflation this year, consumers now have fewer dollars to spend for other goods and services. And so we saw a 1.6-percent decrease in orders for durable goods in August.

This phenomenon will clearly continue in the months ahead as the August wholesale price rise—which was at an annual rate of nearly 75 percent—is passed along to the consumer under phase IV rules. And unless we achieve price stability, sharp reductions in demand will result in decreased production and high unemployment.

Since the rate of decline in real income has been greater this summer than during the comparable period in the first Nixon recession, the risk of a more serious recession is proportionately greater.

Thus, if Mr. Nixon is to avoid his second recession he must understand that neither laissez faire nor helter skelter economics are adequate to our needs. He must adopt a fiscal policy to relieve the pressures on our over-burdened monetary system.

Arthur Burns has told the President the way to do this is by increasing business taxes. And the obvious place to start is with the investment tax credit and the accelerated depreciation guidelines which Congress adopted in 1969 and 1971 at the President's request. These tax breaks to big business are incentives to invest and expand which have pushed business borrowing rates and forced the Federal Reserve to pursue a restrictive monetary policy. If these tax incentives are at least temporarily suspended, inflationary pressures will be reduced, interest rates could be reduced, and the economy could grow at an orderly and moderate rate.

I have long favored outright repeal of the excessive accelerated depreciation allowances and a limitation of the tax credit to net increases in investment as the major cornerstone of comprehensive tax reform. But I would be willing to support the President's plan for a variable tax credit to be increased or decreased as economic conditions warrant, subject to congressional approval, as a reasonable compromise in the interest of avoiding more inflation and another recession.

However, I will not support—and I believe the Congress will oppose—a general income tax increase. The principal

inflationary demand pressures are in the business, not the consumer, sector. An across the board tax increase not only would fail to deal with our economic troubles; it would also act as a depressant and pose the same recessionary risk as a continuation of present high interest rates and tight money.

Instead, I encourage the President to look to that part of the tax structure which offers a way out of the present quandary. And as one who has worked toward tax reform, I pledge my support for a reasonable compromise in this area.

Thirdly, so far as farm policy and food prices are concerned, I am generally in accord with what the President said in his recent message.

Food prices, which have paced inflation this year, rose sharply because production did not meet rising demand. This occurred in part because of the huge wheat sales to the Soviet Union last year, in part because of poor weather conditions and harvests abroad, and in part because of the second dollar devaluation and the rising affluence of European and Japanese consumers which made American products more attractive to foreign buyers.

The road to lower prices for the consumer is through higher farm production. Last year 40 million acres were kept out of production; this year, 20 million. The recent farm bill authored by the Congress and signed by the President has put us back on the right track. Our bill creates incentives to produce by guaranteeing to the farmer a fair price for his labor. This policy will reduce the cyclical factors in demand and production and insure us an adequate food supply in the years ahead. At the same time, for the first time in many years, America will exploit its greatest export market and hopefully bring its international payments back into balance, strengthening the dollar abroad.

But both the consumer and farmer need greater protection in the form of stricter regulation of the commodity markets.

Unprecedented increases in the price of farm commodities—particularly wheat, soybeans and other grains—were responsible for most of the food inflation this year. Many of these price increases resulted from commodity speculation.

The people's interest in commodity trading transcends the orderly functioning of commodity markets and the prevention of fraud. For every time a speculator or large grain company turns a profit by trading futures the housewife and the consumer pay a higher price. And since it is the speculator, not the farmer, who receives the windfall profit, the higher wholesale and retail prices do not act as a stimulant to production.

Therefore, Mr. President, I will discuss this subject further when I introduce later this week legislation to create an independent commission to regulate commodity trading. Hopefully, this legislation will lead to careful deliberation and discussion of the complex but vital subject of commodity trading.

My fourth and last suggestion for immediate action is that the phase IV rules be stiffened.

As I said last June, inflation will remain with us until we are able to resolve the underlying causes of inflation. Economic controls by themselves solve nothing. Phase IV is a band-aid response to the pressures which arose under the ill advised phase III program. So whether inflation will come under control depends upon whether the President, working with the Congress, develops a new and for the first time truly effective economic policy.

As I indicated earlier, I believe we can move rapidly toward this goal if the President and the Congress balance the budget by reducing military and foreign spending and restricting excessive tax stimulus to big business. And I think we can reduce food and commodity inflation by controlling speculation in futures and spot markets. But in the long run, the measures I suggest will have little effect if phase IV fails and we have more runaway inflation this fall.

This fall and especially next year, millions of workers will negotiate new employment contracts. Unless we restrain price inflation now, we cannot expect wage restraint then. And if workers escalate wage demands to keep pace with a further rise in prices, we will spur another round of wage-price inflation and potentially another recession of the kind we had 2 years ago.

Unfortunately, phase IV lacks the toughness to be convincing and effective. The price increases granted to the auto industry, and especially to the steel industry, earlier this month demonstrate the administration's continued reluctance to have its business friends share the cost of controlling inflation.

The case of steel is particularly flagrant. For American industry as a whole, second quarter profits were up 30 percent over the comparable period last year. For the steel industry profits were up 65 percent. The profits of United States Steel were up 88 percent and Armco and Bethlehem 59 percent. Profit margins were up as well, United States Steel posting a 30-percent increase, Armco 25 percent and Bethlehem 20 percent.

Yet in spite of those figures, the Cost of Living Council approved increases in the price of steel.

And the same pattern holds in both the auto and oil industries. Ford's second quarter profits were up 41 percent and General Motors' 18 percent. For the oil industry as a whole, second quarter profits were up 39 percent and profit margins over 20 percent.

Exempting large concerns from the burden of inflation control raises more than a question of equity; it raises a serious problem of credibility as well.

The labor leaders who will negotiate for their membership know that big business posted record profits this year. The administration's 5.5 percent wage guideline would mean a 2.5-percent loss in real income if inflation averages 8 percent this year. Why should working people be asked to sacrifice when big business chalks up record profits and executive compensation increases at a rate of 13.5 percent?

And the large corporations themselves, whose investment and production plans determine whether the economy will slow down to orderly growth or race ahead to renewed inflation, will continue to expand at record rates if their present behavior is rewarded by the administration.

So my fourth suggestion is that phase IV be stiffened by an indirect control on the profits of large enterprises. No price increase should be granted, even where costs for labor and materials increase, except to hold a company's profit at an appropriate base period level. The standards for this would differ from industry to industry.

This change would strengthen the credibility of phase IV. Prices would be under tighter control and long-term solutions would be given an opportunity to work.

In conclusion, Mr. President, let me again stress my hope that we in Congress can reach a reasonable compromise with the President on military spending so that together we can hold the cost of government to a level the economy can afford.

If the President takes a hard line, if he refuses to compromise with the Congress, we will pay the price in more years of economic confusion and uncertainty.

The choice is in the President's hands.

I hope he will decide to compromise with us so that we can work with him for the prosperity of the Nation.

In 1973, compromise is the key to economic recovery.

Mr. President, I ask unanimous consent that an analysis from Business Week magazine of the economy be printed in the RECORD.

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

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

SURVEY OF CORPORATE PERFORMANCE: SECOND QUARTER 1973: THE PROFITS BOOM ROLLS ON

The boom in corporate profits not only continued through the second quarter of 1973, but actually picked up some steam.

The latest Business Week quarterly survey of corporate performance points to second-quarter after-tax earnings at better than a $70-billion seasonally adjusted annual rate—up more than 30% from the $53.4-billion rate of the second quarter of 1972.

The only hint of trouble in the second quarter was the softening of profit margins that occurred in some industries—an indication that productivity is beginning to lag, and that gains in earnings will be smaller in the second half than in the first. The over-all profit margin figure for all 880 companies covered in the survey was up handsomely—from 5.6 cents earned per $1 of sales a year ago to 6.1 cents this time. But more industries had trouble fattening margins than in either the second quarter of 1972 or this year's first quarter.

What's included. The quarterly survey is compiled by Investors Management Sciences, Inc. of Denver, a subsidiary of Standard & Poor's Corp. The 880 companies in the survey are spread among 36 industrial categories, from aerospace to utilities.

To hold the list to just 880 companies, the current survey omits those with sales of less than $26-million for the quarter. Utilities are listed only when revenues for the quarter topped $50-million, while only banks with $1-billion or more in deposits are included. Companies whose most recent fiscal quarter ended before May 1 were left out unless their sales for the quarter exceeded $100-million. Finally, companies had to report, in detail, by July 31, to be included in the survey.

The companies that did make the survey had some impressive stories to tell. Only two of the 36 industrial groups reported lower earnings in the quarter: railroads, where soaring costs and flood damage hurt many of the bigger carriers, and the nonbank financial category, where the profits squeeze on Wall Street dragged profits down for the whole group. The survey for the second quarter of 1972 covered 35 industrial groups, and four of them reported lower earnings for that period.

And earnings gains tended to be particularly steep this time for a wide array of industries. Nineteen industries reported profits up 20% or more this time against 17 a year ago; 12 reported profits up 30% or more this time against nine a year earlier. The big winner was the paper industry, with earnings for the group up by 69% on a 17% increase in sales. The big winners among the paper companies were Westvaco with profits up 161%, Crown Zellerbach up 129%, and Hammermill up 113%.

Hard behind the paper companies came the building materials companies, with the forest products companies doing particularly well.

Boise Cascade, fighting its way back from a near financial disaster, boosted second-quarter earnings by 195%, while Weyerhaeuser pushed its earnings up by 179%, Georgia-Pacific by 126%, and Potlach by 125%.

Sharpest turnarounds. The most spectacular turnarounds were by the metals companies, both steel and nonferrous metals. Each group reported sharply lower earnings in the second quarter of 1972—but sharply higher earnings this time. Reynolds Metals reported second-quarter profits up a stunning 750%, while at American Smelting & Refining the gain was 129%. Among steelmakers, U.S. Steel was up 62% for the quarter, and Bethlehem up 57%. Only Jones & Laughlin among the major producers reported lower earnings for the quarter.

No less impressive was the showing by the big oil companies, with industry giant Exxon up 54%, Shell up 54%, Gulf up 82%, and Standard of Ohio up 110%.

The retailers as a group did well in the quarter—including some of the food chains, which had been taking quite a pounding recently. A&P, for one, earned $2.4-million in the quarter against the $21-million it lost in the same period a year ago. Among the retailing giants, Sears boosted profits by 23%, Penney by 24%, and Marcor—with both its retailing and nonretailing businesses doing well—by 50%.

SURVEY OF CORPORATE PERFORMANCE: SECOND QUARTER 1973

[Dollar amounts in millions]

Company	Sales				Profits				Margins		Return on common equity 12 mo. ending June 30	P-E July 31	12 mo. earnings per share
	2d quarter 1973	Change from 1972 (percent)	6 mo. 1973	Change from 1972 (percent)	2d quarter 1973	Change from 1972 (percent)	6 mo. 1973	Change from 1972 (percent)	2d quarter 1973 (percent)	2d quarter 1972 (percent)			
AEROSPACE													
Airframes, general aircraft and parts													
Beech Aircraft [3]	$51.8	20	$101.5	19	$2.6	37	$5.0	48	5.0	4.4	19.8	7	2.09
Boeing	976.4	56	1,607.2	18	14.5	76	25.2	47	1.5	1.3	4.9	10	1.93
Cessna Aircraft [3]	98.8	42	194.0	56	6.2	47	12.3	80	6.3	6.1	20.1	8	2.81
Curtiss-Wright	65.6	9	123.3	8	2.1	79	3.8	185	3.3	2.0	4.2	31	0.79
General Dynamics	428.8	11	826.9	8	9.1	43	16.4	44	2.1	1.6	8.7	7	2.95
Lockheed Aircraft	726.7	8	1,342.3	15	4.4	5	7.9	4	.6	.6	5.1	6	1.17
McDonnell Douglas	915.0	21	1,731.2	29	40.5	23	74.9	37	4.4	4.4	16.4	7	3.31
Northrop	**155.5	1	287.7	7	2.3	−15	4.1	−20	1.5	1.8	6.4	7	2.46
Rockwell International [3]	831.7	19	1,633.0	18	35.3	31	69.6	32	4.2	3.9	11.7	8	3.72
Thiokol Chemical	65.4	3	135.6	5	3.2	21	6.2	28	4.8	4.1	12.7	7	1.90
United Aircraft	595.4	26	1,134.1	16	16.5	18	31.0	17	2.8	2.9	10.6	7	4.60
Industry composite	4,911.1	23	9,116.7	18	136.7	30	256.4	34	2.8	2.6	10.2	9	2.82
AIRLINES													
Allegheny Airlines	83.5	21	155.1	36	4.2	51	.8	−15	5.1	4.0	9.6	16	.65
American Airlines	364.4	7	686.2	5	−6.3	NM	−35.1	NM	NM	1.0	−3.7	NM	−.78
Braniff Airways	105.5	15	203.3	13	6.3	46	10.3	32	6.0	4.7	19.7	11	.97
Continental Air Lines	97.0	7	182.5	6	1.0	−65	.1	−95	1.0	3.2	4.9	17	.48
Delta Air Lines [6]	286.5	21	553.7	18	20.7	94	34.7	84	7.2	4.5	20.2	15	3.32
Eastern Air Lines	315.4	12	634.3	9	−6.7	NM	−8.6	NM	NM	3.0	−2.0	NM	−.35
Flying Tiger	68.5	9	130.1	9	7.8	15	13.6	20	11.4	10.9	20.9	10	2.71
Frontier Air Lines	32.6	17	61.5	20	2.4	−19	3.3	46	7.3	10.6	295.3	6	.99
North Central Airlines	31.3	10	58.7	8	1.5	15	1.5	16	4.8	4.6	21.8	8	.54
Northwest Airlines	141.4	10	261.4	5	12.0	42	20.0	52	8.5	6.6	5.1	21	1.15
Pan American World Airways	357.4	9	654.1	9	−2.9	NM	−22.0	NM	NM	NM	−3.8	NM	−.41
PSA	31.8	18	60.2	14	1.2	−50	.7	−78	3.7	8.8	3.8	16	.79
Trans World Airlines	406.3	13	731.0	14	21.7	−2	6.9	NM	5.3	6.2	13.2	6	3.73
UAL	512.1	14	954.3	12	16.6	573	7.1	NM	3.2	.6	5.1	14	1.48
Western Air Lines	99.4	18	194.3	13	4.4	777	7.3	195	4.5	.6	17.5	9	1.16
Industry composite	2,933.1	13	5,520.9	11	84.1	11	40.7	20	2.9	2.9	4.2	12	.89
APPLIANCES													
Magic Chef [6]	61.7	5	117.5	8	1.5	−48	2.6	−51	2.5	5.0	9.8	9	.98
Maytag	52.2	12	106.1	11	5.9	5	12.5	5	11.2	12.0	30.9	13	2.14
Singer	619.7	12	1,196.5	11	21.5	11	42.4	12	3.5	3.5	11.4	11	5.14
Tappan	61.0	14	127.2	23	1.0	−37	2.9	−9	1.6	2.8	11.1	6	1.90
Whirlpool	465.1	21	838.0	21	23.5	24	41.7	30	5.0	4.9	23.9	14	2.17
Industry composite	1,259.8	15	2,385.4	15	53.3	10	102.2	13	4.2	4.4	15.8	10	2.68
AUTOMOTIVE													
Autos, trucks, equipment and parts													
American Motors [3]	472.0	25	947.9	33	16.9	117	33.4	191	3.6	2.1	15.4	5	1.56
Arvin Industries	52.9	8	105.5	11	2.0	16	3.7	15	3.8	3.6	12.4	11	1.43
Bendix [3]	** 612.7	28	1,162.7	26	18.1	21	34.7	25	3.0	3.1	10.5	9	4.19
Borg-Warner	393.7	16	759.6	17	18.6	15	35.5	24	4.7	4.8	11.1	8	3.37
Budd	198.3	17	388.4	16	7.3	67	14.3	54	3.7	2.6	12.2	4	2.96
Champion Spark Plug	109.2	24	210.6	18	11.6	21	22.5	15	10.6	10.9	21.1	15	1.14
Chrysler	3,178.1	25	6,055.4	28	108.6	59	198.4	90	3.4	2.7	12.4	4	6.01
Cummins Engine	175.2	54	329.8	51	7.0	806	12.0	NM	4.0	.7	12.1	12	3.14
Dana [4]	271.0	18	511.5	18	16.7	23	30.8	26	6.2	5.9	17.4	7	4.01
Eaton	403.6	29	774.2	27	26.4	35	49.5	31	6.6	6.2	16.1	8	4.50
Federal-Mogul	87.2	15	166.5	17	4.0	−7	7.2	−4	4.6	5.7	10.7	9	2.50
Ford Motor	6,274.7	17	12,397.4	22	394.2	39	754.9	41	6.3	5.3	17.6	5	10.87
Fruehauf	164.8	11	322.3	16	8.6	15	16.6	26	5.2	5.0	12.7	8	3.44
General Motors	**9,674.6	14	19,294.0	18	797.4	10	1,614.3	18	8.2	8.5	20.9	8	8.35
Houdaille Industries	79.5	24	150.1	26	4.7	39	7.8	68	5.9	5.3	18.4	7	1.86
International Harvester [3]	1,095.4	18	1,951.0	26	37.4	17	50.1	44	3.4	3.5	8.5	8	3.71
Kelsey-Hayes [4]	147.9	18	279.7	19	3.8	22	6.2	33	2.6	2.5	9.3	6	3.59
Libbey-Owens-Ford	179.9	19	355.5	18	16.4	19	34.1	22	9.1	9.1	17.5	7	4.80
Maremont	82.5	8	150.6	10	5.6	57	8.0	68	6.8	4.7	26.2	14	3.33
McCord [4]	42.2	43	81.7	48	1.8	28	3.2	37	4.2	4.7	13.1	6	2.64
Novo	27.7	19	54.7	24	.5	37	1.0	42	1.8	1.6	8.5	5	1.01
Purolator	64.6	19	126.9	17	3.2	14	6.4	14	4.9	5.1	19.9	15	2.67
Questor	96.7	3	179.8	6	5.1	0	7.3	3	5.3	5.5	10.5	8	1.48

Footnotes at end of table.

SURVEY OF CORPORATE PERFORMANCE: SECOND QUARTER 1973—Continued

[Dollar amounts in millions]

Company	Sales: 2d quarter 1973	Sales: Change from 1972 (percent)	Sales: 6 mo. 1973	Sales: Change from 1972 (percent)	Profits: 2d quarter 1973	Profits: Change from 1972 (percent)	Profits: 6 mo. 1973	Profits: Change from 1972 (percent)	Margins: 2d quarter 1973 (percent)	Margins: 2d quarter 1972 (percent)	Return on common equity 12 mo. ending June 30	P-E July 31	12 mo. earnings per share
AUTOMOTIVE—Continued													
Autos, trucks, equipment and parts													
Raybestos-Manhattan	$46.5	10	$91.7	16	$1.9	4	$3.7	31	4.1	4.3	9.4	7	4.13
Royal Industries	48.7	17	90.9	19	1.9	27	3.6	25	3.9	3.6	16.2	6	1.24
Sealed-Power	30.8	21	59.2	20	2.1	15	3.9	12	6.9	7.3	15.2	9	2.38
Sheller-Globe [3]	76.5	19	148.0	19	3.8	19	4.8	17	3.7	----------	9.4	6	1.92
Smith (A. O.)	166.4	29	322.8	27	6.5	86	11.0	44	3.9	2.7	8.4	6	2.70
Texstar [3]	47.9	34	89.5	30	1.2	25	2.2	26	2.5	2.7	16.4	5	.89
Timken	148.2	21	288.7	24	15.2	42	28.9	42	10.3	8.8	13.8	8	4.78
TRW	559.2	28	1,057.0	29	27.4	32	48.6	34	4.9	4.8	12.2	9	2.68
Wagner Electric	69.2	9	135.9	13	3.0	9	5.4	17	4.3	4.3	14.0	7	1.81
White Motor	308.3	31	581.9	25	5.0	161	8.1	113	1.6	.8	5.3	8	1.25
Industry composite	25,385.9	18	49,621.6	22	1,583.0	23	3,071.9	29	6.2	6.0	17.2	8	6.23
BANKS AND BANK HOLDING COMPANIES													
American Fletcher	30.9	33	60.8	32	2.9	20	6.2	19	9.4	10.4	15.1	11	2.81
Bancal Tri-State	46.1	30	89.3	26	1.5	4	3.4	52	3.2	4.0	8.8	10	2.45
BancOhio	44.2	27	83.4	23	5.4	13	10.1	13	12.2	13.8	11.3	9	2.84
Bank of New York	61.4	24	117.5	19	6.6	5	12.8	3	10.7	12.6	13.3	8	4.40
BankAmerica	503.4	25	961.5	22	47.9	13	95.3	13	9.5	10.5	13.8	16	2.90
Bankers Trust New York	238.9	56	440.2	42	14.9	12	30.5	16	6.2	8.7	12.5	9	6.15
CIT Financial	151.8	9	298.8	8	21.8	3	42.0	4	14.3	15.2	13.6	10	4.22
Cameron Financial	39.0	31	73.5	27	3.9	8	7.0	8	9.9	12.0	15.5	13	2.29
Charter New York	131.6	63	241.0	54	8.3	19	15.6	23	6.3	8.6	10.0	8	3.65
Chase Manhattan	511.9	48	972.7	41	38.2	11	78.3	11	7.5	10.0	12.4	10	4.87
Chemical New York	253.3	55	467.3	44	16.4	11	31.3	−3	6.5	9.1	9.2	10	4.58
Citizens & Southern National	57.6	34	109.6	31	5.9	2	12.2	9	10.2	13.4	14.7	20	1.06
Continental Illinois	236.9	80	430.8	63	19.3	8	41.3	5	8.2	13.6	12.6	12	4.64
Crocker National	129.9	28	248.2	24	8.3	2	15.6	−3	6.4	8.0	11.1	8	3.24
Detroit Bank	42.7	24	82.2	21	5.8	34	11.0	28	13.7	12.7	12.2	7	6.77
First Bank System	98.6	26	190.5	23	13.0	10	26.3	8	13.2	15.0	14.4	18	3.50
First Chicago	$236.2	70	$425.8	59	$22.0	10	$41.8	10	9.3	14.5	12.5	16	4.17
First International Bancshares	54.7	48	103.4	42	7.0	13	13.5	13	12.7	16.7	15.4	21	2.34
First National Boston	134.4	71	249.6	62	12.4	18	23.6	20	9.2	13.3	11.3	11	3.83
First National City	694.2	51	1,295.2	41	64.1	28	122.3	26	9.2	10.9	15.0	24	1.95
Franklin New York	76.0	61	138.6	45	3.6	14	7.3	9	4.7	6.6	8.4	10	2.34
Harris Bankcorp	58.7	64	107.4	54	5.3	32	10.3	28	9.1	11.3	11.3	8	6.54
Hartford National	26.4	27	50.1	23	2.1	0	4.2	0	7.9	10.1	9.8	8	3.09
Indiana National	30.7	46	58.4	43	3.0	22	5.7	14	9.9	12.0	12.3	11	2.45
Industrial National	35.8	61	66.1	55	4.4	28	8.3	26	12.2	15.4	15.7	10	3.19
Lincoln First Banks	40.5	20	80.7	21	2.8	−21	6.6	−10	6.9	10.6	9.9	7	3.68
Manufacturers Hanover	279.7	67	513.8	59	23.4	26	46.6	27	8.4	11.1	12.1	12	3.14
Mfrs. National Detroit	39.2	23	75.9	20	4.3	33	8.2	24	11.1	10.3	13.2	7	5.07
Marine Bancorp Seattle	36.3	25	69.4	20	2.7	26	5.2	16	7.5	7.5	9.2	8	2.74
Marine Midland Banks	191.0	46	357.3	41	9.5	−11	19.1	−11	4.9	8.2	11.1	8	3.32
Mellon National	122.6	62	226.4	51	12.8	20	25.4	18	10.5	14.2	9.6	9	4.97
Midlantic Banks	26.9	31	51.1	25	3.4	11	6.8	14	12.8	15.0	14.4	8	4.71
Morgan (J. P.)	285.8	59	533.7	49	35.6	25	71.1	22	12.5	15.8	14.9	17	3.63
National Detroit	92.8	35	177.2	28	10.0	21	19.6	14	10.8	12.1	11.0	7	6.19
NCNB	66.7	60	123.2	55	6.8	26	13.2	25	10.2	13.1	16.9	25	1.52
Northwest Bancorp	101.4	28	196.3	26	11.7	12	23.5	17	11.6	13.2	13.7	15	3.93
Nortrust	47.4	47	88.2	37	5.0	29	9.9	24	10.5	12.0	12.3	10	3.91
Provident National	39.2	33	74.1	31	4.1	22	7.5	22	10.5	11.4	11.9	9	3.84
Seattle-First National	63.3	40	119.4	34	5.9	6	12.0	6	9.4	12.4	13.5	11	5.27
Security Pacific	200.6	35	378.0	30	14.7	−1	29.6	4	7.3	10.1	10.8	9	2.88
Southeast Banking	38.1	48	71.8	42	4.7	42	8.9	33	13.5	13.0	16.6	17	2.03
State Street Boston Financial	27.7	27	54.2	22	2.5	16	5.6	25	9.2	10.0	11.8	7	5.46
Texas Commerce Bancshares	35 4	70	66.5	62	5.0	23	10.4	30	14.1	19.5	14.2	16	2.14
U.S. Bancorp	41.0	26	79.2	23	4.7	20	9.4	20	11.6	12.1	14.3	10	2.25
United Virginia Bankshares	35.3	34	68.6	33	3.3	−5	7.0	7	9.4	13.1	14.6	12	2.91
Valley National Bank Arizona	45.8	23	88.5	19	3.9	−4	7.7	−6	8.6	11.1	13.1	13	1.76
Wachovia	77.7	34	149.0	29	8.4	11	16.7	8	10.7	13.0	12.5	15	2.25
Wells Fargo	178.0	48	328.7	39	11.1	17	21.4	22	6.3	7.9	11.7	11	2.24
Western Bancorp	273.5	33	518.4	28	19.2	13	37.5	17	7.0	8.3	11.8	9	3.25
Industry composite	6,311.2	44	11,851.4	37	559.8	14	1,104.7	14	8.9	11.2	12.7	12	3.13
BEVERAGES, BREWERS, DISTILLERS, SOFT DRINKS													
Anheuser-Busch	272.5	6	521.4	8	18.7	−9	37.1	−2	6.9	8.0	16.8	24	1.68
Coca-Cola Bottling of New York	56.8	6	103.5	8	3.5	14	5.5	15	6.1	5.7	15.3	26	.86
Dr. Pepper	27.1	21	48.1	23	2.8	20	4.6	20	10.5	10.5	30.6	59	.47
Falstaff Brewing	45.7	−14	84.9	1	−.7	NM	−1.9	NM	NM	1.3	−17.4	NM	−1.94
Heileman (G.) Brewing	[1] 45.2	67	84.5	60	1.4	10	2.7	13	3.2	4.8	19.5	7	1.59
Heublein [6]	[1] 192.8	58	453.0	29	14.0	16	22.6	17	7.3	9.9	20.6	22	2.21
National Distillers & Chemical	[1] 307.0	9	589.9	8	10.1	47	20.1	42	3.3	2.4	8.8	10	1.49
Pabst Brewing	[1] 131.0	5	240.1	6	7.8	4	14.2	8	5.9	6.0	14.3	15	3.11
PepsiCo	373.1	16	694.7	17	18.8	11	32.4	12	5.0	5.3	17.9	27	3.18
Royal Crown Cola	49.9	3	96.3	2	3.9	8	6.5	9	7.7	7.4	24.4	19	1.53
Schlitz (Jos.) Brewing	191.7	11	345.1	15	18.5	19	28.5	23	9.6	9.0	20.7	38	1.76
Seven-Up	40.6	8	70.2	8	4.1	8	6.8	8	10.1	10.1	28.9	25	1.16
Industry composite	1,733.5	14	3,331.7	14	102.9	9	179.1	11	5.9	6.2	15.8	25	1.68
BUILDING MATERIALS													
Cement, wood, paint, heating and plumbing, roofing, etc.													
Amcord	54.2	17	86.7	12	2.5	10	2.4	19	4.6	4.9	5.4	7	.61
Ameron [1]	39.6	16	71.8	25	1.5	11	2.2	41	3.8	4.0	10.6	6	2.34
Bliss & Laughlin Industries	**41.5	21	81.6	25	2.2	23	4.2	40	5.2	5.1	15.2	7	2.48
Boise Cascade	345.9	21	672.3	21	27.6	195	43.9	202	8.0	3.3	9.5	6	2.23
Brown [1]	74.5	18	137.7	21	2.9	326	3.8	332	3.9	1.1	11.7	6	1.72
Carrier [2]	237.2	15	421.3	19	12.1	23	18.3	25	5.1	4.8	12.3	16	1.46
Certain-teed Products	125.5	26	225.2	21	6.9	15	11.4	19	5.5	6.0	15.2	7	2.24

Footnotes at end of table.

Company	Sales: 2d quarter 1973	Sales: Change from 1972 (percent)	Sales: 6 mo. 1973	Sales: Change from 1972 (percent)	Profits: 2d quarter 1973	Profits: Change from 1972 (percent)	Profits: 6 mo. 1973	Profits: Change from 1972 (percent)	Margins: 2d quarter 1973 (percent)	Margins: 2d quarter 1972 (percent)	Return on common equity 12 mo. ending June 30	P-E July 31	12 mo. earnings per share
Champion International	$580.8	21	$1,105.8	19	$27.9	64	$48.3	63	4.8	3.5	11.3	7	2.37
Copeland [3]	53.2	11	106.8	19	2.9	18	6.0	24	5.5	5.2	22.9	13	1.56
Crane	240.0	11	454.9	11	5.3	92	8.0	64	2.2	1.3	9.7	6	2.98
De Sota	73.9	12	136.3	14	2.9	131	4.4	128	4.0	1.9	12.3	9	1.49
Evans Products	**302.3	16	532.5	20	11.9	24	16.1	24	3.9	3.7	14.0	8	1.84
Fedders [4]	**104.5	49	186.3	13	5.1	NM	7.5	22	4.9	.5	2.3	47	.30
Flintkote	119.6	10	198.2	10	6.3	18	6.2	21	5.3	4.9	8.7	6	2.81
General Portland	55.2	18	102.9	19	3.9	6	5.1	−6	7.2	7.9	9.2	7	1.61
Georgia-Pacific	589.4	37	1,107.2	38	56.6	126	93.5	110	9.6	5.8	20.7	14	2.73
Gifford-Hill	**50.4	21	86.9	18	3.3	12	4.9	0	6.5	7.0	13.1	7	2.11
Ideal Basic Industries	64.2	11	109.6	6	7.9	11	12.8	9	12.3	12.3	12.9	9	1.63
Interpace	52.3	−4	100.8	0	1.8	0	3.0	14	3.5	3.3	8.5	7	2.35
Johns-Manville	226.3	12	415.7	12	14.5	3	23.9	3	6.4	7.0	10.8	8	2.73
Kaiser Cement & Gypsum	46.5	17	80.9	10	3.4	27	4.8	7	7.3	6.7	8.7	7	1.14
Lehigh Portland Cement	36.7	7	61.5	4	3.5	75	4.5	85	9.6	5.9	8.7	6	2.38
Lone Star Industries	183.1	58	307.5	53	9.2	31	10.4	31	5.0	6.1	11.8	6	2.39
Marquette Cement Manufacturing	34.0	11	51.4	12	1.8	105	1.0	MN	5.2	2.8	1.8	17	.50
Masonite [4]	81.3	22	141.7	15	9.4	31	15.1	25	11.6	10.8	17.7	18	1.88
Medusa	38.0	13	58.8	17	2.5	17	2.1	64	6.6	6.4	9.6	8	3.03
National Gypsum	143.0	4	267.5	7	7.7	−9	13.8	0	5.4	6.1	9.8	7	1.90
NL Industries	328.4	25	616.1	23	14.6	24	22.5	17	4.4	4.5	9.6	9	1.67
Norris Industries	95.3	17	184.6	21	5.0	12	8.5	0	5.2	5.4	17.5	7	3.89
Owens-Corning Fiberglas	180.8	17	348.4	19	11.9	29	23.5	47	6.6	6.0	14.2	15	2.92
Potlatch	116.6	18	226.7	19	10.7	125	19.1	106	9.2	4.8	13.0	7	3.61
Robertson (H. H.)	64.9	12	122.8	10	1.4	8	2.6	52	2.1	2.2	11.6	7	2.73
Sherwin-Williams [4]	190.3	7	333.7	6	7.8	12	7.8	12	4.1	3.9	9.3	9	4.04
Sierra Pacific Industries	36.7	78	63.3	58	4.5	223	7.5	172	12.4	6.8	47.9	4	3.05
Southwest Forest Industries	114.6	37	218.7	56	3.9	33	6.9	47	3.4	3.5	11.8	4	2.25
Tecumseh Products	143.6	21	279.3	20	6.3	7	13.0	12	4.4	4.9	16.9	10	4.54
Temple Industries	31.6	17	60.5	20	3.7	41	7.0	35	11.7	9.7	16.3	9	1.84
Texas Industries [7]	**31.6	15	53.2	12	2.5	13	2.4	−25	7.9	8.0	14.1	8	2.24
Trane	86.0	16	156.5	17	6.1	24	10.7	42	7.1	6.6	13.2	13	3.69
U.S. Gypsum	188.3	15	358.4	16	13.8	11	25.4	9	7.3	7.6	11.0	8	2.91
Wallace-Murray	74.6	8	148.1	12	3.2	23	5.5	25	4.2	3.7	11.5	5	2.84
Walter (Jim) [4]	273.3	17	506.3	22	14.4	17	23.0	20	5.3	5.2	14.9	7	2.91
Weil-McLain	**42.1	12	77.5	14	2.0	10	3.1	23	4.7	4.9	13.8	6	1.86
Weyerhaeuser	635.8	51	1,171.5	54	113.9	179	200.2	174	17.9	9.7	27.2	14	4.44
Industry composite	6,627.3	22	12,235.0	23	469.4	66	766.2	65	7.1	5.2	14.0	9	2.54
CHEMICALS													
Air Products & Chemicals [3]	103.1	5	199.1	7	6.7	24	12.4	26	6.5	5.5	11.5	26	1.67
Airco	143.2	13	272.6	11	4.9	−17	8.6	−27	3.4	4.6	5.5	10	1.27
Akzona	181.0	27	347.4	24	8.0	68	16.5	62	4.4	3.4	10.5	11	2.37
Allied Chemical	432.5	11	821.5	11	29.4	47	50.2	51	6.8	5.1	9.9	12	2.99
American Cyanamid	372.1	2	728.8	6	28.8	−4	58.3	8	7.7	8.2	12.7	10	2.30
Big Three Industries	28.3	21	55.5	17	3.3	41	6.3	31	11.5	9.9	15.8	18	2.36
Cabot [3]	79.6	12	158.2	11	6.7	33	11.8	25	8.4	7.1	9.5	7	3.89
Celanese	410.9	18	792.8	16	20.6	137	35.3	69	5.0	2.5	11.3	8	4.42
Chemetron	87.2	11	171.5	7	2.6	29	5.2	23	3.0	2.5	5.3	7	2.30
Commercial Solvents	32.6	15	60.4	13	1.5	80	2.4	99	4.7	3.0	5.9	16	1.05
Dart Industries	247.9	11	480.0	10	15.6	18	29.0	24	6.3	5.9	10.7	13	2.57
Diamond Shamrock	164.4	15	321.2	11	14.9	56	25.1	60	9.1	6.7	9.9	9	2.31
Dow Chemical	747.4	23	1,450.2	21	79.5	52	137.4	47	10.6	8.6	18.0	22	2.54
Dupont	1,353.0	21	2,600.5	20	159.0	39	297.3	39	11.8	10.2	16.2	17	10.23
Emery Industries [9]	33.3	24	63.5	19	2.0	18	3.9	19	6.1	6.4	11.6	9	.87
Ethyl	179.2	14	343.3	11	14.3	25	26.4	24	8.0	7.2	15.7	6	4.58
Ferro	63.0	19	117.8	18	4.6	33	8.4	40	7.3	6.5	20.4	11	3.68
Freeport Minerals	40.9	10	78.4	4	5.7	56	10.4	33	14.0	9.9	8.3	20	1.27
GAF	213.5	10	406.0	11	7.7	8	13.5	9	3.6	3.7	8.1	6	1.83
Grace (W.R.)	724.3	21	1,336.1	19	27.0	20	37.9	20	3.7	3.8	9.4	10	2.40
Hercules	295.6	18	548.9	18	25.3	21	44.7	27	8.5	8.3	16.0	17	1.97
Inmont	106.5	16	203.4	14	3.5	34	6.4	37	3.3	2.8	8.8	6	1.25
Kewanee Oil	**51.0	17	96.2	16	3.7	26	6.7	16	7.2	6.7	10.2	9	1.50
Koppers	185.9	20	332.2	17	8.4	32	12.2	58	4.5	4.1	11.7	7	4.78
Lubrizol	**70.4	26	127.5	18	10.2	52	17.4	35	14.5	12.1	22.3	27	1.53
Monsanto	665.0	18	1,360.1	15	65.2	105	139.0	75	9.8	5.6	13.4	11	5.26
Nalco Chemical	56.1	11	105.3	11	6.4	21	11.6	21	11.4	10.5	21.4	30	1.11
National Starch & Chemical	53.9	19	104.9	20	4.4	22	8.6	26	8.2	8.0	17.8	23	2.50
Olin	316.3	9	618.3	11	15.5	25	27.1	27	4.9	4.3	7.5	8	1.80
Pennwalt	125.7	9	240.1	10	6.2	26	10.0	31	4.9	4.3	6.6	12	1.91
Pepi	69.9	12	120.3	10	3.0	25	4.0	26	4.3	3.9	6.6	13	1.99
Reichhold Chemicals	71.6	23	135.4	21	3.0	19	5.5	25	4.2	4.3	10.6	8	1.35
Rohm & Hass	203.0	26	382.0	26	18.4	43	33.9	50	9.1	8.0	14.1	22	4.52
Stauffer Chemical	156.0	12	328.2	15	11.5	26	27.9	51	7.4	6.5	14.2	10	4.33
STP	26.0	−7	47.7	−2	1.7	−9	3.3	9	6.6	6.7	14.6	7	1.20
Texasgulf	79.6	16	152.0	22	14.1	131	22.9	90	17.8	8.9	10.8	19	1.36
Union Carbide	973.5	20	1,888.9	20	76.9	48	143.2	40	7.9	6.4	13.0	9	4.09
Witco Chemical	92.7	24	177.7	25	4.5	29	8.1	35	4.8	4.7	12.6	7	2.70
Industry composite	9,236.8	17	17,773.8	16	724.9	42	1,329.1	40	7.8	6.4	13.0	13	3.13
CONGLOMERATES													
Avco [1]	169.2	12	319.1	15	13.1	16	23.2	20	7.7	7.5	6.7	4	2.65
City Investing	472.2	11	891.5	8	19.6	14	35.7	13	4.1	4.0	8.3	5	2.48
Colt Industries	219.9	19	428.0	22	6.5	27	12.1	49	2.9	2.8	6.2	7	2.42
Gulf & Western Industries [2]	506.0	13	959.6	15	24.1	41	46.0	38	4.8	3.8	12.6	6	4.25
Indian Head [1]	141.3	10	267.3	14	5.2	26	8.1	24	3.7	3.2	15.4	6	3.24
IU International	**371.9	32	705.3	25	17.5	21	35.6	21	4.7	5.1	19.2	12	2.07
Kaiser Industries	56.9	−16	100.5	−27	24.9	2.79	29.7	NM	43.7	9.7	6.7	5	1.22
Kaman	34.5	20	65.0	19	.8	41	1.4	32	2.3	1.9	10.2	6	2.65
Katy Industries	40.0	37	75.0	37	2.8	126	3.9	91	7.0	4.2	12.5	6	.94
Kidde (Walter)	246.3	18	478.9	21	9.2	19	18.3	20	3.7	3.7	12.2	6	3.33
Litton Industries [5]	638.6	6	1,190.2	8	11.1	NM	21.9	NM	1.7	NM	3.4	11	.77
LTV	1,018.0	15	2,001.2	20	7.6	54	16.9	188	.7	.6	8.8	4	2.18
Martin Marietta	300.5	13	548.7	12	18.2	6	24.9	8	6.0	6.4	11.4	7	2.40
Northwest Industries	201.4	20	370.5	17	15.4	10	26.7	13	7.6	8.3	14.6	5	4.70
Signal	*424.1	12	833.7	14	12.1	14	28.3	48	2.9	2.8	8.6	9	2.30
Studebaker-Worthington	287.7	21	539.3	22	9.5	12	15.8	16	3.3	3.6	11.9	5	8.08
Teledyne [2]	359.1	16	693.6	17	14.8	0	29.2	−1	4.1	4.8	9.3	8	1.86
Textron	470.4	7	922.2	7	24.4	15	45.9	17	5.2	4.8	17.5	9	2.52
Whittaker [2]	171.8	23	313.5	21	4.1	7	7.1	6	2.4	2.7	7.7	6	.68
Industry composite	6,129.8	14	11,703.3	15	240.7	40	430.8	45	3.9	3.2	9.8	7	2.21

Footnotes at end of table.

SURVEY OF CORPORATE PERFORMANCE: SECOND QUARTER 1973—Continued

[Dollar amounts in millions]

Company	Sales				Profits				Margins		Return on common equity 12 mo. ending June 30	P-E July 31	12 mo. earnings per share
	2d quarter 1973	Change from 1972 (percent)	6 mo. 1973	Change from 1972 (percent)	2d quarter 1973	Change from 1972 (percent)	6 mo. 1973	Change from 1972 (percent)	2d quarter 1973 (percent)	2d quarter 1972 (percent)			
CONTAINERS													
American Can	$545.7	2	$1,028.9	5	$19.4	7	$30.9	28	3.6	3.4	8.7	9	3.33
Anchor Hocking	92.4	7	180.3	8	4.5	−18	9.3	−4	4.8	6.3	12.7	7	2.89
Brockway Glass	66.4	17	129.5	16	3.3	−20	6.4	−14	5.0	7.3	11.4	6	2.80
Continental Can	635.1	11	1,200.5	11	27.7	16	44.2	21	4.4	4.2	12.0	9	3.03
Crown Cork & Seal	153.6	16	276.5	14	9.7	13	17.2	11	6.3	6.5	14.8	14	1.70
Diamond International	164.9	18	310.3	15	10.9	23	20.4	16	6.6	6.3	13.6	9	3.41
Dorsey	34.6	12	64.7	12	.7	−55	1.3	−50	1.9	4.7	7.4	6	.97
Federal Paper Board	65.1	15	122.7	11	3.8	81	5.4	50	5.8	3.7	7.6	6	3.14
Fibreboard	70.9	33	131.4	29	4.2	114	6.7	98	6.0	3.7	11.9	6	2.85
Inland Container	62.5	16	123.3	14	3.6	57	6.3	72	5.7	4.2	10.0	10	3.87
National Can	137.0	8	257.0	12	4.3	10	6.3	14	3.1	3.1	11.6	6	1.90
Owens-Illinois	469.6	14	888.5	10	23.3	16	36.3	14	5.0	4.9	10.1	8	4.27
Stone Container	38.7	26	73.0	20	1.6	100	2.9	102	4.1	2.6	11.3	7	1.43
Van Dorn	30.9	39	57.7	33	1.1	37	2.1	38	3.7	3.7	16.5	8	1.26
Industry composite	2,567.4	11	4,844.4	11	118.0	15	195.8	19	4.6	4.4	11.0	8	2.86
DRUGS													
Ethical, proprietary, medical, and hospital supplies													
Abbott Laboratories	150.4	21	289.5	18	10.2	20	20.8	18	6.8	6.8	14.8	23	3.10
American Home Products	440.1	11	927.7	11	45.3	19	96.8	17	10.3	9.6	28.5	39	1.16
American Hospital Supply	200.5	20	381.0	18	9.3	11	18.0	14	4.6	5.0	10.7	43	1.05
American Sterilizer	26.2	16	49.6	18	1.9	18	3.2	19	7.2	7.1	12.0	16	.78
Baxter Laboratories	87.7	30	165.7	23	7.6	34	14.0	27	8.7	8.4	13.5	59	.87
Becton, Dickinson [3]	89.0	19	174.8	18	6.2	20	12.5	18	7.0	6.9	14.2	28	1.39
Bristol-Myers	333.2	12	660.8	14	24.3	18	44.0	25	7.3	6.9	19.4	23	2.88
Damon [4]	31.3	15	61.3	15	2.4	28	4.5	30	7.7	7.0	24.2	35	1.33
ICN Pharmaceuticals [1]	42.7	6	83.0	6	1.3	34	2.5	28	3.2	2.5	6.3	20	.60
Johnson & Johnson	391.7	16	763.9	15	36.2	16	71.4	16	9.2	9.2	18.5	51	2.32
Lilly (Eli)	249.3	22	525.5	20	39.2	26	86.5	27	15.7	15.2	24.1	42	2.11
Merck	279.2	16	540.8	15	46.5	29	85.6	22	16.6	14.9	28.1	42	2.19
Miles Laboratories	83.6	12	170.0	11	3.9	21	8.3	20	4.6	4.3	14.4	15	3.10
Pfizer	312.5	18	593.2	16	25.3	17	53.4	18	8.1	8.2	16.8	31	1.61
Richardson-Merrell [6]	129.5	14	262.2	12	7.4	5	18.7	9	5.7	6.2	14.2	21	3.50
Robins (A.H.)	46.1	13	95.8	14	6.4	18	14.2	18	13.9	13.3	22.3	36	.97
Rorer-Amchem	51.7	34	111.7	21	5.4	48	13.1	26	10.5	9.4	24.1	18	1.70
Schering-Plough	**163.7	23	318.7	22	27.8	43	55.3	48	17.0	14.6	29.5	48	1.78
Searle (G.D.)	75.8	15	149.0	16	13.2	33	24.4	28	17.4	15.1	30.0	32	1.13
Smithkline	96.7	7	199.0	8	11.5	8	23.6	11	11.9	11.8	22.8	18	3.43
Squibb	210.6	15	404.4	15	19.5	14	34.2	14	9.3	9.3	16.1	30	3.31
Sterling Drug	190.2	10	379.8	10	15.0	10	34.1	10	7.9	7.9	19.6	29	1.23
Sybron	101.5	14	195.9	13	6.0	18	11.4	17	6.0	5.8	11.3	14	1.78
Upjohn	171.5	30	321.2	28	20.3	60	38.0	57	11.9	9.6	19.2	47	2.05
Warner-Lambert	399.8	10	796.7	10	32.2	12	66.8	13	8.0	7.9	16.2	30	1.67
Will Ross [9]	37.4	5	82.7	8	1.6	−9	4.1	5	4.3	4.9	13.6	15	1.45
Industry composite	4,391.7	16	8,703.9	15	426.1	22	859.3	21	9.7	9.2	19.7	31	1.73
ELECTRICAL, ELECTRONICS													
Heavy equipment, components, radio and TV sets, etc.													
Admiral	124.2	16	253.5	12	2.3	33	5.3	32	1.8	1.6	14.1	6	2.09
Ambac Industries	42.6	26	81.6	24	2.0	78	3.8	75	4.7	3.4	10.6	7	1.43
AMP	104.5	37	196.6	37	11.1	28	21.2	40	10.6	11.4	24.9	45	1.06
Bunker Ramo	74.1	15	138.4	10	2.5	−24	5.1	−11	3.3	5.0	8.9	6	1.57
Burndy	28.8	19	56.1	17	1.6	30	3.1	27	5.6	5.1	11.6	13	1.91
Crouse-Hinds	27.1	16	52.4	22	1.6	15	3.2	21	6.1	6.1	14.5	15	1.48
CTS	35.9	31	69.2	29	3.3	34	6.3	33	9.1	8.9	22.2	7	2.31
Cutler-Hammer	79.0	12	157.6	14	3.5	39	6.6	37	4.4	3.5	12.5	9	3.59
ESB [9]	87.3	10	187.2	9	2.6	22	7.8	28	3.0	2.7	11.2	10	2.88
E-Systems	35.8	−12	74.8	3	.8	13	1.6	24	2.4	1.9	9.9	6	1.69
Echlin Manufacturing [4]	36.4	40	64.9	35	2.0	29	3.8	27	5.5	5.9	28.7	27	1.24
Fairchild Camera & Instr	84.6	62	159.7	55	6.0	307	10.3	365	7.0	2.8	20.7	17	3.06
General Electric	2,886.9	13	5,434.3	14	137.3	13	251.7	12	4.8	4.8	18.7	21	3.06
General Instrument [10]	96.4	35	185.2	31	2.8	59	5.0	69	2.9	2.5	7.2	15	1.27
Globe-Union [3]	55.5	46	107.5	40	.5	113	1.1	12	1.0	.7	7.2	9	2.09
Hubbell (Harvey)	36.5	19	69.2	15	3.3	20	6.1	19	9.0	8.9	14.7	15	2.63
I-T-E Imperial	108.4	11	212.1	12	4.8	6	9.0	7	4.4	4.6	11.9	9	2.25
LCA	68.1	26	134.1	25	4.4	10	9.0	17	6.5	7.4	14.1	8	1.89
Leeds & Northrup	29.1	2	54.7	−1	.7	−55	1.0	−58	2.5	5.6	3.5	18	.70
Magnavox	130.6	−13	286.3	−8	.9	−79	2.8	−74	.7	2.9	6.2	14	.72
Mallory (P.R.)	54.6	18	107.5	18	2.1	26	4.0	23	3.9	3.7	10.4	10	2.11
McGraw-Edison	**220.6	17	442.6	23	11.2	9	20.8	8	5.1	5.5	12.9	11	2.70
Motorola	**368.6	31	689.9	30	23.7	73	38.0	75	6.4	4.9	16.2	22	2.47
National Semiconductor [7]	32.3	90	55.1	74	1.5	120	2.3	99	4.5	3.9	20.2	39	.96
North American Philips	196.7	13	359.9	13	9.2	17	15.3	17	4.7	4.5	13.2	7	3.40
Oak Industries	29.9	17	58.1	19	1.2	52	2.2	85	4.0	3.1	13.9	7	2.13
RCA	1,032.5	12	2,046.1	11	46.3	15	88.0	15	4.5	4.3	17.4	12	2.20
Raytheon	400.6	6	768.7	4	12.2	11	22.9	8	3.0	2.9	12.6	9	2.76
Reliance Electric [2]	113.0	22	214.9	20	5.0	47	9.0	55	4.4	3.6	11.0	9	1.74
Sola Basic Industries [9]	33.1	20	66.8	21	1.2	21	3.1	24	3.7	3.7	10.8	9	1.64
Sperry Rand [9]	599.0	20	1,234.0	18	23.5	32	52.7	39	3.9	3.6	11.2	16	2.79
Square D	98.4	12	187.2	12	8.3	−10	15.8	−8	8.5	10.5	20.7	19	1.47
Texas Instruments	316.4	34	605.4	34	20.4	72	39.3	74	6.4	5.0	17.4	37	2.89
Thomas Industries	29.8	21	59.6	19	1.5	25	3.1	19	5.1	5.0	16.2	8	1.45
UV Industries	110.5	18	213.2	17	5.2	59	9.0	55	4.7	3.5	NA	6	4.72
VLN	30.0	13	60.1	11	1.2	19	2.5	30	3.9	3.7	10.0	8	.87
Westinghouse Electric	1,409.5	12	2,677.6	10	53.4	1	94.1	−1	3.8	4.2	10.6	17	2.22
Zenith Radio	201.0	43	422.2	31	6.6	78	22.6	63	3.3	2.7	22.8	13	3.01
Industry composite	9,447.9	16	18,244.3	15	427.7	19	808.7	19	4.5	4.4	15.0	14	2.39

Footnotes at end of table.

Company	Sales: 2d quarter 1973	Sales: Change from 1972 (percent)	Sales: 6 mo. 1973	Sales: Change from 1972 (percent)	Profits: 2d quarter 1973	Profits: Change from 1972 (percent)	Profits: 6 mo. 1973	Profits: Change from 1972 (percent)	Margins: 2d quarter 1973 (percent)	Margins: 2d quarter 1972 (percent)	Return on common equity 12 mo. ending June 30	P-E July 31	12 mo. earnings per share
FOOD													
Baked goods, canned and packaged foods, dairy products, meat, condiments, et cetera													
Allied Mills [9]	$147.1	71	$278.8	66	$7.0	NM	$8.4	NM	4.7	NM	17.3	6	4.41
American Maize Products	37.3	8	73.0	8	.9	−1	2.1	21	2.5	2.7	7.3	8	.88
Arizona Colorado Land & Cattle	**31.2	103	58.7	110	1.6	83	2.9	97	5.1	5.6	25.0	13	1.41
Beatrice Foods [10]	750.9	12	1,494.6	15	25.1	13	45.2	15	3.3	3.3	16.9	15	1.40
Borden	636.9	9	1,204.6	8	21.2	10	36.9	9	3.3	3.3	9.7	10	2.29
Brewer (C.)	43.4	31	83.1	23	2.3	12	4.1	32	5.4	6.3	8.0	8	1.72
CPC International	436.2	12	836.3	12	17.3	15	32.7	23	4.0	3.9	14.3	10	2.97
Campbell Soup [5]	317.2	14	645.6	13	20.6	40	43.9	37	6.5	5.3	14.0	13	2.32
Campbell-Taggart	101.4	22	193.1	19	3.0	3	5.7	−1	2.9	3.5	13.8	9	2.64
Castle & Cooke	161.3	11	294.6	7	8.7	22	13.9	14	5.4	4.9	NA	NA	NA
Central Soya [4]	341.2	53	647.5	45	6.8	95	14.5	89	2.0	1.6	15.0	10	3.10
Cook Industries [7]	**111.5	107	182.1	87	12.2	724	21.3	837	11.0	2.8	52.1	2	7.83
Del Monte [7]	264.9	9	507.0	8	9.5	13	15.5	11	3.6	3.5	10.9	9	2.16
Esmark [2]	971.7	20	1,839.6	17	10.3	23	19.6	29	1.1	1.0	9.9	7	3.26
Fairmont Foods [10]	102.6	9	194.9	8	1.2	−20	2.3	−2	1.2	1.6	7.8	8	1.13
Federal [7]	**96.5	34	173.9	31	3.2	83	4.9	54	3.3	2.4	12.1	7	5.10
Flavorland Industries [9]	67.2	−3	140.4	3	.2	−56	.9	9	.3	.6	10.5	4	1.85
General Foods [9]	664.2	10	1,415.1	12	26.5	6	57.8	7	4.0	4.1	13.8	12	2.24
General Host	**141.8	15	275.8	15	.9	NM	.8	NM	.6	NM	13.1	5	2.16
General Mills [7]	398.3	17	782.4	18	14.3	14	27.9	15	3.6	3.7	16.4	21	2.80
Gerber Products [9]	65.4	−6	136.3	−3	2.9	−39	6.4	−34	4.4	6.8	11.0	11	1.63
Green Giant [9]	77.3	7	178.2	12	1.5	8	4.6	10	2.0	2.0	8.5	10	2.21
Greyhound	**846.2	18	1,625.0	18	16.4	0	25.1	1	1.9	2.3	13.6	8	1.67
Heinz (H. J.) [8]	307.7	−13	593.3	−3	22.6	35	30.0	27	7.3	4.7	12.6	14	3.31
Hormel (Geo. A.) [2]	196.3	14	374.5	9	.2	−71	2.0	−34	.1	.4	6.8	12	1.40
Hygrade Food Products [2]	107.5	22	207.3	20	.9	195	2.0	48	.8	.3	11.5	8	2.98
Interstate Brands	69.1	3	156.1	2	0	−98	−.6	NM	0	1.6	−.9	NM	−.18
International Multifoods [10]	156.6	31	304.8	28	1.7	20	5.0	20	1.1	1.2	10.4	9	2.86
Iowa Beef Processeros [2]	390.3	28	760.0	32	3.1	120	6.1	113	.8	.5	21.6	5	4.27
Kane-Miller	155.4	53	295.0	53	2.0	45	3.8	107	1.3	1.4	10.9	6	2.61
Keebler	51.6	10	102.6	11	1.0	−2	1.8	2	2.0	2.2	8.9	9	2.20
Kellogg	205.0	7	417.3	16	15.9	9	29.9	12	7.8	7.6	22.6	16	.87
Kraftco	871.0	12	1,727.9	11	24.5	9	51.1	8	2.8	2.9	13.7	12	3.71
Mayer (Oscar) [2]	210.1	19	403.6	18	3.1	−23	8.0	4	1.5	2.3	11.8	13	1.73
Missouri Beef Packers [2]	124.4	31	241.1	36	.5	415	1.4	241	.4	.1	19.6	4	2.89
Nabisco	317.9	8	632.9	11	10.9	−11	24.3	−5	3.4	4.1	15.9	12	3.52
National Industries	**132.8	11	249.4	12	1.8	44	2.0	20	1.3	1.0	2.8	10	.30
Pillsbury [7]	233.9	25	430.4	21	5.4	10	9.5	22	2.3	2.6	12.1	12	3.86
Ralston Purina [3]	610.4	44	1,181.0	36	21.2	56	39.5	37	3.5	3.2	15.5	20	2.18
Rath Packing [2]	94.6	36	181.4	29	.3	NM	.7	NM	.3	NM	−14.3	NM	−2.10
Seaboard Allied Milling	74.1	35	112.6	34	.8	−7	1.3	8	1.1	1.5	10.1	4	1.70
Staley (A. E.) Manufacturing [3]	120.0	38	232.5	37	2.1	43	4.3	77	1.7	1.7	7.9	8	3.12
Standard Brands	* 350.5	9	672.1	9	11.1	11	22.3	10	3.2	3.1	14.9	15	3.35
Stockely-Van Camp	86.1	5	165.9	4	2.5	3	4.3	6	2.9	2.9	8.0	7	2.26
Tasty Banking	26.3	17	52.0	16	.9	3	1.7	−3	3.3	3.7	14.4	8	1.52
Tropicana Products [4]	28.9	7	59.7	11	2.8	18	5.1	15	9.7	8.8	25.3	26	1.03
United Brands	540.7	25	1,028.3	25	9.4	52	11.1	36	1.7	1.4	2.6	8	1.06
Wrigley (Wm.) Jr	59.9	8	111.9	8	6.3	12	10.5	10	10.5	10.2	15.3	13	4.89
Industry composite	12,332.8	18	23,953.9	17	364.7	23	674.3	22	3.0	2.8	13.0	10	2.14
GENERAL MACHINERY													
Machine tools, industrial machinery, metal fabricators, etc.													
ATO	109.9	12	212.9	11	3.1	36	5.2	23	2.8	2.3	9.3	7	1.12
Acme-Cleveland [3]	34.6	39	67.7	38	2.0	123	3.9	134	5.8	3.6	10.1	9	1.67
American Chain & Cable	64.4	43	121.2	46	2.0	119	4.0	330	3.2	2.1	9.2	7	3.34
Amtel	47.6	83	84.4	63	1.3	507	2.4	469	2.6	.8	9.4	9	.62
Associated Spring	44.5	16	87.1	14	2.2	27	4.0	27	4.9	4.5	12.8	8	3.20
Babcock & Wilcox	280.5	20	518.9	8	9.1	20	14.1	7	3.2	3.2	8.4	12	2.06
Baker Oil Tools [3]	48.4	9	92.5	7	2.7	−14	5.5	−2	5.7	7.2	15.4	27	1.10
Black & Decker Manufacturing [3]	107.1	23	221.0	22	7.6	29	17.3	26	7.1	6.7	17.4	50	2.45
Chicago Pneumatic Tool	60.9	18	114.4	25	4.3	11	8.1	15	7.0	7.5	10.9	11	3.12
Cincinnati Milacron	86.1	34	168.4	37	2.3	828	4.3	NM	2.6	.4	4.4	17	1.69
Combustion Engineering	330.4	13	578.8	11	10.0	7	18.9	8	3.0	3.2	13.8	20	3.90
Cooper Industries	74.9	35	140.8	28	4.8	50	8.6	46	6.4	5.8	13.8	10	3.10
Crompton & Knowles	31.4	−5	60.4	−5	1.2	5	2.2	4	3.8	3.5	9.9	8	1.82
Dover	7.56	75	137.9	52	4.8	42	9.0	35	6.3	7.8	20.1	11	3.70
Dresser Industries [2]	242.0	9	457.1	7	10.3	8	17.8	7	4.2	4.3	7.7	15	2.98
Emhart	68.9	0	135.8	1	3.9	26	7.4	16	5.7	4.5	10.8	6	3.14
Envirotech [9]	54.3	35	109.1	34	1.7	21	3.4	21	3.2	3.6	9.7	27	1.54
Ex-Cell-O [1]	84.7	24	160.3	21	4.3	133	7.8	118	5.1	2.7	7.8	10	1.67
Foster Wheeler	137.0	4	248.8	−5	2.3	29	4.0	22	1.7	1.3	10.5	16	2.47
Gardner-Denver	71.0	30	129.1	28	7.4	9	12.3	10	10.4	12.4	15.0	13	1.46
Garlock	32.5	22	64.3	27	1.5	20	2.9	30	4.5	4.6	12.6	8	2.17
Halliburton	488.1	49	982.1	60	23.0	45	38.2	33	4.7	4.8	17.8	38	4.28
Ingersoll-Rand	261.3	16	494.4	15	21.6	17	40.1	15	8.3	8.2	14.0	13	4.50
Joy Manufacturing [2]	88.7	7	170.1	4	3.6	10	5.3	−33	4.1	4.0	5.6	19	1.71
Keene	41.8	18	81.4	19	.9	3	1.6	8	2.3	2.6	8.1	6	.87
McNeil	34.1	6	67.5	10	1.6	25	3.0	33	4.6	3.9	8.6	8	1.81
Midland-Ross	84.5	17	162.7	22	2.5	15	4.3	18	3.0	3.0	6.8	8	1.54
Otis Elevator	213.8	10	365.7	10	11.3	67	19.4	37	5.3	3.5	13.4	10	4.16
Peabody Galion [3]	48.8	21	90.9	22	2.2	26	3.8	26	4.5	4.3	13.4	22	1.26
Roper	91.3	16	178.1	18	2.2	4	4.8	8	2.5	2.7	10.8	7	2.94
Smith International Industries	** 30.2	20	58.8	23	1.6	13	3.4	30	5.4	5.7	14.2	19	1.01
Sundstrand	94.9	33	181.3	31	3.4	75	6.4	72	3.6	2.7	6.4	12	1.61
U.S. Filter	39.1	30	73.4	21	1.9	27	3.4	25	4.8	4.9	NA	13	.84
USM [10]	151.0	26	300.3	22	4.5	183	8.6	204	2.9	1.3	6.4	7	2.84
Warner & Swasey	56.8	39	107.9	43	3.7	184	6.1	185	6.5	3.2	8.4	11	2.57
Zurn Industries [9]	52.0	8	108.9	12	1.2	15	3.2	50	2.2	2.1	10.5	15	1.00
Industry composite	3,863.5	22	7,334.3	21	173.6	33	314.5	29	4.5	4.1	11.3	14	2.41

Footnotes at end of table.

SURVEY OF CORPORATE PERFORMANCE: SECOND QUARTER 1973—Continued

[Dollar amounts in millions]

Company	Sales				Profits				Margins		Return on common equity 12 mo. ending June 30	P-E July 31	12 mo. earnings per share
	2d quarter 1973	Change from 1972 (percent)	6 mo. 1973	Change from 1972 (percent)	2d quarter 1973	Change from 1972 (percent)	6 mo. 1973	Change from 1972 (percent)	2d quarter 1973 (percent)	2d quarter 1972 (percent)			
INSTRUMENTS													
Controls, measuring devices, photo and optical													
Ametek	$46.8	16	$90.7	15	$2.3	36	$4.4	42	5.0	4.3	16.2	10	1.53
Bausch & Lomb	56.6	20	107.1	19	2.8	14	5.1	15	5.0	5.3	9.5	20	1.42
Bell & Howell	100.7	13	197.0	15	5.0	13	9.2	20	5.0	5.0	11.8	9	3.25
Bulova Watch [9]	45.1	33	87.7	29	1.0	15	2.4	89	2.3	2.7	8.9	9	1.77
EG & G	35.9	−5	69.0	0	1.2	27	2.0	24	3.2	2.4	13.1	19	.75
Eastman Kodak	906.7	15	1,704.4	17	154.3	31	277.0	34	17.0	15.0	23.2	36	3.82
Fisher Scientific	34.1	9	68.8	11	.7	14	1.5	10	2.1	2.0	6.3	10	.81
Foxboro	44.6	18	79.7	4	2.7	288	3.4	82	6.1	1.8	5.6	26	1.34
General Signal	98.1	11	190.3	10	4.6	17	8.5	18	4.7	4.4	12.0	18	2.46
Hewlett-Packard [3]	163.6	40	290.6	35	14.6	70	23.3	53	8.9	7.4	16.1	51	1.72
Itek	51.0	8	100.2	9	1.5	12	2.7	8	2.9	2.8	7.5	16	1.89
Johnson Service	60.2	17	113.5	12	2.2	0	4.3	1	3.6	4.2	12.9	8	2.36
Polaroid	**143.3	17	278.6	19	8.4	14	19.6	21	5.8	6.0	8.1	92	1.40
Ranco [3]	29.0	25	56.5	17	1.3	6	2.6	3	4.7	5.5	13.9	8	2.06
Robertshaw Controls	48.5	14	97.5	15	2.9	8	5.5	10	6.0	6.3	12.9	9	2.66
Sherwood Medical Industries	33.0	5	65.1	5	2.4	11	4.7	6	7.3	6.9	17.3	10	1.77
Talley Industries [9]	68.3	6	130.0	10	1.8	−28	3.9	−6	2.7	3.9	8.0	4	1.23
Technicon	31.9	17	61.0	18	3.9	35	7.1	48	12.1	10.5	16.0	23	.66
Tektronix [7]	56.4	29	116.0	25	4.6	21	9.3	24	8.2	8.7	11.3	21	1.92
Varian Associates [3]	62.8	20	123.6	19	1.8	52	3.4	113	2.8	2.2	5.3	14	.92
Industry composite	2,117.0	16	4,027.2	17	220.1	30	399.8	32	10.4	9.3	17.4	21	2.67
LEISURE TIME INDUSTRIES													
American Greetings [10]	**49.0	11	89.1	12	2.5	17	6.6	14	6.0	5.7	16.4	40	1.09
AMF	255.6	11	474.5	10	14.7	6	29.3	6	5.7	6.0	21.9	9	3.07
Brunswick	172.1	−1	346.6	11	10.3	22	19.5	23	6.0	4.9	16.7	11	2.12
Champion Home Builders [10]	92.5	23	157.3	23	4.5	0	7.0	−7	4.8	5.9	38.3	13	.47
Coleman	52.9	18	103.9	20	3.0	16	6.1	25	5.7	5.8	15.4	13	1.55
Disney (Walt) Productions [8]	102.4	19	188.8	17	13.8	34	24.2	25	13.4	11.9	9.9	56	1.57
Fleetwood Enterprises [8]	103.4	20	172.6	26	6.0	42	7.4	31	5.8	5.0	24.2	10	1.29
Fuqua Industries	**117.1	25	236.3	25	4.0	28	7.2	28	3.4	3.3	14.3	6	1.98
Gino's	42.6	29	75.6	27	2.3	36	3.1	38	5.3	5.1	27.9	13	1.26
Hilton Hotels	94.5	6	186.3	8	6.0	11	11.8	29	6.3	6.0	10.4	10	2.35
Holiday Inns	226.7	14	420.5	13	14.2	21	21.6	17	6.2	5.8	12.6	15	1.47
Host International	41.1	18	77.2	15	1.8	20	2.8	18	4.3	4.2	18.8	10	1.19
Howard Johnson	93.4	13	171.7	13	6.0	14	9.3	19	6.5	6.4	14.5	22	.96
Madison Square Garden [7]	38.8	40	67.9	35	1.3	−26	2.1	1	3.2	6.1	3.0	12	.55
Marriott [5]	132.3	28	285.2	29	5.9	18	10.6	22	4.5	4.8	11.6	43	.69
McDonald's	**147.2	40	272.2	43	14.6	39	25.1	46	9.9	10.0	23.6	57	1.13
Metro-Goldwyn-Mayer [4]	**45.1	33	90.5	10	−2.7	NM	.5	−87	NM	3.1	5.4	20	.95
Murray Ohio Manufacturing	37.2	9	69.3	11	1.5	19	3.0	20	4.0	3.7	16.2	11	2.62
National Homes	62.6	−5	111.6	6	−2.3	NM	−4.3	NM	NM	4.2	−2.2	NM	−.25
Norlin	39.6	18	76.6	20	1.6	28	2.9	29	3.9	3.6	12.4	5	3.58
Ramada Inns	**49.7	31	88.9	25	4.0	21	7.6	20	8.1	8.8	14.1	16	.60
Skyline [7]	112.6	15	179.0	11	5.7	−16	7.8	−22	5.0	6.9	26.4	13	1.59
Twentieth Century-Fox Film	**64.1	31	126.1	33	2.6	48	5.1	29	4.1	3.6	9.8	9	.92
Webb (Del E.)	**72.5	−14	146.1	−13	2.0	84	3.4	66	2.8	1.3	9.9	9	.63
Western Publishing	47.9	14	92.6	10	1.7	57	3.4	39	3.6	2.6	12.5	7	2.40
Winnebago Industries [10]	62.6	6	110.9	18	4.0	−35	8.0	−18	6.5	10.6	25.0	9	.68
Industry composite	2,347.4	15	4,417.2	16	128.9	9	231.0	12	5.5	5.8	14.4	18	1.22
METALS AND MINING													
Nonferrous metals, coal, iron ore, etc.													
Aluminiun Co. of America	541.6	21	1,037.5	20	30.3	47	51.3	27	5.6	4.6	8.8	13	5.10
American Metal Climax	336.7	54	613.3	46	24.9	51	46.8	55	7.4	7.6	11.7	11	3.21
American Smelting & Refining	273.9	32	529.9	27	28.0	129	44.7	80	10.2	5.9	10.1	8	2.59
Anaconda	333.6	24	624.0	23	21.9	49	35.2	48	6.6	5.5	6.0	9	2.50
Belden	38.2	25	74.3	24	1.5	12	2.7	9	4.0	4.4	15.0	8	2.53
Cerro	224.5	53	414.1	50	13.0	89	19.8	93	5.8	4.7	9.9	4	4.12
Chromalloy American	171.4	24	321.2	26	6.4	14	11.4	21	3.8	4.1	12.9	6	2.01
Cleveland-Cliffs Iron	**40.9	40	52.5	23	7.1	53	9.3	39	17.2	15.8	12.1	11	6.25
Copper Range	34.6	41	66.3	32	2.2	NM	2.8	NM	6.3	NM	.7	59	.29
Cyprus Mines	**115.1	34	211.8	25	10.7	28	20.1	20	9.3	9.7	15.7	10	3.58
Easco	36.8	19	74.6	19	1.3	16	2.6	21	3.5	3.5	10.0	7	1.82
Eastern Gas & Fuel Association	76.6	−5	174.3	−2	1.8	−54	8.3	−28	2.4	4.9	7.7	12	1.46
Essex International	220.1	26	423.8	26	11.4	14	22.3	16	5.2	5.7	15.9	8	2.18
Foote Mineral	31.5	33	60.6	34	.7	197	1.0	111	2.2	1.0	0	NM	0
Gulf Resources & Chemicals	**37.3	12	70.5	10	1.8	41	3.3	123	4.8	3.9	14.4	10	.96
Homestake Mining	**28.2	107	58.0	115	6.6	255	10.2	254	23.3	13.6	17.7	18	2.58
Kaiser Aluminum & Chemical	353.8	28	640.9	27	15.3	80	25.0	131	4.3	3.1	4.6	13	1.36
Kennecott Copper	352.1	25	663.1	20	41.5	85	70.1	72	11.8	7.9	9.6	8	3.52
Martin Marietta Aluminum	63.1	29	123.4	22	1.2	60	1.2	−43	1.9	1.5	.5	78	.11
North American Coal	32.1	25	63.6	31	1.4	48	2.1	6	4.3	3.7	9.7	12	1.77
Phelps Dodge	254.4	23	469.9	21	29.3	18	54.6	16	11.5	12.0	12.1	11	4.38
Pittston	145.7	5	338.4	2	5.9	3	13.3	−15	4.0	4.1	9.7	18	1.30
Revere Copper & Brass	125.9	25	242.0	24	.3	NM	−.5	NM	.3	0	−.6	NM	−.15
Reynolds Metals	358.0	17	674.8	17	5.7	750	9.1	NM	1.6	0.2	1.5	28	.53
St. Joe Minerals	62.3	23	121.8	20	8.0	34	15.8	28	12.9	11.8	15.5	9	3.33
Triangle Industries	60.7	32	113.9	31	1.2	60	2.2	52	2.0	1.6	7.5	9	1.71
Universal Oil Products	236.4	93	369.3	60	3.8	11	8.1	17	1.6	2.8	9.2	15	1.52
Industry Composite	4,616.5	29	8,683.3	25	295.3	56	512.9	47	6.4	5.3	9.0	15	2.60

Footnotes at end of table.

Company	Sales: 2d quarter 1973	Sales: Change from 1972 (percent)	Sales: 6 mo. 1973	Sales: Change from 1972 (percent)	Profits: 2d quarter 1973	Profits: Change from 1972 (percent)	Profits: 6 mo. 1973	Profits: Change from 1972 (percent)	Margins: 2d quarter 1973 (percent)	Margins: 2d quarter 1972 (percent)	Return on common equity 12 mo. ending June 30	P-E July 31	12 mo. earnings per share
MISCELLANEOUS MANUFACTURING													
ACF Industries	$105.3	17	$212.6	20	$6.5	46	$13.9	46	6.2	5.0	11.6	12	4.18
Allied Products	61.7	9	116.8	14	1.7	15	3.0	32	2.8	2.7	11.5	6	2.96
Amsted Industries [3]	104.5	20	193.2	23	4.7	12	7.8	39	4.5	4.8	10.8	8	5.37
Apache	**41.4	25	76.4	23	2.0	41	3.6	35	4.7	4.2	12.8	8	1.85
Armstrong Cork	209.4	18	401.4	19	17.7	47	32.5	43	8.4	6.8	13.2	15	1.98
Athlone Industries	49.3	21	93.2	21	1.5	51	2.6	52	3.0	2.4	13.1	5	2.66
Bath Industries	103.7	18	192.0	17	6.2	21	10.5	7	6.0	5.8	26.6	7	3.05
Bemis	**123.8	18	240.2	17	3.8	40	6.6	33	3.0	2.6	10.3	8	2.60
Butler Manufacturing	61.4	24	104.2	27	4.3	70	6.0	83	7.0	5.1	18.6	8	5.24
Carborundum	103.4	20	199.6	18	5.6	32	10.3	36	5.4	4.9	10.4	10	5.14
Ceco	66.5	21	118.0	16	2.4	3	3.4	−6	3.6	4.2	11.0	7	2.40
Corning Glass Works	214.4	43	418.4	32	17.7	42	36.0	39	8.3	8.3	14.0	30	3.62
Eagle-Picher Industries [1]	81.9	21	151.5	14	4.2	28	7.2	29	5.1	4.8	15.2	9	2.97
General American Trans	102.4	23	190.0	18	11.3	22	22.1	20	11.0	11.1	12.5	13	3.57
General Cable	130.9	37	237.9	32	4.8	12	8.5	8	3.6	4.5	10.0	8	1.11
General Refractories	57.5	37	105.3	30	1.3	128	1.7	NM	2.3	1.4	3.5	8	.76
Howmet	100.6	16	193.3	20	5.4	25	9.3	0	5.3	5.0	11.4	9	1.35
Illinois Tool Work	48.8	25	95.0	27	4.6	34	8.4	36	9.4	8.7	19.3	23	1.42
Insilco	98.4	12	187.1	12	4.2	10	7.2	6	4.2	4.3	13.2	8	1.34
Kroehler Manufacturing	32.6	14	64.2	11	.6	13	1.2	8	1.8	1.8	7.1	7	2.74
Lamson & Sessions	27.0	23	51.3	20	.9	55	1.5	36	3.4	2.7	6.2	8	1.74
Lionel	*27.2	20	47.6	26	.2	−21.	−.6	NM	.6	.8	10.3	12	.32
Ludlow	57.0	14	106.4	11	1.5	−1	2.3	−17	2.7	3.1	9.2	8	1.68
Microdot	60.3	27	119.3	30	2.7	24	5.5	41	4.5	4.6	22.5	6	2.22
Minnesota Mining & Manufacturing	641.9	22	1,217.9	19	76.9	29	142.2	24	12.0	11.4	20.9	35	2.41
Norton	120.4	26	230.6	24	7.8	52	15.8	80	6.5	5.4	9.9	7	4.03
Nucor	26.1	37	50.5	32	1.2	21	2.4	20	4.6	5.2	25.9	7	2.54
Philips Industries [5]	59.5	7	111.8	7	2.4	1	4.4	19	4.0	4.2	14.2	7	1.10
Pittsburgh-Des Moines Steel	37.1	39	54.9	26	1.2	88	1.4	52	3.2	2.4	8.6	13	4.13
Porter (H. K.)	67.2	14	134.4	15	.6	19	1.3	162	.9	.8	1.4	30	.87
PPG Industries	384.7	7	755.0	10	24.2	14	48.2	21	6.3	5.9	12.7	7	4.37
Pullman	**237.1	27	458.3	24	10.5	168	16.8	109	4.4	2.1	11.3	13	5.54
Roblin Industries	**27.0	0	52.0	5	.3	−49	.5	−40	1.1	2.1	17.7	4	.75
Scott & Fetzer [1]	71.8	21	131.5	20	5.4	21	9.6	20	7.6	7.5	26.2	13	2.62
Scovill Manufacturing	148.3	11	293.5	15	5.0	11	9.5	15	3.4	3.4	11.7	8	2.40
Signode	85.9	21	165.5	24	5.5	17	10.6	27	6.4	6.6	16.1	19	2.79
Simmons	99.8	15	193.5	17	3.6	16	6.3	23	3.6	3.6	10.1	9	2.07
Standard Pressed Steel	37.8	18	73.6	20	1.7	115	3.2	206	4.4	2.4	8.8	7	.99
Stanley Works	122.9	20	236.8	22	6.2	23	11.5	23	5.0	4.9	14.1	13	2.85
Todd Shipyards [9]	37.8	−25	82.2	−12	.1	−75	1.0	NM	.2	.6	.1	NM	.04
Trans Union	**86.2	14	161.1	17	7.6	18	14.1	14	8.9	8.6	14.5	12	2.78
Trinity Industries [8]	44.5	160	83.0	143	1.2	214	2.0	100	2.7	2.2	15.4	10	2.19
Tyler	45.7	14	83.7	16	2.4	4	3.8	5	5.3	5.8	19.6	6	2.89
U.S. Industries	418.9	5	828.0	7	19.9	5	39.0	3	4.7	4.8	15.6	5	2.41
Unarco Industries	34.0	38	64.1	31	1.3	116	2.3	71	3.8	2.4	14.6	7	1.54
Vulcan Materials	81.4	15	146.7	17	6.6	25	8.2	41	8.1	7.5	16.4	8	3.32
Wheelabrator-Frye	53.3	30	105.4	31	2.2	23	4.0	25	4.0	4.3	9.8	14	1.11
Industry composite	5,038.7	19	9,629.1	18	309.1	28	568.5	28	6.1	5.7	14.3	11	2.50
NONBANK FINANCIAL													
Aetna Life & Casualty	1,140.1	8	2,378.4	13	50.9	8	85.3	17	4.5	4.5	12.7	10	6.97
Capital Holding	77.8	5	154.8	6	10.3	13	19.1	13	13.2	12.3	11.1	21	1.41
Continental	803.5	105	1,201.7	55	31.8	13	62.9	16	4.0	7.2	8.8	8	5.13
Creditthrift Financial	**34.9	10	61.0	9	2.4	−14	4.8	−6	6.9	8.9	16.2	9	.98
Hutton (E. F.)	**33.1	−9	69.5	−10	−.9	NM	.6	−92	NM	6.6	9.7	10	.97
INA	485.4	20	929.3	19	27.2	13	47.9	2	5.6	5.9	10.5	9	4.47
Marlennan	**5.30	7	109.4	9	7.8	20	16.3	15	14.7	13.1	26.0	22	2.06
Merrill Lynch	**158.9	−13	343.3	−11	2.8	−84	13.6	−68	1.7	9.4	9.6	13	1.28
MGIC Investment	**40.2	42	74.1	55	10.7	59	19.7	65	26.6	23.7	18.1	47	1.61
Transamerica	**515.5	5	1,010.8	6	21.6	3	42.7	8	4.2	4.3	10.7	11	1.25
USLIFE	81.9	8	161.4	10	5.9	3	11.4	8	7.2	7.6	19.0	22	1.46
Witter (Dean) [4]	35.1	−19	72.7	−14	.1	−96	1.6	−74	−.4	7.5	8.5	7	1.28
Industry composite	3,459.3	21	6,566.3	16	170.5	−2	325.8	−1	4.9	6.1	11.2	16	2.51
OFFICE EQUIPMENT, COMPUTERS													
Addressograph-Multigraph [8]	130.5	8	245.1	9	2.8	−53	6.0	−33	2.2	4.9	6.6	8	1.71
Apeco [1]	38.8	17	69.8	15	1.0	−36	1.8	−34	2.5	4.6	5.9	16	.25
Burroughs	**314.3	25	588.8	25	26.1	29	42.5	31	8.3	8.0	12.6	45	5.16
Control Data	229.2	38	432.2	46	15.5	−9	31.9	19	6.7	10.2	8.6	9	4.00
Diebold	47.1	23	92.7	23	3.0	55	5.9	58	6.3	5.0	17.2	22	2.24
Electronic Memories & Magnet	26.9	56	51.6	52	1.1	261	2.1	NM	4.2	1.8	35.3	8	.50
Honeywell	572.2	12	1,098.1	14	19.6	46	35.7	45	3.4	2.6	10.7	25	4.63
International Business Machines	2,546.7	8	4,997.2	7	356.7	14	696.8	13	14.0	13.2	18.5	34	9.33
Nashua	56.2	31	104.4	26	3.2	22	5.8	26	5.7	6.1	18.5	21	2.41
National Cash Register	433.4	13	800 8.	13	13.4	246	20.8	NM	3.1	1.0	−6.2	NM	−1.63
Pitney-Bowes	96.6	13	184.9	14	3.8	1	6.6	6	3.9	4.4	9.3	13	1.05
Standard Register	31.2	15	60.3	14	1.2	51	2.2	61	4.0	3.0	9.3	9	1.77
Uarco [9]	32.1	12	64.9	11	1.1	18	2.3	19	3.4	3.2	10.5	8	2.05
Victor Comptometer	50.5	−3	101.1	5	.9	−40	1.9	−23	1.9	3.0	7.4	9	1.07
Xerox	752.5	23	1,421.1	22	76.5	21	146.3	21	10.2	10.3	23.6	46	3.48
Industry composite	5,358.2	13	10,313.0	13	526.1	17	1,009.0	18	9.8	9.5	15.8	20	5.35

Footnotes at end of table.

SURVEY OF CORPORATE PERFORMANCE: SECOND QUARTER 1973—Continued

[Dollar amounts in millions]

Company	Sales				Profits				Margins		Return on common equity 12 mo. ending June 30	P-E July 31	12 mo. earnings per share
	2d quarter 1973	Change from 1972 (percent)	6 mo. 1973	Change from 1972 (percent)	2d quarter 1973	Change from 1972 (percent)	6 mo. 1973	Change from 1972 (percent)	2d quarter 1973 (percent)	2d quarter 1972 (percent)			
OIL													
Crude, integrated domestic and international													
Amerada Hess	**$393.7	27	$798.9	17	$33.3	66	$70.0	42	8.5	6.5	4.4	19	1.79
American Petrofina	82.1	13	155.7	13	6.3	63	11.0	79	7.7	5.4	15.8	12	2.98
Apco Oil	**32.6	3	63.3	6	1.5	0	2.3	−16	4.5	4.6	8.7	7	2.12
Ashland Oil [3]	518.0	16	957.0	13	22.3	35	38.2	38	4.3	3.7	17.2	10	3.18
Atlantic Richfield	*1,069.8	14	2,067.3	9	68.4	50	118.7	51	6.4	4.9	6.7	21	4.10
Cities Service	457.9	−2	979.7	4	30.5	28	64.9	22	6.7	5.1	7.8	11	4.27
Clark Oil & Refining	**96.4	41	180.2	30	8.4	773	13.2	650	8.7	1.4	24.2	7	2.79
Commonwealth Oil Refining	99.2	34	190.3	36	7.1	174	9.9	95	7.1	3.5	3.9	24	.44
Continental Oil	***1,029.9	17	1,961.1	13	51.7	24	99.2	18	5.0	4.7	11.5	8	3.67
Crown Central Petroleum	**43.1	−3	85.4	−3	.5	NM	.8	286	1.1	NM	3.9	12	1.30
Exxon	5,830.0	20	11,504.0	16	510.0	54	1,018.0	48	8.7	6.8	15.6	12	8.31
Getty Oil	364.8	5	725.4	4	23.6	120	50.6	53	6.5	3.1	6.5	24	4.93
Gulf Oil	***2,397.0	27	4,500.0	18	195.0	82	360.0	46	8.1	5.7	10.4	8	2.74
Kerr-McGee Oil	190.4	0	365.2	3	19.0	22	30.9	21	10.0	8.2	12.9	28	2.27
Marathon Oil	**363.0	24	717.9	20	27.6	66	51.7	58	7.6	5.7	12.6	9	3.30
Mississippi River	**33.2	−5	76.1	−2	3.7	19	7.5	19	11.1	8.8	11.9	10	1.60
Mobil Oil	***2,880.0	14	5,680.0	14	184.2	41	340.0	25	6.4	5.2	12.7	10	6.31
Murphy Oil	**114.4	30	222.3	22	9.2	645	15.6	194	8.0	1.4	13.6	16	4.30
Occidental Petroleum	810.3	21	1,491.7	11	26.9	566	36.5	276	3.3	.6	NA	21	.45
Pennzoil	244.3	12	499.3	14	19.3	25	38.9	24	7.9	7.1	11.5	10	2.03
Phillips Petroleum	**693.5	8	1,374.6	8	46.4	25	89.8	24	6.7	5.8	9.2	25	2.20
Quaker State Oil Refining	48.5	24	93.5	22	4.7	32	8.3	19	9.6	9.1	19.2	27	1.17
Shell Oil	**1,211.9	19	2,008.4	15	89.5	54	169.8	52	7.4	5.6	11.0	12	4.73
Skelly Oil	***157.8	8	311.3	8	9.0	25	19.0	10	5.7	4.9	7.1	17	4.34
Standard Oil (Indiana)	***1,527.2	11	2,997.0	11	121.3	37	242.5	29	7.9	6.4	11.4	14	6.14
Standard Oil (California)	1,817.2	26	3,425.7	22	181.7	42	334.5	33	10.0	8.9	12.2	10	7.43
Standard Oil (Ohio)	**394.9	16	774.6	13	27.0	110	44.5	81	6.8	3.8	7.5	19	5.86
Suburban Propane Gas [2]	38.7	21	87.9	20	1.3	60	5.1	23	3.3	2.5	14.0	11	2.10
Sun Oil	532.2	21	1,041.1	15	48.4	41	97.6	42	9.1	7.8	8.5	11	4.30
Tesoro Petroleum [2]	76.2	37	137.2	23	4.4	24	8.7	48	5.8	6.4	19.8	9	3.29
Texaco	**2,727.0	26	5,221.0	20	267.5	44	531.6	28	9.8	8.5	14.2	9	3.70
Union Oil of California	***714.6	17	1,267.4	14	40.2	44	78.4	36	5.6	4.6	7.9	9	4.18
Industry composite	26,990.0	24	51,960.4	18	2,089.8	52	4,007.7	39	7.7	6.4	11.9	14	4.43
PAPER													
Avery Products [1]	61.0	27	115.9	28	3.6	47	6.3	54	5.9	5.1	15.8	38	1.15
Crown Zellerbach	336.4	21	656.8	22	27.8	129	50.5	155	8.3	4.4	13.0	10	3.13
Dennison Manufacturing	**50.6	15	96.2	16	2.4	13	4.3	15	4.8	4.9	13.3	8	3.26
Fort Howard Paper	29.4	15	57.3	14	3.4	15	6.8	15	11.7	11.7	19.0	26	1.05
Great Northern-Nekoosa	122.9	23	239.3	21	6.6	59	11.8	41	5.3	4.1	8.8	12	3.99
Hammermill Paper	110.7	18	215.3	16	3.4	113	5.8	174	3.1	1.7	NA	12	1.19
International Paper	610.9	13	1,163.0	11	46.6	73	76.3	62	7.6	5.0	12.0	13	2.95
Kimberly-Clark	282.0	16	564.0	14	19.1	37	40.5	45	6.8	5.7	12.3	14	2.93
Mead	327.4	15	629.2	14	14.0	78	22.0	78	4.3	2.8	7.0	9	1.71
Scott Paper	232.6	14	454.1	14	14.1	44	28.2	53	6.1	4.8	9.0	10	1.39
Sonoco Products	47.1	24	90.7	21	3.0	33	5.5	27	6.3	5.9	13.0	15	2.08
St. Regis Paper	289.3	13	543.2	10	17.0	70	28.5	68	5.9	3.9	9.5	11	3.67
Union Camp	194.3	29	365.8	25	17.0	68	29.2	60	8.8	6.7	16.3	14	3.30
Westvaco [2]	129.4	13	256.9	16	6.3	161	11.5	302	4.8	2.1	8.3	13	2.03
Industry composite	2,823.9	17	5,447.5	15	184.3	69	327.2	70	6.5	4.5	11.2	15	2.44
PERSONAL CARE PRODUCTS:													
COSMETICS, SOAP, ETC.													
Alberto-Culver [3]	45.8	−4	95.0	3	1.2	−21	2.6	−5	2.7	3.3	12.2	8	1.23
Avon Products	259.6	16	480.5	17	29.1	10	49.4	14	11.2	11.7	37.3	51	2.26
Chesebrough-Pond's	103.4	10	215.4	10	7.5	12	16.4	14	7.3	7.2	21.9	31	2.35
Colgate-Palmolive	513.5	15	1,005.4	14	20.5	23	35.8	23	4.0	3.7	17.2	29	1.18
Faberge	31.6	3	63.1	3	1.1	1	2.5	4	3.6	3.6	8.2	6	1.34
Gillette	248.5	21	480.4	19	20.5	23	41.3	22	8.3	8.1	24.3	22	2.78
Revlon	116.0	11	226.2	10	11.2	16	20.5	16	9.7	9.2	17.7	22	3.08
Industry composite	1,318.4	14	2,566.0	14	91.1	16	168.4	17	6.9	6.8	22.8	24	1.99
PUBLISHING													
Periodicals, books, newspapers													
Gannett	77.7	7	146.6	8	7.8	21	12.9	23	10.1	8.9	15.5	30	1.24
Harcourt Brace Jovanovich	41.0	13	72.0	12	1.2	9	.1	NM	3.0	3.1	14.7	8	2.52
Knight Newspapers	86.6	10	164.2	9	6.5	13	10.7	13	7.5	6.3	15.9	21	2.12
Macmillian	97.6	8	181.9	6	2.2	38	3.7	31	2.3	1.8	7.2	7	1.13
McGraw-Hill	107.6	13	201.8	12	3.9	17	5.9	49	3.7	3.5	13.0	9	1.00
Media General	33.4	8	63.9	11	2.6	39	4.7	37	7.9	6.1	12.9	14	2.57
New York Times	90.9	11	175.4	9	5.8	104	9.7	88	6.3	3.4	14.9	9	1.47
Ridder Publications	42.6	16	77.7	12	4.2	14	6.5	11	9.8	10.0	11.7	14	1.40
Time	154.6	19	279.0	14	11.9	31	17.2	26	7.7	7.0	12.9	8	4.44
Washington Post	65.4	13	119.8	13	5.0	25	6.4	34	7.7	7.0	15.5	9	2.43
Industry composite	797.3	12	1,482.2	10	51.2	29	77.9	30	6.4	5.6	12.9	13	1.65
RADIO AND TV BROADCASTING													
American Broadcasting	216.3	5	452.3	9	14.9	46	24.7	49	6.9	5.0	17.1	11	2.48
Capital Cities Communication	34.5	9	63.9	9	6.1	20	10.2	18	17.7	16.1	16.3	21	2.42
Columbia Broadcasting System	355.3	11	719.0	12	23.4	14	45.7	39	6.6	6.4	21.6	10	3.34
Metromedia	48.3	14	97.7	18	3.6	1	5.2	10	7.5	8.5	15.1	6	2.08
Wometco Enterprises	31.7	21	59.7	19	2.0	25	3.5	26	6.4	6.2	14.0	12	1.23
Industry composite	686.0	10	1,392.5	12	50.1	22	89.2	36	7.3	6.6	18.7	12	2.69

Footnotes at end of table.

Company	Sales: 2d quarter 1973	Sales: Change from 1972 (percent)	Sales: 6 mo. 1973	Sales: Change from 1972 (percent)	Profits: 2d quarter 1973	Profits: Change from 1972 (percent)	Profits: 6 mo. 1973	Profits: Change from 1972 (percent)	Margins: 2d quarter 1973 (percent)	Margins: 2d quarter 1972 (percent)	Return on common equity 12 mo. ending June 30	P-E July 31	12 mo. earnings per share
RAILROADS													
Burlington Northern	$298.0	7	$587.1	11	$3.2	−77	$16.9	−19	1.1	5.0	2.9	9	3.47
Chessie System	293.9	12	554.0	9	18.4	20	32.3	18	6.3	5.9	5.7	6	7.06
Illinois Central Industries	300.8	23	567.5	23	16.8	11	31.8	12	5.6	6.2	5.7	6	3.18
Kansas City Southern Inds	38.2	3	76.5	9	1.0	−53	2.5	−33	2.6	5.6	4.8	7	3.55
Norfolk & Western Ry	228.6	4	451.0	5	17.3	5	34.1	8	7.6	7.5	5.7	10	6.38
Rio Grande Industries	38.2	11	72.6	8	2.9	−26	6.0	−18	7.6	11.4	5.5	5	2.09
Santa Fe Industries	296.1	24	570.3	22	23.6	29	43.9	20	8.0	7.7	6.7	7	3.49
Seaboard Coast Line Inds	307.8	8	607.1	9	15.3	−34	31.7	−25	5.0	8.1	8.2	5	5.19
Southern Pacific	392.5	4	755.4	5	24.3	−29	38.4	−29	6.2	9.1	5.6	9	3.48
Southern Railway	200.0	6	390.0	6	20.2	13	38.5	13	10.1	9.5	7.4	9	4.24
St. Louis-San Francisco Railway	66.2	9	131.0	10	.9	−63	2.5	−44	1.4	4.1	2.5	14	2.43
Union Pacific	301.9	10	583.0	10	31.5	30	56.2	33	10.4	8.8	7.3	11	5.24
Industry composite	2,762.2	11	5,345.6	11	175.3	−6	334.9	1	6.3	7.5	5.9	8	4.15
RETAILING													
Department, discount, mail order, variety, food, specialty stores													
Acme Markets [9]	540.2	14	1,072.9	12	2.9	NM	6.3	114	.5	NM	3.7	10	2.01
Albertson's [11]	190.1	29	NA	NA	2.2	44	NA	NA	1.1	1.0	NA	NA	NA
Allied Stores [11]	342.3	15	873.1	16	3.2	NM	27.9	34	.9	.1	9.8	8	3.62
Amfac	231.4	30	415.0	28	6.0	10	11.2	7	2.6	3.1	11.2	8	2.21
Arlen Realty & Dvlpmt. [10]	173.2	5	349.1	−4	−.5	NM	.7	−87	NM	1.1	5.6	13	.45
Associated Dry Goods [11]	269.9	15	652.8	12	6.3	65	31.5	23	2.3	1.6	12.7	11	3.36
Bayless (A. J.) Markets	32.2	16	65.6	16	.4	−31	1.0	−15	1.2	2.0	13.1	5	1.76
Big Bear Stores [10]	**62.8	12	128.2	12	1.1	19	2.1	8	1.8	1.7	13.3	7	3.13
Borman's [11]	122.4	−1	220.4	1	−.2	NM	.5	16	NM	NM	1.9	20	.19
Broadway-Hale Stores [11]	216.0	17	556.9	19	5.1	21	24.9	24	2.4	2.3	12.1	17	1.93
Colonial Stores	181.7	12	357.1	9	2.5	12	4.4	3	1.4	1.4	11.2	8	2.09
Daylin [4]	134.3	10	269.1	11	2.2	−5	5.1	3	1.6	1.9	12.5	5	1.65
Dayton-Hudson [11]	296.5	19	741.5	21	1.4	54	20.7	13	.5	.4	9.1	8	1.77
Fed Mart [4]	51.0	7	113.0	14	.7	42	1.7	29	1.4	1.1	15.9	6	2.55
Federated Dept. Stores [11]	626.5	16	1,541.1	16	21.5	39	73.5	20	3.4	2.8	14.4	16	2.59
Fisher Foods	187.3	37	367.3	36	2.4	17	4.4	17	1.3	1.5	20.9	7	1.41
Food Fair Stores [5]	489.9	9	994.8	7	1.7	131	4.4	−28	.3	.2	2.3	16	.42
Gamble-Skogmo [11]	317.6	5	695.5	6	2.8	14	13.7	13	.9	.8	10.4	6	4.35
Gimbel Brothers [11]	180.5	4	444.4	5	−.2	NM	11.6	7	NM	.1	6.1	11	1.62
Gordon Jewelry [4]	33.0	21	83.0	20	1.2	34	6.1	23	3.6	3.2	12.0	10	1.45
Grand Union [10]	355.7	9	742.5	11	1.4	−42	4.8	−18	.4	.8	5.2	9	1.24
Grant (W.T.) [11]	380.1	19	924.8	20	−5.7	NM	30.0	2	NM	NM	10.8	8	2.33
Great A. & P. Tea [10]	1,640.5	10	3,321.1	15	2.4	NM	1.1	NM	.1	NM	−4.5	NM	−1.14
Jewel [11]	460.8	7	1,010.7	12	4.0	−14	15.6	3	.9	1.1	12.2	10	3.75
Kresge (S.S.) [11]	914.9	24	2,219.6	27	22.6	29	73.2	28	2.5	2.4	17.6	36	1.08
Kroger	957.4	15	1,885.5	13	5.5	1	9.1	−51	.6	.7	5.1	12	1.34
Kuhns Big K Stores	29.4	43	48.5	38	.6	45	.3	−6	1.9	1.9	21.1	6	1.55
Lerner Stores [11]	104.0	20	243.1	16	4.4	86	14.3	29	4.2	2.7	27.0	7	5.42
Lucky Stores [11]	530.9	13	1,083.6	13	7.2	5	17.9	8	1.4	1.5	21.5	13	0.95
Macy (R.H.) [5]	246.1	11	607.0	9	.7	NM	19.0	19	.3	NM	12.1	8	3.13
Marcor [11]	879.7	20	1,855.9	17	17.6	50	50.5	34	2.0	1.6	7.5	9	2.39
Marshall Field [11]	108.2	6	268.7	6	2.6	22	13.8	16	2.4	2.1	11.0	11	2.39
May Department Stores [11]	321.8	10	824.3	13	6.3	52	33.7	20	2.0	1.4	11.5	10	3.27
McCrory [11]	312.9	45	773.8	49	.2	NM	14.0	15	.1	NM	26.5	5	4.29
Mercantile Stores [11]	102.6	17	261.1	17	3.2	15	13.8	24	3.1	3.2	16.0	22	3.59
Mobile Home Industries [4]	31.2	34	52.8	29	1.6	21	2.5	21	5.1	5.6	27.4	9	1.26
Munford	**49.4	28	89.8	24	1.0	9	1.2	10	2.0	2.3	15.9	7	1.24
Murphy (G.C.)	112.5	16	201.8	12	2.2	17	2.4	6	1.9	1.9	7.4	8	2.03
National Tea [9]	278.7	13	NA	NA	−4.8	NM	−9.3	NM	NM	.4	−10.3	NM	−1.52
New Process	32.8	10	63.8	2	2.2	19	4.1	2	6.8	6.3	29.5	16	.76
Penn Fruit [4]	75.2	−16	154.4	−12	−.3	NM	−.7	NM	NM	.2	−10.6	NM	−1.91
Penney (J.C.) [11]	1,299.6	18	3,091.5	16	24.5	24	94.1	23	1.9	1.8	15.6	28	2.95
Peoples Drug Stores	59.7	3	113.9	2	.6	91	.7	34	1.1	.6	4.3	13	.60
Pneumo Dynamics [1]	**77.8	8	152.2	12	.6	72	.9	6	.8	.5	−1.0	NM	−.14
Pueblo International [11]	132.5	11	265.0	11	.4	−52	−.4	NM	.3	.7	−2.6	NM	−.25
Rapid-American [11]	619.4	28	1,446.2	32	8.1	160	24.8	67	1.3	.6	14.3	4	4.04
Rite Aid [10]	62.5	36	127.0	37	1.9	33	5.4	40	3.1	3.1	20.7	33	.94
Safeway Stores	1,519.8	11	2,988.7	11	21.9	5	39.9	3	1.4	1.5	15.5	9	3.58
Sears, Roebuck [11]	2,660.4	14	5,870.2	12	117.3	23	359.3	15	4.4	4.1	14.6	25	4.06
Skaggs	95.2	14	179.4	14	1.3	62	2.1	134	1.4	1.0	10.4	16	1.17
Southland	**351.8	12	654.9	11	7.0	15	9.9	15	2.0	2.0	11.9	14	1.35
Star Supermarkets	32.9	15	64.7	18	.3	51	.4	13	.9	.7	9.4	6	1.48
Stop & Shop [11]	309.5	8	574.1	10	1.1	843	6.2	83	.4	0	11.4	7	2.34
Supermarkets General [11]	300.5	18	652.3	24	.8	338	4.3	14	.3	.1	7.1	13	.57
Thrifty Drug Stores [4]	103.5	10	223.5	9	1.8	9	5.5	6	1.7	1.7	12.9	8	.96
Triangle-Pacific	65.2	39	117.9	45	2.0	96	3.2	105	3.0	2.2	18.0	6	2.94
Vornado [11]	172.4	6	399.1	11	.1	−36	5.9	−2	1.	.1	NA	5	1.81
Walgreen [4]	221.1	8	432.8	8	2.2	49	3.4	37	.1	.7	12.1	8	2.05
Weis Markets	64.9	17	128.2	16	2.3	18	4.7	8	3.5	3.4	17.8	9	1.67
Wickes [11]	259.1	40	491.0	48	3.9	30	6.8	62	1.5	1.6	10.4	9	2.12
Woolworth (F.W.) [11]	765.9	17	NA	NA	17.9	39	NA	NA	2.3	2.0	NA	NA	NA
Zale [8]	130.0	20	222.9	15	5.0	26	9.0	30	3.9	3.7	11.6	10	2.13
Zayre [11]	216.6	18	528.6	20	1.2	18	6.3	−8	.6	.6	11.1	6	2.19
Industry composite	22,123.8	15	45,297.3	15	359.8	35	1,155.4	18	1.6	1.4	11.8	11	2.22
SAVINGS & LOAN													
First Charter Financial	**76.5	16	150.6	18	12.1	1	24.2	10	15.9	18.3	14.5	8	2.00
Great Western Financial	84.7	18	164.6	17	11.8	29	21.5	26	13.9	12.8	14.2	7	2.80
Imperial Corp. of America	**51.2	21	99.1	21	6.8	26	12.6	24	13.4	12.9	13.3	5	1.72
Industry composite	212.4	18	414.3	18	30.8	15	58.3	19	14.5	14.8	14.1	7	2.15

Footnotes at end of table.

SURVEY OF CORPORATE PERFORMANCE: SECOND QUARTER 1973

[Dollar amounts in millions]—Continued

Company	Sales: 2d quarter 1973	Sales: Change from 1972 (percent)	Sales: 6 mo. 1973	Sales: Change from 1972 (percent)	Profits: 2d quarter 1973	Profits: Change from 1972 (percent)	Profits: 6 mo. 1973	Profits: Change from 1972 (percent)	Margins: 2d quarter 1973 (percent)	Margins: 2d quarter 1972 (percent)	Return on common equity 12 mo. ending June 30	P-E July 31	12 mo. earnings per share
SERVICE INDUSTRIES													
Leasing, vending machines, wholesaling, real estate builders and developers, etc.													
A													
Alpha Portland Industries	**$46.1	13	$78.4	18	$1.5	47	$2.2	36	3.2	2.5	8.9	6	2.13
American District Telegraph	36.7	11	71.3	10	2.5	12	4.9	9	6.9	6.9	11.8	23	1.85
American Medical Intl. (4)	37.8	4	75.8	9	1.9	—19	4.6	2	5.0	6.5	17.5	8	1.46
American Medicorp	53.0	14	107.7	13	2.6	9	6.0	11	4.9	5.1	7.3	5	1.08
Atalanta	*43.0	23	88.5	34	.3	40	.7	62	.8	.7	21.3	5	1.42
Automation Industries	**58.4	16	112.8	17	1.4	8	2.6	16	2.4	2.6	8.6	8	.65
Avis	84.8	15	157.7	15	3.1	11	4.3	11	3.6	3.8	20.4	15	1.91
Baker Industries	26.3	11	51.8	12	1.7	21	3.3	26	6.4	5.9	13.7	23	1.06
Bergen Brunswig [4]	62.4	5	121.9	3	.3	NM	.6	NM	.5	NM	.9	43	.10
Castle (A.M.)	41.0	40	79.2	34	.8	298	1.3	235	1.9	.7	11.8	4	4.71
Combined Communications	**26.8	84	49.6	95	1.8	55	2.5	56	6.6	7.8	15.1	19	1.47
Commercial Metals [4]	93.7	73	156.7	49	1.1	24	1.9	69	1.1	1.6	13.2	6	2.33
Computer Sciences [9]	33.8	29	59.4	4	.2	NM	—5.5	NM	.5	NM	—87.4	NM	—.47
Cramer Electronics [3]	33.4	48	63.3	40	.7	113	1.2	232	2.1	1.5	8.9	12	.67
Deltona	**35.5	18	70.2	19	1.8	10	4.1	5	5.0	5.3	12.2	6	2.23
Dillingham	145.2	10	278.7	13	2.0	14	3.0	—2	1.4	1.4	4.4	13	.55
Donnelley (R.R.) & Sons	88.7	5	171.7	6	7.3	11	12.4	17	8.2	7.8	11.7	16	1.47
Dravo	81.1	9	128.1	2	2.4	28	2.9	36	3.0	2.6	8.7	9	3.25
Dun & Bradstreet	114.1	14	223.3	17	9.6	14	18.2	16	8.4	8.4	26.9	28	1.40
Extendicare [4]	28.5	34	52.6	26	1.5	21	2.8	14	5.1	5.7	10.9	8	1.04
Fischbach & Moore [3]	132.1	11	263.8	13	2.5	12	5.0	12	1.9	1.9	22.6	17	2.95
Fleming	217.6	14	500.4	13	1.7	19	3.9	18	.8	.7	15.7	8	1.30
Foremost-McKesson [9]	498.1	2	995.5	7	6.7	—13	12.8	—12	1.3	1.6	16.2	7	2.03
Genuine Parts	130.4	13	245.6	12	4.3	11	7.3	11	3.3	3.4	17.8	36	1.17
Grainger (W.W.)	68.4	34	120.1	31	4.5	46	7.6	49	6.6	6.1	23.6	33	1.16
Hospital Corp. of America	**54.2	29	107.8	29	2.9	14	6.3	18	5.4	5.7	13.6	13	1.23
Interpublic Group	39.1	8	70.9	7	2.5	16	3.0	15	6.4	5.9	22.2	6	2.62
Itel	44.1	119	77.4	96	1.4	NM	1.9	NM	3.3	NM	11.6	8	.71
Jorgensen (Earle M.)	43.0	28	82.5	27	1.9	51	3.5	47	4.4	3.8	NA	6	4.07
Kaufman & Broad [1]	72.0	16	141.3	20	5.4	33	10.6	37	7.5	7.5	16.7	21	1.38
Leaseway Transportation	113.1	23	213.0	22	6.2	19	9.6	24	5.4	5.6	29.7	13	2.69
Lennar [1]	**27.4	79	42.0	37	1.9	8	3.2	—11	7.0	11.6	24.9	6	1.86
McKee (Arthur G.)	45.4	—18	109.7	—1	.7	43	1.2	55	1.5	.9	9.7	13	1.94
National Service Indus. [4]	108.5	8	206.2	8	5.8	1	10.4	1	5.3	5.7	19.1	8	1.60
Nielsen (A.C.) [4]	38.1	15	74.3	15	2.9	12	5.9	15	7.6	7.9	19.0	30	1.08
Ogden	318.6	21	609.1	16	6.6	26	11.9	26	2.1	2.0	10.4	7	2.06
Parsons (Ralph M.)	41.8	—22	76.5	—36	.8	13	1.4	19	1.8	1.2	14.2	21	1.41
Pittway	26.2	14	51.3	17	2.1	17	4.2	25	8.1	7.9	12.9	15	2.42
Raymond International	35.3	25	69.8	6	.6	50	1.2	51	1.8	1.5	6.4	12	.91
Retail Credit	**53.1	5	102.5	4	2.2	—16	4.0	—16	4.1	5.2	18.6	9	2.63
Ryan Homes	51.6	31	87.5	28	2.6	15	4.1	15	5.0	5.7	29.0	14	1.36
Ryder Systems	126.7	36	238.3	37	5.8	32	9.6	37	4.6	4.7	16.0	26	1.44
Sav-A-Stop [4]	52.4	18	106.3	19	.6	7	1.4	25	1.2	1.3	9.8	9	.80
Scrivner-Boogaart [8]	54.8	23	107.1	26	.5	34	.9	23	.9	.9	15.4	5	1.39
Sperry & Hutchinson	**154.9	2	305.2	2	8.3	—10	16.4	—6	5.4	5.9	16.0	5	3.66
Super Valu Stores [10]	417.2	17	712.4	12	2.6	11	4.8	—10	.6	.6	18.2	6	2.26
Thompson (J. Walter)	34.4	16	61.9	12	2.1	9	2.1	—24	5.9	6.4	11.2	7	2.01
UMC Industries	43.3	10	83.8	16	2.4	1	4.3	4	5.4	5.9	14.5	7	1.99
U.S. Home [10]	79.8	33	144.4	52	3.4	19	8.5	52	4.3	4.8	23.0	6	1.86
Vendo	34.0	4	58.7	0	1.3	14	1.9	17	3.8	3.4	6.3	10	.93
VWR United [10]	87.9	19	163.0	19	1.3	369	2.0	NM	1.5	.4	9.5	8	1.57
Warner Communications	129.9	9	269.5	14	12.6	3	27.2	11	9.7	10.2	15.8	5	2.34
Industry composite	4,543.6	15	8,696.4	15	151.6	17	272.3	40	3.3	3.3	14.5	13	1.52
SPECIAL MACHINERY													
Farm, construction, materials handling													
Allis-Chalmers	308.8	22	587.7	22	5.9	98	10.4	73	1.9	1.2	3.3	9	1.05
American Hoist & Derrick [1]	59.9	28	124.9	26	2.2	56	3.4	72	3.6	3.0	10.8	8	1.68
Bucyrus-Erie	49.6	9	93.5	10	4.3	1	8.7	21	8.6	9.2	12.5	14	2.43
Caterpillar Tractor	800.2	22	1,552.0	22	65.4	20	126.0	29	8.2	8.3	20.8	15	4.12
Clark Equipment	289.1	24	555.6	26	14.8	51	29.3	52	5.1	4.2	16.0	12	3.74
Deere [2]	537.4	28	909.2	31	44.1	32	72.1	42	8.2	8.0	16.4	10	4.56
FMC	444.2	14	842.3	12	25.6	20	45.2	20	5.8	5.5	11.3	8	2.23
Koehring [1]	96.3	28	173.3	30	2.6	60	3.8	168	2.7	2.1	10.6	6	2.30
Rexnord [3]	116.1	17	212.4	21	4.6	12	7.1	23	4.0	4.2	10.1	9	2.25
Industry composite	2,701.6	22	5,050.8	22	169.4	27	306.0	34	6.3	6.0	15.1	10	3.34
STEEL													
Alan Wood Steel	35.8	22	68.4	14	.9	127	1.4	170	2.4	1.3	4.8	6	2.63
Allegheny Ludlum Industries	197.2	31	385.8	30	9.6	47	17.5	57	4.9	4.3	7.2	7	3.80
Ampco-Pittsburgh	27.8	28	54.7	31	1.2	94	2.4	88	4.3	2.9	10.5	7	1.20
Armco Steel	592.5	26	1,124.3	23	30.6	58	54.6	59	5.2	4.1	8.2	7	2.98
Bethlehem Steel	1,062.0	31	2,022.5	34	57.9	57	98.4	59	5.5	4.6	8.1	7	3.86
Copperweld	60.3	19	117.1	25	3.3	33	6.1	36	5.6	5.0	17.3	6	4.64
Cyclops	132.9	29	255.2	32	3.0	119	6.0	299	2.2	1.3	8.7	4	5.41
Florida Steel [3]	28.1	32	53.5	26	1.7	28	3.2	5	6.1	6.2	17.6	5	4.13
Interlake	116.0	16	227.3	18	4.1	1	7.0	2	3.5	4.1	6.3	7	3.34
Jones & Laughlin Steel	389.4	25	755.3	32	13.4	—5	25.4	12	3.4	4.5	6.1	7	2.61
Kaiser Steel	160.4	24	294.5	46	7.9	203	10.5	NM	4.9	2.0	4.8	7	1.90
Lukens Steel	44.6	25	83.3	19	2.3	19	3.4	8	5.1	5.3	7.8	9	2.63
McLouth Steel	96.9	25	184.9	25	5.3	174	9.0	209	5.5	2.5	7.1	7	2.96
National Standard [3]	48.4	28	96.0	28	1.8	105	3.6	108	3.8	2.4	8.6	16	1.32
National Steel	**529.3	23	1,054.9	28	27.7	30	47.3	31	5.2	5.0	8.1	8	4.40
NVF	96.4	11	192.7	16	3.6	34	6.0	40	3.8	3.1	18.2	3	6.13
Republic Steel	526.4	29	1,025.7	31	24.7	43	45.3	70	4.7	4.2	5.9	6	3.81
U.S. Steel	**1,803.9	25	3,323.8	29	84.9	62	134.0	88	4.7	3.6	6.2	7	4.05
Wheeling-Pittsburgh Steel	185.8	19	364.6	25	4.4	—27	7.0	—24	2.4	3.8	3.1	6	2.29
Industry composite	6,133.9	26	11,684.5	29	288.2	49	488.1	65	4.7	4.0	7.0	7	3.56

Footnotes at end of table.

Company	Sales: 2d quarter 1973	Sales: Change from 1972 (percent)	Sales: 6 mo. 1973	Sales: Change from 1972 (percent)	Profits: 2d quarter 1973	Profits: Change from 1972 (percent)	Profits: 6 mo. 1973	Profits: Change from 1972 (percent)	Margins: 2d quarter 1973 (percent)	Margins: 2d quarter 1972 (percent)	Return on common equity 12 mo. ending June 30	P-E July 31	12 mo. earnings per share
TEXTILES AND APPAREL													
Avondale Mills [4]	$42.5	14	$82.3	15	$1.8	51	$3.5	69	4.3	3.3	10.9	9	3.78
Blue Bell [3]	108.2	25	212.5	21	4.1	2	8.8	2	3.8	4.6	13.5	6	2.58
Brown Group [3]	165.6	17	315.8	16	6.3	12	11.9	7	3.8	3.9	13.2	8	3.11
Burlington Industries [3]	555.6	18	1,070.4	17	22.8	81	42.9	75	4.1	2.7	9.4	11	2.70
Cluett, Peabody	125.1	9	250.9	0	.9	−64	3.5	−36	.7	2.0	6.4	8	1.16
Collins & Aikman [10]	90.7	12	177.0	11	4.3	−6	7.8	−11	4.7	5.7	13.1	10	1.32
Cone Mills	95.7	3	183.9	6	2.3	−18	4.3	−8	2.4	3.1	5.7	7	2.57
Dan River	112.5	22	212.4	20	2.7	1.43	4.5	156	2.4	1.2	4.7	8	1.13
Fieldcrest Mills	70.4	23	127.8	18	2.0	5	2.6	−10	2.8	3.3	8.5	8	2.02
Genesco [3]	347.1	4	725.7	2	.4	−47	5.4	−56	.1	.2	.2	94	.06
Graniteville	46.2	9	90.0	8	1.8	49	4.1	103	3.9	2.9	12.3	5	4.29
Hanes	64.3	10	130.5	15	2.1	19	4.2	19	3.3	3.1	9.9	6	2.08
Hart Schaffner & Marx [1]	112.3	14	230.6	12	3.7	23	7.8	20	3.3	3.1	9.8	9	1.76
Jantzen [4]	29.9	18	52.6	12	1.6	32	2.5	33	5.3	4.7	12.9	8	2.26
Levi Strauss [1]	159.3	23	280.9	19	6.6	−11	12.0	−3	4.1	5.7	15.5	12	2.27
Lowenstein (M.) & Sons	142.0	24	280.8	19	2.7	29	5.3	24	1.9	1.8	6.2	7	2.71
Melville Shoe	190.3	27	328.8	16	8.7	53	11.4	29	4.6	3.8	26.4	20	1.28
Puritan Fashions [1]	47.8	36	85.9	36	1.7	8	3.1	16	3.6	4.5	26.1	4	1.84
Riegel Textile [3]	59.6	12	119.2	15	2.3	95	4.5	97	3.8	2.2	11.5	6	2.97
Springs Mills	133.6	38	248.8	34	3.8	37	7.6	51	2.9	2.9	6.6	6	1.94
Stevens (J.P.) [2]	277.0	18	524.9	21	7.0	138	13.1	111	2.5	1.2	6.2	8	3.73
U.S. Shoe [2]	112.7	10	211.5	12	3.6	−12	7.1	−4	3.2	4.0	11.9	7	1.82
Warnaco	75.3	12	147.0	14	1.7	18	3.6	17	2.3	2.2	12.6	6	2.43
West Point-Pepperell Manufacturing [4]	127.2	18	247.8	22	5.4	77	9.2	97	4.2	2.8	8.0	7	3.36
Industry composite	3,290.9	16	6,338.0	15	100.3	31	190.7	25	3.0	2.7	9.2	12	2.00
TIRE AND RUBBER													
Amerace	56.9	20	115.0	21	2.5	12	5.1	13	4.3	4.6	9.8	7	2.90
Armstrong Rubber [3]	73.9	12	128.4	13	2.9	9	4.3	10	3.9	4.0	9.8	6	4.71
Carlisle	31.1	20	61.3	17	1.7	23	3.3	33	5.3	5.2	15.5	8	2.43
Cooper Tire & Rubber	41.7	15	77.1	17	1.4	−5	2.4	12	3.3	3.9	14.0	8	2.24
Firestone Tire & Rubber [3]	785.9	17	1,459.1	17	42.9	24	69.5	24	5.5	5.1	11.9	8	2.60
General Tire & Rubber [1]	344.8	29	648.1	35	23.8	28	37.0	36	6.9	7.0	14.9	6	3.66
Goodrich (B. F.)	443.3	12	849.1	14	17.5	3	30.9	20	3.9	4.3	8.4	6	3.61
Goodyear Tire & Rubber	1,210.8	14	2,280.2	15	55.9	3	101.2	9	4.6	5.1	12.9	8	2.75
Mansfield Tire & Rubber	27.9	6	48.7	1	.7	−35	.9	−48	2.5	4.1	3.3	9	.77
Mohawk Rubber	33.2	9	56.2	10	1.2	4	1.9	12	3.6	3.8	14.1	5	3.29
Richardson	29.0	−2	58.5	0	.9	6	1.7	9	3.0	2.7	9.4	7	1.90
Rubbermaid	29.9	16	59.6	21	2.4	13	4.6	18	8.0	8.2	18.6	36	2.46
Uniroyal	561.3	16	1,056.7	16	18.6	10	32.0	14	3.3	3.5	8.9	7	1.70
Industry composite	3,669.6	16	6,897.8	17	172.2	12	294.7	17	4.7	4.9	11.8	9	2.71
TOBACCO													
Cigars, cigarettes													
American Brands	* 788.1	4	1,509.8	3	34.2	10	64.1	7	4.3	4.1	14.3	8	4.72
General Cigar	*** 75.7	4	144.2	5	.7	−4	1.3	−12	.9	1.0	6.4	8	2.04
Loews [4]	* 197.0	−6	317.7	−9	12.6	−40	36.9	−1	6.4	6.9	17.0	6	4.67
Philip Morris	* 634.3	21	1,205.0	19	38.4	21	70.7	19	6.0	6.1	20.8	25	5.01
Reynolds (R. J.) Industries	* 820.4	9	1,340.0	9	67.7	6	128.2	6	8.3	8.5	18.0	9	5.45
Industry composite	2,515.5	24	4,516.6	15	153.5	4	301.1	8	6.1	7.3	17.2	11	5.01
TRUCKING													
Arkansas Best	28.9	17	57.1	18	−.4	NM	.7	−74	NM	6.1	9.6	9	1.24
Associated Transport	34.6	1	67.7	2	−.4	NM	−1.2	NM	NM	NM	−25.4	NM	−3.06
Consolidated Freightways	171.8	21	337.8	20	5.5	−12	9.5	−16	3.2	4.4	18.5	8	1.82
McLean Trucking [6]	63.2	23	123.3	23	3.3	16	5.7	22	5.2	5.5	23.6	11	3.67
Roadway Express	100.8	19	198.8	20	6.2	10	12.1	10	6.2	6.7	27.7	30	1.26
Smith's Transfer	26.3	19	52.1	17	1.3	15	2.6	24	5.0	5.2	25.6	8	2.31
Spector Industries	34.0	9	67.8	12	.2	14	.4	224	.7	.6	8.1	9	.61
T.I.M.E.-DC	46.5	22	90.1	19	1.3	110	2.5	89	2.9	1.7	13.7	9	1.26
Transcon Lines	33.8	1	64.6	4	1.0	28	1.6	33	3.0	2.4	12.6	8	1.23
Yellow Freight Systems	78.6	22	152.7	23	5.1	12	9.4	22	6.4	7.0	28.6	18	2.52
Industry composite	618.6	17	1,212.2	18	23.2	1	4.33	5	3.7	4.4	19.1	12	1.57
UTILITIES													
Telephone, electric, gas													
Allegheny Power System	93.7	12	191.6	12	16.6	3	34.3	4	17.7	19.2	13.5	8	2.37
American Electric Power	225.8	8	465.2	11	52.3	16	102.6	18	23.2	21.7	15.2	10	2.78
American Natural Gas	185.2	10	433.5	6	17.8	16	54.8	10	9.6	9.1	14.1	8	4.29
American Tel. & Tel. [1]	5,814.7	13	11,326.1	13	750.8	21	1,429.2	20	12.9	12.1	NA	11	4.69
Arizona Public Service	52.1	22	105.4	22	6.7	30	13.0	26	12.9	12.1	12.7	8	2.45
Arkansas Louisiana Gas	72.6	14	151.5	12	7.3	14	18.6	20	10.0	10.0	15.1	8	2.77
Baltimore Gas & Electric	109.3	12	237.1	11	20.8	21	44.6	15	19.1	17.6	12.3	9	2.91
Boston Edison	75.5	14	153.8	12	6.5	−18	12.4	−26	8.6	12.0	9.7	11	2.81
Carolina Power & Light	78.4	9	164.6	15	13.8	2	33.4	19	17.7	18.9	13.3	8	2.83
Central & South West	107.9	8	210.4	10	16.5	10	30.5	9	15.3	15.0	15.0	13	1.63
Central Telephone & Utilities	75.0	14	151.9	13	9.6	14	18.9	12	12.7	12.7	15.0	14	1.79
Cincinnati Gas & Electric	80.0	8	182.6	7	12.0	22	32.0	22	15.0	13.3	14.9	9	2.51
Cleveland Electric Illuminating	78.6	11	160.8	11	11.0	−5	23.9	0	13.9	16.2	14.0	10	3.10
Columbia Gas System	231.4	8	572.9	2	20.8	7	67.8	5	9.0	9.1	12.6	8	3.24
Commonwealth Edison	296.8	9	601.3	9	40.3	7	86.2	6	13.6	13.9	12.3	9	3.14
Consolidated Edison of New York	405.7	17	830.8	16	39.2	29	89.3	18	9.7	8.8	7.2	11	2.15
Consumer Power	194.4	10	446.8	11	22.1	7	53.6	16	11.4	11.7	10.3	9	2.77
Continental Telephone	152.2	29	286.8	26	15.4	20	29.4	24	10.1	10.9	15.2	14	1.74
Dayton Power & Light	52.4	6	122.0	4	5.4	−6	15.6	−1	10.2	11.6	11.5	11	1.98
Detroit Edison	176.7	10	364.4	11	20.0	−15	47.4	2	11.3	14.7	9.7	10	1.94
El Paso Natural Gas	294.4	11	580.5	6	15.1	34	33.6	25	5.1	4.2	11.4	8	1.91
Florida Power & Light	163.5	27	311.4	26	21.9	19	44.3	22	13.4	14.3	13.5	12	2.86
Florida Power	56.1	20	111.6	23	7.8	−12	16.9	6	13.9	18.9	12.4	11	3.51
General Public Utilities	152.9	13	319.4	14	22.5	14	53.4	26	14.7	14.6	11.1	9	2.29
General Tel. & Electronics	1,246.3	17	2,400.0	15	85.2	15	163.4	19	6.8	7.0	13.5	11	2.74
Gulf States Utilities	67.9	20	127.2	20	12.0	24	20.2	25	17.7	17.1	13.5	12	1.69
Houston Lighting & Power	93.9	8	174.7	10	14.5	−4	24.3	−3	15.5	17.3	13.4	13	2.87
Lone Star Gas	78.0	14	186.2	17	7.9	12	29.8	9	10.2	10.4	16.9	10	2.69
Long Island Lighting	95.3	4	207.5	5	10.4	−21	28.2	−7	10.9	14.4	11.9	10	2.01

Footnotes at end of table.

SURVEY OF CORPORATE PERFORMANCE: SECOND QUARTER 1973—Continued

[Dollar amounts in millions—Continued

Company	Sales				Profits				Margins		Return on common equity 12 mo. ending June 30	P-E July 31	12 mo. earnings per share
	2d quarter 1973	Change from 1972 (percent)	6 mo. 1973	Change from 1972 (percent)	2d quarter 1973	Change from 1972 (percent)	6 mo. 1973	Change from 1972 (percent)	2d quarter 1973 (percent)	2d quarter 1972 (percent)			
UTILITIES—Continued													
Telephone, electric, gas													
Middle South Utilities	$143.4	8	$290.6	13	$18.6	10	$39.8	22	13.0	12.8	14.1	11	2.07
Mountain States Tel. & Tel.[1]	263.1	20	509.4	19	36.2	35	69.8	35	13.8	12.2	NA	9	2.28
New England Tel. & Tel.[1]	286.0	11	565.3	14	24.4	4	50.3	14	8.5	9.1	NA	12	2.72
New England Electric System	109.4	10	233.4	11	10.9	0	26.5	3	10.0	11.0	12.0	9	2.57
New York State Elec. & Gas	60.6	6	133.9	8	8.5	1	18.7	5	14.0	14.7	10.4	9	3.00
Northeast Utilities	127.9	12	270.5	13	19.2	−15	41.2	−8	15.0	19.9	11.9	10	1.41
Northern Illinois Gas	110.2	5	281.3	7	14.0	−3	37.8	3	12.7	13.7	15.0	8	3.00
Northern Indiana Pub. Serv.	93.8	7	210.6	8	11.3	18	25.7	12	12.0	10.9	14.6	9	2.25
Ohio Edison	91.9	11	186.5	11	15.3	19	30.5	15	16.6	15.6	14.1	11	1.97
Pacific Gas & Electric	356.7	9	745.2	8	59.4	12	124.4	10	16.7	16.2	11.9	9	3.10
Pacific Northwest Bell Tel.[1]	143.9	9	280.2	10	16.8	11	30.2	10	11.7	11.6	NA	10	1.41
Pacific Power & Light	59.7	23	121.3	20	14.8	33	30.5	24	24.8	22.8	14.5	10	2.31
Pacific Tel. & Tel.[1]	665.2	15	1,299.2	14	65.6	44	127.7	43	9.9	7.8	NA	11	1.64
Panhandle Eastern Pipe Line	124.2	2	261.8	3	14.8	1	35.2	8	12.0	12.0	17.3	8	3.98
Pennsylvania Power & Light	91.2	8	191.4	10	16.8	21	32.6	17	18.4	16.3	12.0	8	2.53
Peoples Gas	156.6	−4	380.0	−2	19.7	−5	49.9	−2	12.6	12.7	13.6	6	4.14
Philadelphia Electric	177.3	10	371.9	9	28.6	6	62.2	8	16.1	16.7	10.3	10	1.98
Potomac Electric Power	70.7	23	139.0	20	6.9	−10	18.6	1	9.8	13.3	10.1	9	1.44
Public Service of Colorado	76.9	22	167.1	20	10.6	33	24.3	28	13.8	12.6	13.5	8	2.26
Public Service of Indiana	55.4	6	117.8	12	11.1	33	23.3	42	20.0	15.9	15.6	11	3.50
Public Service Electric & Gas	244.6	7	532.1	8	29.7	21	68.3	21	12.1	10.7	10.1	9	2.37
Rochester Gas & Electric	50.7	17	115.5	14	5.6	38	14.3	40	11.1	9.3	12.8	8	2.54
Southern California Edison	247.1	12	494.6	11	31.4	−5	59.9	1	12.7	15.0	9.4	9	2.52
Southern	258.3	15	521.2	18	36.5	26	78.3	28	14.1	12.9	11.4	9	1.97
Texas Eastern Transmission	193.0	6	408.3	5	18.6	15	46.0	16	9.7	8.9	16.6	14	3.39
Texas Gas Transmission	138.8	4	287.2	9	8.5	0	18.7	19	6.1	6.4	13.3	7	3.54
Texas Utilities	139.1	6	270.0	13	25.3	1	47.3	12	18.2	19.0	15.1	15	1.98
Union Electric	98.9	11	192.2	10	15.3	24	27.9	18	15.5	13.9	9.2	12	1.39
United Telecommunications	190.2	19	363.9	19	17.7	11	33.5	11	9.3	10.0	12.3	12	1.55
Virginia Electric & Power	123.4	17	256.2	18	24.9	36	52.3	29	20.2	17.4	12.5	9	2.14
Western Union	**121.9	7	236.8	4	7.8	−33	13.6	−36	6.4	10.1	5.9	8	2.27
Wisconsin Electric Power	96.9	11	206.9	10	11.6	−12	23.7	−17	11.9	15.1	9.9	10	2.31
Industry composite	16,049.3	13	32,362.0	12	1,962.8	15	4,045.4	16	12.2	12.0	12.2	10	2.84

[1] 2d quarter ending May 31.
[2] 2d quarter ending Apr. 30.
[3] 3d quarter and most recent 6 months ending June 30.
[4] 3d quarter and most recent 6 months ending May 31.
[5] 3d quarter and most recent 6 months ending Apr. 30.
[6] 4th quarter and most recent 6 months ending June 30.
[7] 4th quarter and most recent 6 months ending May 31.
[8] 4th quarter and most recent 6 months ending Apr. 30.
[9] 1st quarter and most recent 6 months ending June 30.
[10] 1st quarter and most recent 6 months ending May 31.
[11] 1st quarter and most recent 6 months ending Apr. 30.

* Sales include excise taxes.
** Sales include other income.
*** Sales include excise taxes and other income.

NA—not available.
NM—not meaningful.

Data: Investors Management Sciences.

GLOSSARY

Sales: Includes all sales and other operating revenues. For banks, includes all operating revenues.
Profits: Net income before extraordinary items. For banks, profits are before security gains or losses.
Margins: Net income before extraordinary items as percent of sales.
Return on common equity: Ratio of net available for common stockholders to average common equity, which includes common stock, capital surplus, retained earnings.
Price-earnings ratio: Based on July 31 stock price and earnings for latest 12 months.
Earnings per share: For latest 12 months, includes all common stock equivalents.

The PRESIDING OFFICER (Mr. JOHNSTON). Under the previous order, the Senator from Montana (Mr. MANSFIELD) is recognized. He has 13 minutes remaining.

Mr. MANSFIELD. Mr. President, I yield myself such time as I may desire.

Mr. President, first I commend the distinguished Senator from South Dakota for holding out the hand of compromise and understanding to the President of the United States. I am glad that he has made this detailed and thoughtful speech.

I hope that it will be read at the other end of Pennsylvania Avenue in the spirit of comity and understanding which, I think, is beginning to develop and will be accentuated in the days, weeks, and months ahead.

The times call for cooperation and for the placing of the public interest first. The times do not call for an obsession with outside factors, but they do call for an application to duty and the continuation in a constructive manner of the business of the Government and the people, who are in reality the Government itself.

SENATE RESOLUTION 176—AUTHORIZATION FOR SENATOR TOWER TO APPEAR IN COURT AS A WITNESS

Mr. MANSFIELD. Mr. President, on behalf of the distinguished Republican leader and myself, I send to the desk a resolution and ask unanimous consent for its immediate consideration.

The PRESIDING OFFICER. The resolution will be stated.

The legislative clerk read as follows:

A resolution (S. Res. 176) authorizing Senator JOHN C. TOWER to appear as witness before district court of United States at a time when Senate is not sitting in session.

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

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the subpena and the subpena duces tecum in this matter be printed in the RECORD.

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

U.S. District Court for the Northern District of Texas—No. CR 3-2811

SUBPOENA TO TESTIFY

[U.S. District Court for the Northern District of Texas—No. CR 3-2811]

To Senator John Tower:

You are hereby commanded to appear in the United States District Court for the Northern District of District of Texas at Honorable Wm. Taylor, Jr.'s Court in the city of Dallas on the 2nd day of October 1973 at 10:00 o'clock A.M. to testify in the above-entitled case.

This subpoena is issued on application of the Defendant.

September 20, 1973.

WAGGONER CARR,
Attorney for pro se.
JOSEPH MCELROY, Jr.,
Clerk.

[U.S. District Court for the Northern District of Texas—No. CR 3-2811]

SUBPOENA TO PRODUCE DOCUMENT OR OBJECT

United States of America *v.* John Osorio, Waggoner Carr, Tom Max Thomas, *et al.*

To Senator John Tower:

You are hereby commanded to appear in the United States District Court for the Northern District of Texas at Honorable Wm.

Taylor, Jr.'s Court in the city of Dallas on the 2nd day of October 1973 at 10:00 o'clock A.M. to testify in the case of United States *v.* John Osorio, *et al.* and bring with you any and all copies of originals or correspondence, tapes, recordings, and memoranda of communications to or from any governmental personnel relating in any manner to: (1) the immunity of Frank W. Sharp, granted June 14, 1971, prosecutions or proposed prosecutions relating to Sharp and others arising out of Sharp and Sharptown related activities; (2) any and all originals or copies of writings, tapes, or recording of any meeting between Senator Tower, John Mitchell, and President Nixon in the Whitehouse including (but not excluding others) a meeting between such three persons on July 29, 1971 at the White House, relating in any manner to discussions concerning Frank W. Sharp, Will Wilson, Sharpstown related activities in Texas, Will Wilson's connection with Frank W. Sharp and his activities, and prosecutions or proposed prosecutions arising or to arise therefrom.

This subpoena is issued upon application of the Defendant.

Sept. 19, 1973.

WAGGONER CARR,
Attorney for pro se.
JOSEPH MCELROY, Jr.,
Clerk.

Mr. HUGH SCOTT. Mr. President, I ask unanimous consent that, if it be necessary to notify any party or parties, the proper official of the Senate be so instructed to do.

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

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

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 176) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follow:

S. RES. 176

Authorizing Senator JOHN G. TOWER to appear as witness before District Court of United States at a time when Senate is not sitting in session

Whereas Hon. JOHN G. TOWER, a Member of this body, has been served with a subpoena and a subpoena duces tecum to appear as a witness before the District Court of the United States for the Northern District of Texas, to testify at 10:00 o'clock A.M. on the second day of October, 1973, in the case of *United States v. John Osorio, Waggoner Carr, Tom Max Thomas, et al;* and

Whereas it is the sense of the Senate that by virtue of the provisions of the Constitution of the United States said court has no authority to compel the attendance of any Member of the Senate as a witness before said court during his attendance at any session of the Senate; and

Whereas, under the Standing Rules of the Senate, no Senator may absent himself from the service of the Senate without leave of the Senate: Therefore be it

Resolved, That Hon. JOHN G. TOWER is granted leave to appear as a witness before the district court of the United States in the case of the *United States v. John Osorio, Waggoner Carr, Tom Max Thomas, et al* at a time when the Senate is not sitting in session; and be it further

Resolved, That a copy of this resolution be submitted to the said court.

ORDER OF BUSINESS

Mr. ROBERT C. BYRD. Mr. President, I am glad to yield to the distinguished Senator from Alaska (Mr. STEVENS) as much of my time under the 15-minute order previously entered as he desires.

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

THE EMPLOYMENT SITUATION IN ALASKA

Mr. STEVENS. Mr. President, many people have contacted my office asking about work on the trans-Alaska pipeline. Others have gone to Alaska anticipating employment.

Unfortunately, jobs on the pipeline are not yet available. Construction has not yet begun. The permits have not even been issued. No contracts for the construction of the pipeline have been let.

Many persons who have incurred substantial expense and traveled great distances are likely to be in for disappointment. They will be faced with tremendous hardship because there will not be work in our State for them. Alaska already has the highest unemployment rate in the Nation. These people will add additional burdens to the already overstrained Alaska State government welfare rolls.

I have been informed that the Alaskan welfare rolls have increased in alarming proportions. Alaska has a harsh economic climate. It is not a place to go to without a job.

Last week, I was informed that seven new families a day are entering the welfare rolls. A number of people who have come to Alaska seeking employment were told that there is no employment there.

The Alyeska Pipeline Service Co., which will be in charge of the building of the pipeline, recently sent a letter to all State divisions of employment, the U.S. Department of Labor, and various better business bureaus. This letter urged that people desiring employment in Alaska in the future should be advised that there are no construction opportunities available on the pipeline in Alaska, or anywhere else in Alaska at this time.

When it is built, applications should not be submitted to Alyeska or the owner companies. After the required Federal permits have been obtained, awards for construction contracts will be made by Alyeska. Announcements will appear in the press and in trade journals. At that time, persons desiring employment should apply directly to the contractors selected by Alyeska before coming to Alaska—and not to Alyeska or the oil companies themselves.

I am sure that other Members of Congress have received similar inquiries concerning employment on the Alaskan pipeline construction project. I rise today to inform each Member of Congress of the situation in Alaska and to request that they inform their constituents that no employment opportunities presently exist in Alaska. After the contracts have been let, persons interested should contact the contractors or the oil companies themselves before coming to Alaska.

I think it is a very wise move to inform the public that there are no jobs available in my State now. The welfare rolls in Alaska are overloaded and, Alaska being a small State with a swollen population, cannot support this increase in the welfare rolls. I ask that the public be informed that there are no job opportunities in Alaska now.

Mr. President, I request unanimous consent to insert in the RECORD the letter of Mr. O. T. Carter, manager of personnel relations for Alyeska Pipeline Service Co.

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

ALYESKA PIPELINE SERVICE CO.

Gentlemen: Recent Congressional actions relative to the Trans Alaska Pipeline System have encouraged many job seekers to contact Alyeska Pipeline Service Company and many other petroleum industry companies concerning construction employment possibilities.

Alyeska Pipeline Service Company is the company formed and owned by seven petroleum industry companies for the purpose of overseeing the design, construction and operation of the Trans Alaska Pipeline System. Although Alyeska has undertaken design and construction planning activities, permits required from governmental agencies which would allow construction to commence have not yet been granted. No construction activities will be undertaken until appropriate permits have been granted.

Actual construction, when commenced, will be performed by construction contractors, with Alyeska functioning in an overall project management role. Although Alyeska may hire some experienced construction management personnel at that time, the majority of construction job opportunities, and certainly all craft and skilled trade opportunities, will be with the various contractors selected to do actual construction. Alyeska and its various owner companies will not be hiring general construction personnel to construct the pipeline.

Persons seeking to secure positions in construction of the Alaska pipeline should be advised that no construction job opportunities presently exist. Applications for these positions *should not* be submitted to Alyeska or its owner companies. When required permits are obtained, construction contracts will be awarded. Announcements of these awards will appear in press and trade journals. At that time individuals seeking construction job opportunities should apply directly to selected contractors.

Your help would be greatly appreciated in making the above information known to all individuals inquiring about Alaska pipeline job opportunities. If I can provide further information, please contact me.

Very truly yours,

O. T. CARTER,
Manager, Personnel Relations.

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

Mr. STEVENS. Mr. President, I would be happy to yield to the Senator from Illinois.

Mr. PERCY. Mr. President, would the distinguished Senator from Alaska also add to his urgent plea on his part—and I think that he has acted wisely and with foresight at this time, an action that I know he takes with deep regret—the percentage of the higher cost of living for any individual or family that comes to Alaska as against the cost of living in other parts of our country. How much more expensive is it to live in Alaska, particularly if one does not have a job, in

which circumstances the costs would be impossible for a person to bear.

Mr. STEVENS. Mr. President, the latest information we have on that is a very staggering figure. School lunches in Fairbanks, Alaska, are 53 percent greater than the average in the United States. The cost of living in Anchorage is in excess of 30 percent over that in Seattle.

As the Senator knows, our welfare payments are based upon the national welfare payments. It is practically impossible for anyone to survive in Alaska on the welfare rolls.

I think the Senator has raised a very important point. A person who is on welfare in another State and moves into our State is going to suffer greatly because it is not possible to take a family into our State, particularly in the wintertime and get by financially. There are jobseekers in our State who are in sore, financial trouble. As you know, our State is lagging economically because we had anticipated the income from the pipeline and we have not received any. Those people who are employed now are even having a very difficult time.

The point on the high cost of living mentioned by the Senator from Illinois is something that people should keep in mind. However, basically, it is not wise for anyone to travel from the South 48 and be obliged to travel over 3,000 miles without having been promised a job in Alaska. It is not a wise thing to do at this time.

Mr. PERCY. Furthermore, since the purpose of the Senator's remarks is public information and solid advice based on experience, has it not been the Senator's experience that one of the problems of unemployment in this country is dislocation, that to concentrate in an area of very low employment opportunities removes workers from other areas of high opportunities right now, and that there are many parts of the country where opportunities are more plentiful?

For example, in some parts of Illinois we have a large part of our classified ads in newspapers devoted to trying to seek out and find people who have some degree of skill to come to work in industry. We also have some opportunities in agriculture now. Job opportunities exist in many parts of the United States, but just do not happen to exist in Alaska.

So people looking for job opportunities would do better to go where the opportunities are right now, rather than to Alaska.

I am sure that the Senator from Alaska would never think of selling his State short. I happened to be in Alaska the day the bids on the pipeline were opened, and I know that feeling of optimism for the future, though I did want to see an alternative explored, the trans-Canada pipeline. When opportunities do exist, notice will be given, and I presume the Senator from Alaska will be on the floor again to say, "Now opportunities do exist, and we want more people to come to Alaska with skills to fill the opportunities."

As a Senator from Illinois, I speak on behalf of many midwestern Congressmen when I ask the Senator whether or not, in his judgment, there are sufficient reserves on the North Slope that some day we might look forward to two pipelines, one trans-Alaska and the other trans-Canada, so that those of us who live in the Middle West might some day look forward to a direct line of supply to our part of the country, instead of depending on the higher cost of imported oil, and the uncertainties that exist today.

Mr. STEVENS. There is no question in my mind but that we will be considering the construction of a second pipeline from Alaska very soon after the first one is under construction. We have an estimated 300 billion barrels of oil in Alaska, though there are only an estimated 10 billion barrels in the Prudhoe Bay reserve. The first pipeline will tap that reserve. There are those in Alaska who are of the opinion that once we assure the investor that it is possible to transport the oil discovered in the northern part of Alaska to the south, we will have the investment that is necessary to prove up the remainder of our reserves. We know that reserves exist at Chukchi Sea, Crystal Bay, Unalakleet, Swanson River, Cook's Inlet, and Yukon Flats. All of these well-known potentialities of oil and gas reserves are assured; we just have not discovered the precise locations.

So I predict we will see two oil pipelines and two gas pipelines in the near future, that is to say, within 10 or 15 years, for moving Alaska's hydrocarbon resources to the mainland United States, and we think that will bring substantial sustained employment. Unfortunately, as the circumstances are, it is not a pleasant thing to do to have to tell the American public that your State is in economic trouble, but we have as high as 85 percent unemployment in the Native sector of Alaska, and we feel that those people, who have been out of work so long, should be employed first when opportunities arise.

After we hit the construction phase, there will be jobs available for additional people in Alaska, and I think that will be sustained employment, because we are building an oil pipeline to Valdez, then a gas pipeline, and I think we will be building another pipeline from the central portions of Alaska to the Midwest, and an additional gas pipeline. To take the gas to the markets, we obviously need a diversified transportation system from these various deposits.

Mr. PERCY. I thank the Senator. I think the fact that there is going to be enough oil for a trans-Canada pipeline as well, and that the distinguished Senator from Alaska supports such a concept, will be of great encouragement to the distinguished Senator from Wisconsin (Mr. PROXMIRE) and the distinguished Senator from Missouri (Mr. SYMINGTON), because we want a source of oil coming direct to the Midwest. I think we want, at the same time, to give consideration to the coal reserves of West Virginia and of the State of Illinois, and we ought to be very bullish on the future of that resource as well; but I am bullish on the long term future of Alaska, and this colloquy, I think, should reinforce our feelings that the future is great for Alaska, but that this is a temporary situation, and certainly people would be foolish to move from areas where they are needed and can find employment opportunities to go to an area where they would have to wait for a period of months for jobs that will eventually be available there.

Mr. STEVENS. The Senator makes a good point. I would assume, when we have passed a bill to go ahead with the construction of a pipeline, it would still take 6 to 9 months to put together the logistics that are necessary to proceed with full construction of the pipeline. So we are a long way from additional job opportunities related to Alaska, and I hope we can find some way to stem the mobility of people seeking employment there at this time.

I thank the distinguished Senator from West Virginia and the distinguished Senator from Illinois.

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

The PRESIDING OFFICER. The Senator has 1½ minutes.

Mr. ROBERT C. BYRD. I yield my remaining time to the Senator from Wisconsin.

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

Mr. ROBERT C. BYRD. Mr. President, how much time does the Senator from Montana have remaining?

The PRESIDING OFFICER. Nine minutes.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that that time be yielded to the Senator from Wisconsin, so that he will have ample time to yield to the Senator from Missouri.

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

Under the previous order, the Senator from Wisconsin (Mr. PROXMIRE) is recognized for not to exceed 15 minutes, in addition to the time yielded to him.

Mr. PROXMIRE. I yield to the Senator from Missouri.

THE IMPORTANCE OF EFFICIENCY IN DEFENSE PROCUREMENT—ADDRESS BY GEN. GEORGE BROWN, CHIEF OF STAFF, U.S. AIR FORCE

Mr. SYMINGTON. Mr. President, as the Senate winds up debate on the military procurement authorization bill today, and as we look toward consideration of the defense appropriation bill, I would call particular attention to a recent address by Gen. George S. Brown, Chief of Staff of the Air Force, before the National Security Industrial Association here in Washington.

In this address, General Brown emphasizes the need for industry and the Defense Department to take a long hard look at overhead costs and cites a number of cases where "indirect costs exceed the bounds of legitimacy and necessity." The general further points out that these overhead and indirect costs constitute one-half to two-thirds of total research and development and procurement costs.

In summing up the situation, the Air Force Chief of Staff states:

> For the first time in modern history, other nations are approaching our technological posture, and are threatening to surpass us in some areas. And some of them are doing it with greater efficiency and productivity than we are currently demonstrating. We have already seen some of the effects in our balance of trade position. That is one part of

our broad national security—the economic base on which we stand or fall. But, even more significantly, our forces for national defense are beginning to suffer from these management deficiencies. In the current budgetary climate, the effectiveness of our defense posture can be improved and maintained only if all of us—in military systems acquisition and the defense industry—conduct our business with maximum efficiency. Therefore, we must devote our best efforts to the elimination of unnecessary and unreasonable overhead costs.

I ask unanimous consent that the full text of the address in question be inserted at this point in the RECORD and would hope that my colleagues would take the time to read this thoughtful and constructive statement.

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

ADDRESS BY GEN. GEORGE S. BROWN

However little we may like the term—or the way it has been used over the past few years—we *are* part of a military/industrial complex. In the free enterprise economy of our democratic society, and with the technological sophistication of modern weaponry, I know of no other reasonable way to develop and produce the weapon systems that the security of the nation demands.

The system works. It has been notably effective. Major war has been deterred, and smaller conflicts have been kept from going global. In no small part, these achievements have been possible because, up to now, the United States has had superior weapons in sufficient numbers to prevent and to limit war.

Up to now. We are at a point in our history where that kind of effectiveness will no longer be possible, unless it is matched by an equal measure of tough, economy-minded *efficiency*.

All of us must recognize certain basic truths. First, defense costs, like costs everywhere, have been climbing steadily. Second, even if defense spending could be maintained at a fixed level in current dollar terms there is an erosion of real purchasing power. Third, this has necessitated reduction in force size. Fourth, the reduced force structure makes it more than ever imperative to offset numerical inferiority with qualitatively superior weapon systems. But, fifth, the cost of these systems has also been climbing so rapidly that we face such alternatives as reduced quality, lesser numbers, or just not going forward at all with some programs that are needed.

These factors can only degrade the effectiveness of our defense forces, unless we move in the direction of greatly increased efficiency in the way we do business. Cost-consciousness—cost avoidance—cost reduction will have to be our way of life.

Not that we haven't made some good progress these past four years or so. In the Air Force, for example, we're seeing genuine results in such programs as the F–15, AWACS, SRAM, Minuteman III and others. They're doing what they're supposed to do. They're doing it on or ahead of schedule. And—most of all—they're staying inside the cost envelope.

That kind of progress grows out of such things as putting strong program managers in charge, giving them broad authority, and fully supporting their cost reduction initiatives. It comes from competitive prototyping wherever possible—from components to assemblies to sub-systems to full systems. It comes from innovative contracting techniques and better methods of making cost estimates. And it comes from taking a hard-nosed looked, with users and developers working together, at the requirements.

Progress, in short, has evolved from many management improvements, in both industry and government, that have been in the making since at least 1969.

And yet, all these things address perhaps one-half of the problem. They do a good job, for the most part, of controlling direct costs—but they do not have much impact on indirect, or overhead, costs.

An Air Force study on the subject concluded that anywhere from 50% to 66% of USAF procurement dollars consumed in prime contractor plants are indirect or overhead costs. Of the 7 billion dollars expended in Air Force Systems Command in Fiscal Year 1972, roughly 3⅓ billion went for overhead. So this has to be a fruitful area in which to reduce the cost of our weapon systems; an area which has not received proper attention.

In the Air Force—and I'm sure this is true of the other services and throughout DOD—the control and reduction of overhead is going to be the subject of intensive attention, concern—and action. But, as with everything we enter into jointly—you the contractors and we in Defense—a major part of the responsibility resides with you. As the climate of the times indicates, you will have to face that responsibility squarely. And we in government must provide you in industry with greater motivation to curb these costs.

In consumer business and in a firm-fixed-price environment, American Industry has always demonstrated that it can keep costs within tight bounds. The time has come when the same discipline must be exerted in government work other than fixed-price contracting. The military services are joining the consumer movement. Some of the examples of overhead problems I will be getting to in a moment lead to questions of credibility, your credibility with us—and with the public.

Overhead *per se* is a legitimate and necessary part of doing business. After all, my headquarters is in the overhead business; we know from experience what's involved in managing large enterprises.

What I'm really concerned with, are those cases where indirect costs exceed the bounds of legitimacy and necessity. These range from carelessness to outright abuse. Let me cite some instances exemplifying what I mean:

Unused Capacity—We find cases in which contractors carry idle facilities and equipment for excessive periods of time. This failure to divest idle capacity promptly and efficiently increases overhead costs and results in excessive charges to government contracts. The taxpayer—a category that includes all of us—has paid a surcharge, in effect, for which he gets nothing in the way of added defense and security benefits.

This is a notice to industry that such costs will not be recognized on Air Force contracts when a reasonable time for divestment, or more appropriate utilization, has elapsed.

Special Capabilities—Some contractors maintain special capabilities to perform work in-house that could be done at less cost by subcontracting. Too often, these in-house operations have the same problems as the basic effort: unused capacity, poor indirect cost control, and all the rest. There is too often a failure to aggressively complete subcontractor and vendor items.

Business Volume—Many contractors consider it axiomatic that overhead costs must rise during decreases in business volume because fixed and semi-fixed costs are not as readily controllable as variable costs. While that proposition has some merit, we see cases where costs that *should* be variable are treated as if they were fixed. One frequent example is an increase in the indirect-to-direct employee labor ratios. Direct personnel are cut as programs dictate, but staff and support functions remain up to strength—on the grounds that approximately the same level is needed to support the remaining direct effort.

That is luxury thinking in an era that has no room for luxury. The Administration has set the tone and the example in reducing government personnel, particularly in headquarters and other support areas. Believe me, I know about that from personal experience. The fact is that it *can* be done. One major aerospace contractor reduced his ratio of indirect support to direct personnel from 70% to 51% during a period of business decline by diligent management efforts.

Organizational Management Control—A major problem in the control of overhead is a management system that places insufficient emphasis at the lower operating levels. That is to say, managers with profit-and-loss responsibility for indirect costs are often too far removed from the activity incurring these costs to be able to control them effectively. He instituted a new management and related accounting system with the prime objective of *motivating* program managers and resource managers toward better cost control.

Traditionally, project managers assign and maintain a level of personnel to meet fluctuating workload periods. To a greater or lesser extent, they are really manned for peak workloads. Under the new concept, managers must man their programs for the normal forecast workload. Then, during peaks, they requisition additional personnel from resource pools, and return them when they are no longer needed. The resources pool managers, at the same time, are motivated to sell their resources, and to maintain a minimum of manpower in the pool, which is charged to overhead.

Independent Research and Development—Some contractors expect the Department of Defense to participate in and absorb costs for a constant or increasing level of IR&D even though their business base may be decreasing. This is unrealistic. We understand the need for and the value of IR&D programs, and we are willing to pay our fair share. But contractor management must evaluate and reassess the worth of these projects, and make absolutely sure that the company is judicious in the use of IR&D money. What we can afford under current conditions is a far cry from what we'd all like to see done in this area.

Refurbishments—One contractor did a great deal of refurbishing on a building being used solely for government contract work. The expenditure during the year came to two million dollars. By his accounting procedures, the two million was expensed during the current year and assessed to government contracts. The next year the contractor took government work out of the building and turned the facility over to commercial operations. Then he objected violently when it was suggested that the refurbishment costs should be amortized over a period of years so that the commercial business would be charged a fair share of this expense.

Commercial Product Development Cost—At another plant the development work for producing a commercial project was included in the overhead cost of a government-oriented division. The contractor readily admitted that as soon as volume and sales orders permitted, this operation would be segregated into a separate division or cost center. In effect, he was expecting the Government to underwrite the development cost for a commercial product; then he would move production elsewhere so that DoD would derive no benefit from having participated in the development costs. You tend to wonder how some people define "free enterprise"—perhaps with the emphasis on *free*.

Depreciation Techniques—Still another contractor had a technique for depreciating assets so that some of them were depreciated in excess of their acquisition value. It took the Government *two years* to get that contractor to change his overhead claim!

Bidding and Proposal Expense—Admittedly, these are not easy times for the defense industry as a whole, and any contractor worth his salt is going to fight for any contract he feels he can handle. But I *must* urge that you fight realistically and con-

structively in selecting those procurements on which to bid and in preparing your bid. Contractors who are not rigorously selective about the proposals they respond to, who are not in the forefront of the required technology, who go after everything in sight with little hope of making the grade—such contractors cost us, and themselves, a great deal of money that none of us can afford. Then comes a rash of protests and appeals—which are not only unallowable costs, but which force us to spend a great deal of time justifying contract decisions.

As it turns out, in just about every case the original evaluation holds up, but there we are, expending too much of our scarce resources on the losers. This is economically absurd. The protestor gains nothing; the taxpayer has been had, and the strength of the national defense is again diminished. So it is essential that contractors be realistic in their selection of the business they can hope to be awarded. It's been said and I believe it, that no contractor can afford to bid on a contract he cannot afford to lose!

These are a few specific examples of unnecessary overhead expenses and abuses of indirect costing. All of us can cite numerous others: excess computer capacity, excessive engineering staffs, pension and retirement costs, fringe benefits that grow two to three times faster than salaries—the list is almost endless.

So I say here and now: we never should have indulged in these kinds of overhead practices—and today we cannot afford to do so. For the first time in modern history, other nations are approaching our technological posture, and are threatening to surpass us in some areas. And some of them are doing it with greater *efficiency* and productivity than we are currently demonstrating. We have already seen some of the effects in our balance of trade position. That is one part of our broad national security—the economic base on which we stand or fall. But, even more significantly, our forces for national defense are beginning to suffer from these management deficiencies. In the current budgetary climate, the effectiveness of our defense posture can be improved and maintained *only* if *all* of us—in military systems acquisition and the defense industry—conduct our business with maximum efficiency. Therefore, we must devote our best efforts to the elimination of *unnecessary* and unreasonable overhead costs.

In the Air Force, we are further increasing our capability to evaluate and reduce potential overhead cost. In the future, we will be far more aggressive in issuing notices of intent to disallow costs—before or at the time they are incurred—when we do not agree with your management policies and decisions.

We don't propose to take over your job, but we *do* intend to have a means to participate actively in the management of overhead and its effect on system costs.

While at Systems Command, I established an Overhead Management Division. This organization is developing indices and criteria for identifying unnecessary and unreasonable overhead costs. It will establish the criteria and procedures under which the government team will initiate timely action when it is apparent that unreasonable or unnecessary expenses are being planned or incurred. The thrust, in other words, is to take action before these costs are incurred, rather than arguing endlessly after the money has already been spent. And those who decide what is not allowable according to the Forward Pricing Rate Agreement will be around to insure that the final settlements are consistent with the agreement.

We will definitely be increasingly engaged with our contractors. And that engagement will include increased visibility into overhead costs. They have been hidden or invisible for too long. We've got to bring them out into the light of day, give them a thorough and fair scrutiny, and bring them under control. There should be no mystery surrounding overhead, and there really isn't.

One fact predominates in all this discussion. The responsibility for controlling overhead in the plants of defense contractors rests with the contractors' top management. That is where the policies are established that affect indirect costs. It is from that level that we must have assurance that the policies are sound, judicious, and efficiently implemented.

Today's budget realities present the most sobering and intense challenge the U.S. defense establishment has faced in a quarter of a century. The Department of Defense has laid down a sound foundation for meeting that challenge. The time is ripe to make a concerted attack on that hidden one-half to two-thirds of R&D and procurement costs: OVERHEAD!

The Air Force is determined to reduce the overhead and indirect costs burden. We urge the defense industry to discharge its management responsibility for keeping overhead costs to the most attainable minimum. The job of the military/industrial complex is the defense of the United States. We have to work together to do it at a price the nation can afford.

I have found Air Force units and Air Force men and women ready to accept the challenges ahead, no matter how austere the conditions, no matter how tough the job.

I want to say the same thing of American industry.

It's up to you.

Mr. SYMINGTON. I hope my colleagues will take the time to read this thoughtful and constructive statement.

Mr. President, I thank the Senator from Wisconsin for yielding.

ADMINISTRATION'S HOUSING PROGRAM NOT ONLY A DISAPPOINTMENT BUT A DISASTER—A "NO POLICY" POLICY

Mr. PROXMIRE. Mr. President, the housing message sent to Congress by the adminstration on September 19 is not only a disappointment. It is a disaster.

With certain minor exceptions, it continues the brutal HUD moratorium until 1976, or for another 2½ years.

And even then no specific program is proposed. In the language of the President's message:

> But right now, in my judgment, our principal efforts should be directed toward determining whether a policy of direct cash assistance—with first priority for the elderly poor—can be put into practical operation.

So, there is essentially a moratorium until 1976. And in the meantime, there is nothing more than suggesting that our—

> Efforts should be directed toward determining whether a policy of cash assistance can work.

What a program.

According to HUD's own calculations, if they do institute a housing allowance program after 1976, it will ultimately cost $8 billion to $11 billion a year.

"NO POLICY" POLICY

This lack of policy—the "no policy" policy—condemns millions of American families to a tragic plight. Because of present housing costs—for land, for construction and especially for money—more than half the American families cannot afford to buy a home. Just think of that—more than half of American families earning $11,000 a year cannot afford to buy homes.

The average family income in the United States is about $11,000 a year. At the rule of thumb that one should not pay more than two and one half times one's family income for a home, that means that half the American families cannot buy a home costing more than $27,500.

But where can one get a decent home in a suitable living environment with three bedrooms for an American family for $27,500? The majority of American families are priced out of the housing market.

The administration's housing proposals, instead of doing something about it, essentially continues the present freeze or moratorium for at least another 2½ years.

REVERSES HISTORIC HOUSING POLICY

What the administration is doing is reversing our historic housing policy.

Public housing, and very good public housing, indeed, was begun in the 1930's.

Then, in 1949 with the passage of the Taft-Ellender-Wagner Act the Government of the United States pledged itself to provide—and I use the words of the act—

> A decent home in a suitable living environment for every American family.

That was the pledge.

That policy was constructive but it was one that was not able to achieve its aim although it was coming close to it.

POLICY FOR POOR

It contemplated slum clearance and the provision of 135,000 public housing units each year for 6 years, or 810,000 units. Additional public housing units, including construction, scattered site, and leased housing have been authorized and provided since that time.

This was the policy for the poor and the near poor.

POLICY FOR MODERATE INCOME FAMILIES

We have also provided a series of programs for what is called moderate income families—those below the line where they could provide housing for themselves but yet with too much income to be called poor and to qualify for public housing. This was done under the 221-d-3 program and the interest rate subsidy programs for moderate income families under sections 235 and 236 of the 1968 Housing Act.

POLICY FOR MIDDLE INCOME FAMILIES

Third, we provided FHA guarantees which allowed private mortgage lenders to make longer and longer mortgage commitments with smaller and smaller down payments so that average income Americans could afford to buy their own homes with an FHA or a VA guarantee.

CONVENTIONAL PROGRAMS

And finally, for the very well to do, there was the conventional housing programs in which the Government assisted only in the fact that interest payments and property taxes paid were deductible under the Federal income tax. This has been a very, very great advantage to upper middle and upper income American families. One study showed that the actual dollar savings—not the deduction but the actual tax savings—was

three and a half times greater for the upper 20 percent of income groups than for all the housing subsidies for the lower 20 percent of income groups.

But the point is that our historic policy has included a program for all income groups—low, moderate, middle, and upper income groups.

POLICY ABANDONED

With the present extremely high interest rates plus the moratorium on low- and moderate-income programs, that historic policy has been abandoned by the administration. And with minor exceptions, it continues.

The only major policy remaining is the FHA guarantee program which, under existing prices, means a housing policy for the upper 35 or 40 percent or less of the American people.

That is a very sad fact and it is a very sad day indeed.

Generally speaking, the principle we should follow is that the Government should aid or help or subsidize only those who are least able to help themselves. Under the proposed housing proposals, Government will not only shun those least able to help themselves but will help only those who are most able to help themselves.

The abandonment of the housing goals and the moratorium or cut back on most of the programs is a cruel, brutal, and harsh policy.

And the justification given for this "no policy" policy, where it is not wrong headed, is wholly inadequate. It condemns the vast majority of the American people to years more of inadequate housing.

Here is how they justify it. Here are just a few of the specious arguments they use.

COVER-UP FOR CORRUPTION AND MISMANAGEMENT

First of all, they have cut out entirely one of the most promising programs we have had to provide home ownership for low- and middle-income families, the interest rate subsidy or section 235 program.

The argument is that it does not work, that there are vast numbers of foreclosures, and the program is inherently bad.

But the truth is that the President and HUD have stopped this program as a cover-up for HUD's own mismanagement and in far too many cases, actually corruption.

HUD says the program has failed because of foreclosures. But the vast number of foreclosures in Detroit and elsewhere, were not section 235 housing at all.

The problem is not the program. The problem is HUD mismanagement. There is nothing wrong with the program that good management will not cure.

In Milwaukee, for example, where there was good HUD management, there was not a single section 235 foreclosure. Not one.

In Detroit, on the other hand, there were massive foreclosures under all the programs, including section 235.

That means there is nothing inherently bad about the program. But there is something very bad about HUD management.

It has been inept or corrupt. Both bureaucrats and local housing speculators are being indicted, tried, and are on their way to jail.

Cutting out this program is nothing more than a coverup for HUD. It is an attempt to blame a program for the incompetence and corruption of HUD officials themselves. And the proof lies in the fact that where there was mismanagement and corruption, every HUD construction program was involved not just section 235. And where there was good management and honest men in charge, the HUD programs, including section 235 worked.

That argument is a phony, red herring dragged across the political scene.

DO NOT DO IT FOR ANYONE UNLESS IT IS DONE FOR EVERYONE

Let me cite a second specious argument.

There is a premise stated in the President's message and repeated constantly by HUD officials that the present programs are "highly inequitable." As the message says:

> Rather than treating those in equal circumstances equally, it arbitrarily selects only a few low income families to live in federally supported housing, while ignoring others.

It is time someone blew the whistle on the constant use of the ridiculous argument. What HUD is saying is that unless the Government can subsidize everyone it should not subsidize anyone.

But it was never intended that every poor family or middle income family would be subsidized by the Government. That is neither necessary nor possible nor has it ever been proposed by anyone in his senses.

This country has a housing goal established by Congress by law under the 1968 Housing Act. That goal is an average of 600,000 units a year for 10 years for low- and moderate-income families. That goal does not contemplate building a new house for every poor family.

But by building 600,000 low- and moderate-income units a year plus 2 million units under conventional programs, enough housing can be provided to meet our housing goals and to house every American family in a decent home in a suitable living environment.

The marginal construction of housing for low- and moderate-income families relieves the pressure on the housing market, affects waiting lists and vacancy rates, and provides a competitive housing market. Government does not have to provide, and should never provide, all the low-income housing. But by providing the marginal construction it makes the system work.

It is time HUD began to carry out the law and the goals instead of insulting our intelligence by telling us that since we cannot build a new house for every poor family we should not build any or very few.

TALKING OUT OF BOTH SIDES OF THEIR MOUTHS

Other specious arguments and excuses are thrown up as well. We are told that the present approach of building new buildings is wasteful because it, and I quote, "ignores the potential for using good existing housing."

That happens to be one of the most specious strawmen ever devised by HUD and the President's speechwriters.

For years we have had a program of rehabilitation loans to fix up existing homes. We have another program of grants and loans to aid families fix up their homes in order to meet local housing codes. Under urban renewal, especially in recent years, we have provided a program and funds to keep existing houses in an area designated as urban renewal from deteriorating during the time between designation and actual renewal. All of those programs were designed to rehabilitate and use good existing housing.

Instead of following these programs, they were put under the moratorium by this administration.

Mr. President, just think for a minute what that means. The administration has said that we should concentrate on fixing up present homes instead of building new ones and then they end the programs that would permit rehabilitation. They are putting those in the moratorium until 1976 also.

Urban renewal programs were terminated as of June 30, 1973, and there have been no new approvals since last January.

The section 312 rehabilitation loan program was terminated on June 30, 1973, and it has been under moratorium since January 1973.

Public housing programs providing for leased units, that is leasing the very existing housing units the President says we should use, have been under the moratorium for months.

How this administration has the gall to tell Congress, which has provided programs over the years to use, rehabilitate, and lease existing housing, that the present approach ". . . ignores the potential for using good existing housing" is one of the mysteries of the decade.

The administration placed the moratorium on using good existing housing while we in Congress have insisted for months that they end the moratorium and get on with the programs. They have suspended these programs for months. Now they have the gall to tell us that the very programs they suspended are the answer to our housing needs. If that is true, why did they suspend them?

GOVERNMENT AND HUD POLICY HARMED THE POOR

Let me answer just one more of the ridiculous arguments put forward in the housing message. The message charges that low- and moderate-income families are now—

> Offered subsidized housing on a "take it or leave it" basis—losing their basic rights to choose the house they will live in and the place they will live. Too often they are simply warehoused together wherever the Government puts them.

There were units built in the past of that nature. Pruitt-Igoe in St. Louis is the classic example. But that was built in the late 1950's—more than 15 years ago.

We are not building public housing like that now, and no one is suggesting doing so. But HUD is saying that because that kind of housing was built in the past, we should have little or no public housing in the future.

And what real choice does a poor family have under the moratorium and the "no policy" policy?

HUD POLICY AT FAULT

The reason poor families did not have a choice of the house or the neighborhood they wanted to live in was the fault, in large part, of HUD and the Government.

FHA refused to insure poor people's housing in the inner city. They redlined the areas. They drew a redline around there and said that within those areas there will be no FHA insurance. Of course, that condemned those areas to becoming slum and ghetto housing by Government determination.

HUD itself refused to help the poor and the poor blacks especially get homes in the suburbs. They were kept out by official policy.

HUD and the Federal Government destroyed more housing for poor people than was built.

We have documented that again, both in the urban renewal program and in the highway program.

It was HUD and the Government itself who "warehoused" the poor. Now they tell us because their own policies have failed, they should do nothing in the future.

Because the Government warehoused the poor, destroyed their homes, redlined their neighborhoods, and forced the poor and poor blacks to remain within the boundaries of the ghetto are no reasons why nothing should be done in the future. Instead, it places a moral obligation on President Nixon, Secretary Lynn, and the Congress of the United States to provide a decent home in a suitable living environment for every American family.

That promise was made in 1949. Almost 25 years later it has not been kept. And since January 5, 1973, the administration has repealed that promise by fiat.

WHAT SHOULD BE DONE

There are a lot of things that should be done, and done now.

The housing goals must be carried out. HUD must, in good faith, attempt to carry them out. They should provide for at least 600,000 units this year of low- and moderate-income housing.

That means that certain things must be done.

The public housing program, the program which provides the greatest amount of housing for the lowest cost, must be carried on.

And it need not be carried on by building Pruitt-Igoes. It should be carried on by building garden apartment housing, by building scattered site housing, by leasing new construction, and by leasing older housing in good condition. HUD now says it will do some of this, but less than one-third of the housing goals.

Second, the sections 235, 236, and rent supplement programs should continue while HUD gets rid of the corrupt and inefficient officials and their private industry counterparts who committed criminal acts which resulted in the foreclosures for these and virtually all other HUD programs.

Third, HUD should push the rehabilitation programs, the small loans and grants needed to bring existing housing up to local housing code standards, and the programs to make certain that existing housing in urban renewal sites does not deteriorate while waiting for the urban renewal program to be carried out.

Fourth, funds for counseling the poor going into public housing, leased sites, and section 235 housing should be requested by HUD and provided by the Congress. This is the single most important means of making housing for the poor work.

We have not had that kind of counsel; we have not had that kind of action. These people have been ignored and snubbed by HUD over the last 5 years.

Finally, we should provide by law that where the Government—any arm of the Government—destroys housing, it should be required to provide housing. This is especially true of the highway departments which have destroyed tens of thousands of housing units of the poor.

LONGER RANGE PROGRAM

Those are the things to be done now. Over the longer haul we must find a cheaper way of subsidizing housing. In my view, that means substituting the ability of the Government to borrow funds for the ability of the private market to borrow. The General Accounting Office indicates that we could save from $2 to $5 billion in carrying out the housing goals if that were done.

There must be a concerted policy to bring down the interest rates. What the President's housing message did was to provide a series of palliatives to try to offset the present unprecedentedly high interest rates. But what we need are lower interest rates, not the palliatives.

We do not need the devastating, crucifying effect that high interest rates have on housing. Housing is the first industry that feels the effect of tight credit. It is probably the only private industry that, in a big way, is so seriously affected by it. In fact, at times it is so great that it is devastating, resulting in depressions—not recessions, but depressions.

We must find a means of cutting housing costs. Section 108 of the Housing Act of 1968 provided one such possibility. But HUD has doggedly refused to carry out that section.

And we must find means of providing not only housing but the schools, street lights, police and fire protection, city services, and the myriad of services that turn a housing development into a community.

But in this area, too, HUD suspended or ended the programs to upgrade the neighborhoods and provide for an improved environment—water and sewer facilities, public facility loans, open space land programs, the revised urban renewal programs, neighborhood facilities, model cities, and the community development and training programs.

We are told by the President and the Secretary of HUD that we must use existing housing and not just build new houses, and how important it is to provide not merely for the housing itself but for the neighborhoods as well.

But since January 5, 1973, HUD has suspended or ended all the programs to upgrade existing housing and to provide for the neighborhoods and environment.

Whether that should be called a hypocritical policy, I will not say, but it can be said that it has consigned millions of American families to years more of living in dilapidated, substandard, and overcrowded housing in blighted neighborhoods.

That is the real meaning of HUD's "no policy" policy.

Mr. President, I suggest the absence of a quorum, the time for the quorum call to be charged to may time.

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. ROBERT C. BYRD. Mr. President, I yield back the remainder of my time and also the time of the distinguished Senator from Montana (Mr. MANSFIELD), if any remains.

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

TRANSACTION OF ROUTINE MORNING BUSINESS

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

ORDER FOR RECOGNITION OF SENATOR BELLMON TOMORROW

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that tomorrow, immediately following the recognition of the two leaders or their designees, and prior to the order for the recognition of Senators entered on last Friday, the distinguished Senator from Oklahoma (Mr. BELLMON) be recognized for not to exceed 15 minutes.

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

U.S. ACTION ON GENOCIDE CONVENTION IS LONG OVERDUE

Mr. PROXMIRE. Mr. President, during the 23 years since the U.S. Senate first considered the Treaty on Genocide, 75 nations have ratified it. United States action is long overdue.

As President Harry S Truman said when he submitted the Genocide Convention to the Senate for its advice and consent in June 1949:

America has long been a symbol of freedom and democratic progress to peoples less favored than we have been and . . . we must maintain their belief in us by our policies and our acts. By the leading part the United States has taken in the United Nations in producing an effective international legal instrument outlawing the world-shocking crime of genocide, we have established before the world our firm and clear policy toward that crime. By giving its advice and consent to my ratification of this convention,

which I urge, the Senate of the United States will demonstrate that the United States is prepared to take effective action on its part to contribute to the establishment of principles of law and justice.

Just think of that. That was almost 25 years ago. The only action needed by anybody is action by the Senate. The treaty does not have to be passed by the House.

President Nixon has approved it, as has every President since President Truman. The matter is on the Executive Calendar. It is a controversial issue; but it is time that we acted on the basis of the arguments we have made over so many years in favor of outlawing the most heinous crime that can be imagined—the crime of genocide.

The United States must put itself on record as being unalterably opposed to this heinous crime. Senate ratification of the Genocide Convention will publicly reaffirm our fundamental belief that human life is most precious.

RECOGNITION OF SENATOR ROBERT C. BYRD TOMORROW

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that tomorrow, following the recognition of the Senator from Michigan (Mr. HART), the junior Senator from West Virginia be recognized for not to exceed 15 minutes.

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

ORDER FOR TRANSACTION OF ROUTINE MORNING BUSINESS TOMORROW

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that at the conclusion of the orders for the recognition of Senators tomorrow there be a brief period for the transaction of routine morning business of not to exceed 15 minutes, with statements therein limited to 3 minutes each.

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:

DISPOSAL OF CERTAIN CHEMICAL MUNITIONS AND BULK AGENTS

A letter from the Acting Assistant Secretary of the Army describing proposed plan for the disposal of certain chemical munitions and bulk agents stored at several Army installations. Referred to the Committee on Armed Services.

PROPOSED HOUSING ACT OF 1973

A letter from the Secretary of Housing and Urban Development transmitting a draft of proposed legislation entitled "Housing Act of 1973" (with accompanying papers). Referred to the Committee on Banking, Housing and Urban Affairs.

TYPICAL ELECTRIC BILLS, 1972

A letter from the Chairman of the Federal Power Commission transmitting a copy of a publication entitled "Typical Electric Bills, 1972"; (with an accompanying publication). Referred to the Committee on Commerce.

REPORT OF THE COMPTROLLER GENERAL

A letter from the Comptroller General of the United States transmitting, pursuant to law, a report entitled "Preliminary Report on the Special Supplemental Food Program" (with an accompanying report). Referred to the Committee on Government Operations.

ORDERS SUSPENDING DEPORTATION

A letter from the Acting Commissioner of the Immigration and Naturalization Service transmitting, pursuant to law, copies of orders suspending deportation, as well as a list of the persons involved (with accompanying papers). Referred to the Committee on the Judiciary.

PROPOSED LEGISLATION BY THE JUDICIAL CONFERENCE

A letter from the Director of the Administrative Office of the United States Courts transmitting a draft of proposed legislation relative to en banc proceedings in the courts of appeals of the United States (with an accompanying paper). Referred to the Committee on the Judiciary.

REPORT OF THE SECRETARY OF HEALTH, EDUCATION, AND WELFARE

A letter from the Secretary of Health, Education, and Welfare transmitting, pursuant to law, a report on the administrative processes under which the National Heart and Lung Institute will operate in carrying out the National Heart, Blood Vessel, Lung, and Blood Program (with an accompanying report). Referred to the Committee on Labor and Public Welfare.

PROPOSED INCREASES IN POSTAL RATES

A letter from the Secretary of the United States Postal Rate Commission transmitting, pursuant to law, a notice of proposed increases in postal rates and fees (with accompanying papers). Referred to the Committee on Post Office and Civil Service.

PETITIONS

Petitions were laid before the Senate and referred as indicated:

By the PRESIDENT pro tempore:

A resolution adopted by the Council of State Governments relating to adequacy of fuel for agriculture. Referred to the Committee on Agriculture and Forestry.

A resolution adopted by the Common Carrier Conference supporting the proposal under which coal-burning institutions would be prohibited from switching to oil. Referred to the Committee on Commerce.

A resolution adopted by the Council of State Governments relating to residency provisions for Federal tax purposes. Referred to the Committee on Finance.

A resolution adopted by the American Legion expressing confidence in the work of the Federal Bureau of Investigation and wishing success to its new Director. Referred to the Committee on the Judiciary.

Two resolutions adopted by the Italian War Veterans of the United States, Inc., Hartford, Conn., in opposition to the granting of amnesty to draft-dodgers and deserters. Referred to the Committee on the Judiciary.

A resolution adopted by the Chicago Bar Association endorsing the orders concerning bankruptcy rules and official forms. Referred to the Committee on the Judiciary.

A resolution adopted by the Italian American War Veterans relating to a commemorative stamp honoring the Veterans of the Spanish American War. Referred to the Committee on Post Office and Civil Service.

A resolution adopted by the Italian American War Veterans relating to the construction of a veterans' hospital in Connecticut. Referred to the Committee on Veterans' Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. McCLELLAN, from the Committee on Appropriations, with an amendment:

H.J. Res. 727. A joint resolution making further continuing appropriations for the fiscal year 1974, and for other purposes (Rept. No. 93–411).

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

S. 1868. A bill to amend the United Nations Participation Act of 1945 to halt the importation of Rhodesian chrome and to restore the United States to its position as a law-abiding member of the international community (Rept. No. 93–412).

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 or passed as indicated:

By Mr. HATFIELD:

S. 2502. A bill to amend the Internal Revenue Code of 1954 to provide a tax credit for contributions to a neighborhood corporation and to provide other financial assistance to such corporations organized under State law to furnish their own neighborhood services. Referred to the Committee on Finance.

By Mr. BENTSEN (for himself and Mr. TOWER):

S. 2503. A bill to name a Federal Office building in Dallas, Texas, the "Earle Cabell Federal Building." Referred to the Committee on Public Works.

By Mr. HUGH SCOTT:

S. 2504. A bill for the general reform and modernization of the Patent Laws, title 35 of the United States Code, and for other purposes. Referred to the Committee on the Judiciary.

By Mr. METCALF (for himself, Mr. MANSFIELD, Mr. ABOUREZK, Mr. BURDICK, Mr. GOLDWATER, Mr. INOUYE, Mr. MONDALE, Mr. McGOVERN, and Mr. STEVENS):

S. 2505. A bill to provide for additional Federal financial participation in expenses incurred in providing benefits to Indians, Aleuts, native Hawaiians, and other aboriginal persons, under certain State public assistance programs established pursuant to the Social Security Act. Referred to the Committee on Finance.

By Mr. STEVENSON (for himself, Mr. ABOUREZK, Mr. HART, Mr. HUMPHREY, Mr. MAGNUSON, Mr. McGOVERN, Mr. McINTYRE, Mr. METCALF, Mr. MONDALE, Mr. MOSS, and Mr. PASTORE):

S. 2506. A bill to amend the Natural Gas Act to secure adequate and reliable supplies of natural gas and oil at the lowest reasonable cost to the consumer, and for other purposes. Referred to the Committee on Commerce.

By Mr. TOWER (by request):

S. 2507. A bill to improve and simplify laws relating to housing and housing assistance; and

S. 2508. A bill to provide for the guarantee of private mortgage insurance. Referred to the Committee on Banking, Housing and Urban Affairs.

By Mr. CHILES:

S. 2509. A bill to name structure S–5A of the Central and Southern Florida Flood Control District, located in Palm Beach County, Florida, as the "W. Turner Wallis Pumping Station" in memory of the late W. Turner Wallis, the first Secretary-Treasurer and Chief Engineer for the Central and Southern Florida Flood Control District. Referred to the Committee on Public Works.

S. 2510. A bill to create an Office of Federal Procurement Policy within the Executive Office of the President, and for other purposes. Referred to the Committee on Government Operations.

By Mr. DOLE:

S. 2511. A bill entitled the Rural Health Care Delivery Improvement Act of 1973. Referred to the Committee on Labor and Public Welfare.

By Mr. FONG:

S. 2512. A bill for the relief of Saltacion Narito Bisquera. Referred to the Committee on the Judiciary.

By Mr. TOWER (for himself, Mr. SPARKMAN, Mr. CRANSTON, Mr. MCINTYRE, Mr. HUMPHREY, Mr. TALMADGE, Mr. TAFT, and Mr. NUNN):

S.J. Res. 160. A joint resolution to provide for an extension of certain laws relating to the payment of interest on time and savings deposits, and for other purposes. Considered and passed.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. HATFIELD:

S. 2502. A bill to amend the Internal Revenue Code of 1954 to provide a tax credit for contributions to a neighborhood corporation and to provide other financial assistance to such corporations organized under State law to furnish their own neighborhood services. Referred to the Committee on Finance.

NEIGHBORHOOD GOVERNMENT ACT OF 1973

Mr. HATFIELD. Mr. President, today I am introducing a bill entitled the "Neighborhood Government Act of 1973," which I view as a cornerstone of my domestic political philosophy. Like any philosophy, it is rooted ultimately in value judgments. For me, these judgments have evolved over nearly a quarter century of public life. My approach is based on the following convictions: the central importance of liberating the individual person; the imperative to decentralize power, or conversely, the inherent dangers of political and economic centralization; the instinctual human need for community and family being central to the health of any greater unit of organization—the city, county, State, Nation, or world; the humanity and fallibility of public officials; and the requirement of government, if it is to be democratic, effective and responsive, to be rooted close to the people. These convictions seem to have lost their vital relevance to actual legislation and the programs implemented at the Federal and State levels.

The implications of these observations are multifold if one is to be consistent in applying them to our political, social, and economic institutions. The trend of the past four decades has been to place more and more power in Washington, D.C., in the Central Government, and also at the State level. A great deal of this resulted from technological developments and from times of crisis such as the Great Depression, three wars, and continuing inner turmoil. To oversimplify 40 years' national psychological history, we have thought the Government in Washington to be somehow superhuman, deserving our unquestioned faith and trust. We failed to distinguish between the Government and the Nation, the State and the people, allegiance to individuals and allegiance to political philosophy.

As new technologies developed, instead of applying the values inherent in our Declaration of Independence and Constitution, we altered our value systems to meet these technologies. Rather than adapt new technology to our values, we adapted our values to the new technology of the time. The loss of privacy is but one example of the price we have paid. Consequently, we have lost touch with the meaning of individualism, government checks and balances, representative government, community, and family. We have sacrificed fundamental human values in our race to material accumulation. Look at what has happened to government: impersonalization, dehumanization, unresponsiveness, and distance.

All of our problems would not be solved if we reversed the process but at least we would cease compounding those that already exist. Essentially, we must discover some genuine response to solving our society's basic problems rather than merely passing the buck to a new agency and pouring money into it. Our prevailing philosophy of government, developed during the New Deal, has had its strengths during certain times of crisis. But now it needs to be exorcised if we are to reach any semblance of national maturity and health, and enhance human liberation. We have learned much from our New Deals, our Great Societies and Wars on Poverty, our New Federalisms and New Populisms. The time has come to apply these lessons in light of the historical values which have made the United States a vital experiment in self-government, and the new technologies that have so incredibly met many of our material needs on one hand and made us slaves to them on the other.

This might be viewed as a harsh assessment of our progress in this century, but think of the following few examples. What has happened to individual rights, the coherence of the family, the meaning of community, economic vitality, social justice, environmental health, respect to human life, and any meaningful sense of independence for the vast majority of our citizens? They have all deteriorated to varying degrees. I am not predicting doomsday if we fail to change direction, nor am I harking back to some golden age in human history. But we face the danger of eroding our spirit and morale, and becoming more cynical and apathetic as history moves onward, if we do not alter course.

There is no doubt but that more and more power is being centralized in the hands of Government. A few statistics [1] are ample evidence of this. For instance, between 1930 and 1970 the Gross National Product—GNP—increased roughly 10 times—from $90.4 billion to $976.4 billion. During the same time period Federal expenditures increased 20 times—from $2.8 billion to $204.5 billion—or roughly two times as fast as the increase in GNP. On the other hand, State and local expenditures increased 13 times or one-third faster than increase in GNP—$8.3 billion in 1930 and $107.7 billion in 1970. In the case of taxes, Federal receipts have increased 13 times—from $3.0 billion to $190.3 billion—one-third faster than the increase in GNP between 1930 and 1970; and State and local tax receipts increased 14 times, a rate slightly greater than Federal tax receipts. What this means is that we are looking to Government to solve more of our problems than we used to. More specifically, we now look first and primarily to the Federal Government to solve our problems, rather than to our communities, our local institutions, or even ourselves.

We suppose that all our social and political problems can be solved from the top down, by simply changing the superstructure of Government, and imposing new Federal programs and crusades.

It is undeniable, of course, that there are numerous issues which can only be resolved with the application of Federal power. But my point is that we have been operating under a political psychology that assumes our social and economic ills can only be solved by Government, and only well by the Federal Government. Ironically, this belief has continued to grow while the elementary confidence and trust of the people in their Government has continuously and drastically eroded.

According to Congressional Research Service, the Federal Government employed 2,865,303 civilian personnel in 1972 at a cost—in salaries alone—of $31.7 billion. In May of 1973 the Department of Defense employed 1,059,532 people—and these are not people in the uniformed services, they are only civilian employees. The cost in salaries was $1,094,755,000. In the same month the Department of Health, Education, and Welfare employed 124,982 people at a salary cost of $118,349,000.

I do not dispute the need for the Federal Government to take dramatic and forceful action in response to many of the crisis that we face. But I do maintain that the goals of social and human liberation—the freeing of each citizen from social, political, economic, and technological oppression, and the liberating of his spirit for creative self-fulfillment—will never be wrought exclusively through the means of the Federal Government's centralized power.

Our Government has encouraged and now become victimized by misplaced expectations. Through the past four decades, Americans have been conditioned to believe that our major economic and social dilemmas can be corrected by Federal power.

When such has not always occurred, the Federal Government has become the chief culprit, in the eyes of the people, for the existence of these problems. The responsibility for conditions in society has been placed to the remote, impersonal Government. The gulf between the Government and the people thus widens, the belief of the people that Government can really govern deteriorates, and meaningful democracy is lost.

Footnotes at end of article.

It is useful to bear in mind that the massive role of the Federal Government in the social and economic details of our society's functioning has been a recent historical event, thought necessary by most persons because of the revolution in our technology and the growing perplexity of our problems. Originally, the functions of the Federal Government were thought best confined to those of insuring the physical defense of the Nation, and guaranteeing the rights and liberties of each citizen. Now, however, the common assumption is that there are no limits to the Government's extension of responsibility for the conditions in our Nation. That modern political axiom stands in need of reexamination.

The fundamental crisis facing our Government is the drastic political estrangement of our citizens. There is no way that centralized Federal power can solve that crisis, for that power itself lies at the root of the problem. We cannot talk naively about making the Federal Government more responsive. Rather, the only way the mood of political alienation can be broken is by the diminution of the power held by the central Government. That entails recreating a democracy that is relevant to the lives of American citizens.

Government has become an institution of domination. It must be transformed into an institution of servanthood.

The cornerstone of political and social renewal for America is the revitalization of the relevance of human community. Only with a heightened sense of community can we enhance the freeing of human creativity and also hope for the strengthening of the family's role in our society.

In order to bring about such a renewal, however, massive decentralization at every level of Government is required. Decentralization of our social and economic institutions is also required. If technology is to be mastered rather than the master, we have no choice. If each citizen cannot meaningfully participate in his or her system of government and actually have an effect on that system, the system is the master, not the servant; Government is the master and the citizen the slave, the State becomes supreme, the individual inconsequential. This is the definition of totalitarianism, the antithesis of democracy.

Dr. John B. Calhoun of the National Institute of Mental Health conducted a series of studies which exemplify what is happening within our country, having implications much broader than those to which I am directing my remarks today:

We introduced four pairs of domesticated house mice into a utopian environment that provided adequate resource of food, water and shelter for over 3,000 mice. The population grew to a maximum of 2,200 individuals, shortly after which reproduction ceased. Now in January 1972, after nearly two years without any reproduction, aging has taken its toll leaving only 500 senescent mice, all beyond the age of normal cessation of reproductive function.

As population growth ensued, small social groups of 10 to 12 mice formed. Each staked out a portion of the physical space as its territory. By the time 14 such groups had formed, all the more desirable space had been occupied. Due to our exclusion of most mortality factors other than aging, many more young survived than would have in a natural ecological setting. The first few hundred such younger mice were systematically and vigorously rejected as they attempted to seek a place in the social fabric. Most withdrew both psychologically and physically, moving about only to obtain food and water. Most of the last 1,000 mice born became very autistic-like due to early rejection by their mothers and excessive contacts in the now over-crowded environment. They never learned any effective aggressive or sexually adequate behavior. Once the formerly behaviorly effective and reproductive mice died of old age, there survived no such competent member to replace them. So it has come about that the population is fast approaching extinction.

Transferring these observations to the human scene calls for interpretation of this implication. We may rephrase the conclusion: Whenever a species increases its number beyond the point that most members can play an effective role in the community, behavioral development will be disrupted to the point that the more complex behaviors, formerly possible by members of the species, will no longer emerge. For mice, these more complex behaviors include reproduction and territorial defense. For man they include acquisition and utilization of ideas. If I am correct in making this interpretation, we are very close in time to where the human species may be faced with extinction because of loss of capacity to deal with complex ideas such as are involved in the current environmental crisis. (This point of evolution is about 2010 A.D., at the current rate of population growth.)[2]

Look at our society, especially our large cities, and one can see these symptoms which Dr. Calhoun discusses: the overcrowding, the size, the highly complex nature of any problem, increasing crime, the virtual lack of any human scale and human community, and the increase of problems in spite of material abundance.

A very different sort of study[3] was conducted for the Institute for Policy Studies analyzing the income flows in the Shaw-Cardozo area of Washington, D.C. Three sets of statistics were developed the most reliable of which, according to the study, indicated that in 1968 $5 million more in taxes were paid out than were received in all visible government services. This was the first study of its kind and while not the most sophisticated economic document, its potential implications were profound. Since then more sophisticated studies of other poverty areas have taken place. Dr. Richard Shafer, consultant to the Bedford-Stuyvesant Restoration Corporation, conducted his first study[4] of the Bedford-Stuyvesant community in 1970. Since then he has updated and further analyzed the area based on 1970 census data in a soon-to-be-published document.[5] In contrast to the Shaw study, Dr. Shafer's shows opposite results: there were more revenues going into the Bedford-Stuyvesant community than tax revenues going out. Rather than go into the details of each of these studies, I would like to briefly discuss some of the conclusions that might be drawn from them.

First, both areas are low income communities and the focal point for most, if not all, of the innumerable anti-poverty programs of the past decade. Second, like most ghetto areas between 1959 and 1969 the earned income of their residents decreased. Third, both communities have enough resources that if they were left in the community it could be possible to finance a great proportion of their own services, and perhaps finance even all of them—in the Shaw area—if that original study is still valid.

The financing of neighborhoods is a very new area in accounting and economics. The studies mentioned are the only ones of which I am aware that incorporate these new accounting concepts showing inflow and outflow data for neighborhoods. Data is organized in a completely different manner at the national, State, county, and city levels making comparative analyses of the needed type very hard to develop. For instance, in order to compile the data for the Bedford-Stuyvesant study, Dr. Shafer had to go from department to department, agency to agency, and collect his own statistics in some instances, in order to determine what amount of money went to specific areas in New York City. The outflow statistics are not that difficult to come by, relatively speaking. But even on that side of the ledger, even the Internal Revenue Service does not have its tax data organized on an adequate geographical matching system. The State of New York is perhaps the most advanced government in this area, but progress toward centralizing this information is questionable. What is needed is a neighborhood income accounting system on a national scale carried out by each Federal, State, county, and city agency. This would demand a great deal of time and effort, not in data collection but in data reorganization and computerization. Yet it seems about time that we had such an accounting system if we are to have any meaningful grasp of the problems facing our towns and cities. Merely having large budgetary outlays listed in traditional form cannot give us any indication of the success or failure of our various policies where it counts—at the local neighborhood level. One can gather outflow data with relative ease based on the 1970 census data. It would be much easier, however, if it were collected on such a geographical basis to begin with. Yet, to collect data on inflow of revenues from any governmental source is a long and painstaking process. A geographical matching system with a neighborhood accounting system for each city is very much needed.

Neighborhood government, as I conceive of it, is groups of individuals living within common geographical areas with fully participatory forms of government. The citizens would have ultimate control over their own services, if they so desired, including police, education, health, drug abuse, welfare day care, help for the aging, sanitation, zoning, taxing and

law enforcement. All of this, of course, would have to be in concert with State and Federal laws as well as within the guidelines of the Constitution. But rather than power, money and programs emanating from and controlled by Federal, State, county, and city governments, they would emanate from the neighborhood to the larger jurisdictions as appropriate.

In order to move from our present institutional-political-economic structure to one based in the neighborhood, a series of transitional moves are necessary, combined with a great deal of model development and experimentation. Following the introduction of the overall neighborhood government legislation I am presenting today, I will be proposing legislation dealing with a number of institutions and their decentralization including: welfare, drug abuse, prisons, child care, police, national guard, health, education, finance, justice, and juvenile delinquency. At this time, however, I will only briefly outline what is contemplated in some of these areas.

In virtually each area mentioned above, there is a terrible lack of information relative to economies of scale, cost-benefit analyses, and other efficiency/quality studies. Welfare is not one of the exceptions. We do not have at the present time the type of data to determine to what extent the present welfare system is working, failing, or succeeding. Continuing efforts, such as some underway, which look at the present system to determine exactly what is happening within it, are the first steps that need to be taken. Then a combined Federal, State, and local effort is required to develop models at the neighborhood level for neighborhood welfare corporations. The thrust of such a program would be to make these corporations as self-sustaining as possible by encouraging local participation in not only program development but in its implementation as well.[6]

Drug abuse legislation is badly needed. The problems of drug addiction, not just heroin addiction, is growing rapidly, and effective methods of dealing with its symptoms and its causes must be forthcoming. While it is a family-community problem at its roots, it is national in its scope. One cannot merely wash one's hands of it by leaving it solely up to the neighborhood to solve. What is needed is a multimodel, community-based program to deal with the multifarious problems of addiction and drug related crime while including the community as much as possible. Dealing with the symptoms will only postpone further problems until they boil up once again. It is only through a cooperative effort by Federal, State, and neighborhood governments that this problem can be solved.[7]

Data is not lacking in the area of prisons, and the data indicates that radical change is needed in our penal institutions. We seem to have forgotten the Attica's of the recent past, and if we continue with this sort of memory, we will only be reminded of it during the next bloody riot in some unnamed prison. Before such tragic events overtake us once again, our penal system should be made more responsive to rehabilitating those who have broken the law. To do this will require a great deal of community involvement and a great deal of prison involvement in the community. Only through community based rehabilitation can there be any hope of effectively dealing with the vast majority of those who have broken the law.

Child care is an issue entirely separate from welfare, because it is not only the young children of parents below the poverty line who have need for such facilities. There is an increasing trend to have both parents working—for many middle- and upper-income families as well. With the continuing trend in the divorce rate many more mothers are forced into the marketplace and have a need to find some reliable place to leave their children during the day. It seems logical that such a program must of necessity be community based and has perhaps the greatest potential to be self-sustaining before any of the other neighborhood based programs merely because of the cross section of income brackets that it encompasses.

Our police systems throughout the Nation, particularly in the large cities, very much need to get closer to the neighborhoods for a number of reasons. A fascinating study by Elinor Ostrom and Roger B. Parks of Indiana University was recently published, fully developing the reasons for this conclusion. They found that the assumed efficiencies and quality of large police forces are not evidenced by any data which they have compiled and/or examined, and that the quality of smaller jurisdictions was higher. They found:

> In the smaller size ranges for both suburban cities and center cities, service levels may increase as city size increases. Thus, evaluation by surburban residents living in cities below 20,000 increases as city size increases. The same is true for residents of center cities under 100,000. However, the direction of relationship reverses for suburban residents living in cities above 20,000 in population and center city residents living in cities above 100,000. Economies of scale accrue up to some size range in the neighborhood of 20,000 population for suburban police departments and 100,000 for center city departments but diseconomies of scale may occur in larger sizes. . . . Thus, neither an increase in the population size of a jurisdiction nor an increase in the police/citizen ratio is positively associated with higher service quality.[8]

The National Guard, which is both a State and Federal organization, could serve a greater service to the community than it already does. Having neighborhood based national units with programs developed to foster community improvement and involvement could have a tremendously constructive impact in our cities and towns across the country. While I am advocating such a program for the National Guard, and for the Reserves as well perhaps, I am not advocating the elimination of their primary role of military readiness for domestic crises and for backing up our active duty forces in case of war or national emergency. It seems to me, however, that a great deal of potential exists for a twofold thrust for the National Guard that would attract more enlistments and have many positive spinoffs, not only for the community but for the guardsmen as well.

Health delivery systems have been the focus of a continuing national debate. There remains a great lack of information relative to various aspects of this system. Elements for an effective health delivery system, however, would include the following: first, adequately trained personnel to meet the health needs of all of our citizens; second, adequate facilities to meet these needs in a prompt manner as well as any sustained long-term needs of patients; third, personnel from and facilities based in the local communities to the greatest extent possible; fourth, community based financing for such a system to the greatest extent possible; and fifth, neighborhood focused group and related insurance programs to meet health and other related needs.

Neighborhood education presents a myriad of potential problems ranging from federally controlled national education programs and standards to minority rights and desegregation. What I will propose, however, may get beyond these issues, with the clear mandate that neighborhoods, of course, follow the guidelines of the Constitution. The first major component of such a program is neighborhood control of its own schools. This includes financing, teaching, and administration. It should be the choice of each neighborhood if they want to be part of a larger education system. Second, the Federal and State Governments should provide economic incentives to neighborhood units to experiment in this area, but not further involving the Federal Government or the States in setting numerous artificial standards of educational attainment or programing.

Much greater stress must be placed on neighborhood and local financial structures. Credit unions and banks, particularly, must be developed focusing on community resources and building neighborhood independence. Financial institutions with the community's interests in mind based in the neighborhood or coalitions of neighborhoods forming financial enterprises could play a vital role in constructing a strong financial base within each of our local communities.

Developing such institutions at the neighborhood level will be one of the most critical factors in the success or failure of neighborhood based government in the long run. For if neighborhoods are to develop independent self-sustaining service systems, the financial base must also be independent and community based to the greatest extent possible.

The general approach in each of these neighborhood government bills will entail the geographic definition of a neighborhood area and the requirement for citizens in each community to participate in the program development and implementation. Furthermore, the financing will start with the present system, in most cases a combined Federal and State program, with specific guidelines for transferring costs to the local community, the goal being the complete financial takeover by the neighborhood. There are obvious cases where all neighbor-

Footnotes at end of article.

hoods do not have the requisite expertise to entirely set up and carry out complex programs—nor do many have the financial resources. Federal, State, and city governments do have access to such personnel and resources. However, these levels of government lack essential knowledge of the unique problems in each locality. Thus innovative partnership wedding these two is essential. Colleges and universities would have an excellent opportunity to play a significant role in this effort as well. Further, religious institutions could play an indispensible role in enhancing the renewal of community. For instance, if each church and synagogue were to take over the responsibility of caring for 10 people over the age of 65 who are presently living below the poverty level, there would not be any need for the present welfare programs focused on the aged. If each church and synagogue took over the responsibility of 18 families—a total of 72 adults and children—who are eligible for welfare today, there would not be any need for the existing Federal or State welfare programs to families. If each church and synagogue cared for less than one child each, the present day care programs supported by Federal and State funds would be totally unnecessary. Our religious institutions would be a natural focus of community activity directed toward meeting the human needs of one's fellow citizens.

Each institutional change, as contemplated in the legislation, would proceed on an experimental basis developing neighborhood models in a cross section of cities and towns throughout the country. Then, and only upon successful model development, would neighborhood government be a viable alternative national policy. By alternative national policy, I mean that no community would be required to organize itself in such a manner unless it so desired. If the citizens of the neighborhood are satisfied with their programs or view neighborhood government as a worse alternative, they need not be obligated to change. The core of the proposal is based upon voluntarism. People must be given the opportunity to choose to adopt means of self-government, reclaiming power that has previously been abdicated to the Federal Government.

A number of programs and bills in the past have dealt with local community control of various aspects of neighborhood life. They have ranged from OEO programs to Revenue Sharing to the Better Communities Act to the Community Self-Determination Act. They have all focused on the lower income communities, with the exception of Revenue Sharing, and have ranged in financing from specified grants to bloc grants. All of them contemplated actually solving a myriad of complex problems in one legislative and/or administrative move by either moving all of these problems out of the sphere of concern of the Federal Government or by completely bypassing local and State governments. All of them contemplated decentralizing power only to a small extent, and some did not explicitly set up any experimentation models, nor did many provide any checks or guidelines for program development or fund utilization. Those few that did allow for decentralizaion below the city level did not have adequate definition considerations of boundaries and unit size nor did they or any of the other proposals focus sufficiently on developing or requiring a high degree of citizen participation. Some have created community corporations, bypassing State and local power structures, and others have dealt with the existing power structures in each city or town. The trend has been toward large bloc grants, without any guidelines to the State and local governments, and without any requirement for local participation to any great extent, if at all. This trend, as embodied in the Revenue Sharing Act and the Better Communities Act, is in the wrong direction, both as to focus and to financing.

As long as Federal funds are being used to finance domestic programs in areas where the funds did not originate, it is incumbent upon the Federal Government—or agency—to responsibly administer those funds. To the extent that the Congress does not set down specific guidelines, it is up to the executive branch to do so. In the past three decades the Congress has virtually given over large areas of legislative authority to various executive agencies without having much recourse if the original intent of the authorizing legislation is not followed. Once a bureaucracy is created it seems virtually self-perpetuating and keeping track of it is almost impossible from within Congress on any consistent basis. This is one of the most disturbing aspects of recent Federal legislation. That is why I believe that authorizing legislation should entail as many specific guidelines as regulations within it as possible. A counter argument is that this robs those running the respective agency of necessary flexibility in administering their mandate. However, this misses the critical point that administrative flexibility is not the purpose of a bill if it is to accomplish very specific goals within the definition set down by Congress. The Neighborhood Government Act, as well as the neighborhood government legislation I will subsequently introduce, encompass this philosophy.

The financing of neighborhood programs, of course, is one of the most critical factors. The Neighborhood Government Act of 1973 sets up a series of tax credits for individual citizens of neighborhoods based on the citizen's income level. It also includes direct grants to the neighborhood corporations based on the amount of non-Federal taxes that were paid out of the neighborhood. But this simple financing method alone would not be adequate for all neighborhoods across the country at the present time. In areas where the citizen awareness is significant enough, the resources substantial enough, the technical expertise well enough developed, and assuming this legislation were to pass, neighborhoods could begin to function on the basis contemplated in the bill. Other neighborhoods, however, would not be able to due to lack of various types of resources, including financial. Consequently, I will be introducing legislation aimed at specifically fostering financial expertise within the community as well as increasing citizen awareness, participation, and organization. Further, the Federal Government has an obvious and continuous role to play in supplementing and building up the resources of disadvantaged neighborhoods. Also, increased utilization of credit unions and neighborhood banks might serve as a major step in fostering such development in specific financial areas. In some of the low-income neighborhoods of our Nation the effort to attain these goals may be arduous, but at least we can make the right beginning.

What might be the effect of this legislation on a low-income area in purely economic terms? Assume the Bedford-Stuyvesant community received $11.5 million in credits to its citizens, which would occur, roughly, under my proposal. This would give the neighborhood approximately twice the credit that it now has. It could increase its equity and magnify it to perhaps $100 million—and this is in an economy of $1 billion. We would then be talking about a 10-percent cash flow increase in the community which would thereby increase the resource base significantly if the consistency of the tax credit could be counted on. The lack of consistency with respect to reliable, predictable income to the area is one of the primary obstacles which presently hampers the community's growth. It should be noted that the Bedford-Stuyvesant community has a median income of $6,300, which contrasts to Harlem of $6,100 and to South Brooklyn of $5,100—in 1970. Nevertheless, while the median incomes vary to some degree in these three communities, the general effect would be the same in each: a substantial increase in cash flow and the economic base, and, consequently, a progressively greater capacity to handle their own programs. This would be the anticipated effect in other low income communities.

A key area which needs development and research is the relative effectiveness of various sized service areas. Health, prisons, welfare, fire, refuse, education, and housing would be included on the list. There has already been some research in this regard in law enforcement, as I mentioned earlier, but the state of the art beyond this one study is not very advanced at all. The Advisory Commission on Intergovernmental Relations—ACIR—in a bulletin has concluded:

> Size does not seem to matter in cities of 25,000 to 250,000—neither economies nor diseconomies of scale were of significant number. But in cities over 250,000 population, size *does* make a difference—the law of diminishing returns sets in and there are significant diseconomies of scale.[9]

In a table adapted from data collected by Werner A. Hirsch, Elinor Ostrom has presented the following compilation[10] focusing on previous empirical studies of the effect of scale of production on average unit cost for a variety of social services:

Footnotes at end of article.

Name of investigator year of study	Type of urban public service	Type of data used [1]	Result [2]
Review (1966)	Secondary Education	S	AUC is U-shaped with a trough at about 1,700 pupils.
Kiesling (1966)	Primary and Secondary Education.	S	AUC is about horizontal.
Hirsch (1959)	Primary and Secondary Education.	S	Do.
Schmandt-Stevens (1960)	Police Protection	S&Q	Do.
Hirsch (1960)	do	S&Q	Do.
Will (1965)	Fire Protection	E	AUC is declining with major economies reached at 300,000 population.
Hirsch (1959)	do	S	AUC is U-shaped with trough at about 110,000 population.
Hirsch (1965)	Refuse Collection	S	AUC is about horizontal.
Hirsch (1959)	School Administration.	S	AUC is U-shaped with trough at about 44,000 pupils.
Nerlove (1961)	Electricity	S	AUC is declining.
Isard-Coughlin (1957)	Sewage Plants	S	Do.
Lomax (1951)	Gas	S	Do.
Johnston (1960)	Electricity	S	Do.

[1] S=statistical data; Q=questionanire data; E=engineering data.

[2] AUC=average unit cost.

However, there are several problems in this compilation. To utilize Elinor Ostrom's work further:

The development of an explanation will also require the careful and consistent definition of all concepts included in the theoretical structures. Frequently, terms used in one tradition do not quite mean the same as when used in another tradition. For example, the term "efficiency" is used as a dependent variable in both of the theoretical structures posed above. However, as used by the metropolitan reformers, the term "efficiency" is usually conceptualized as a ratio of benefits produced to the cost of producing them. Social costs are rarely included within this definition of efficiency. In analyzing the efficiency of public agencies, political economists are apt to define efficiency so as to include the social costs or the resources required to produce and consume the public good valued in terms of alternative uses foregone. Social costs "may not equal the costs borne by the urban government that provides the service." That portion of the total costs represented in the budget of a government agency may be called "agency costs." But, in addition, other parties, both public and private, may incur costs that are not explicitly charged to the agency in question, nor considered in that agency's efficiency and financial deliberations.

Equally perplexing problems exist with such concepts as "output," "equal distribution of costs," "responsibility of local leaders" and "citizen participation." Not only will scholars define these concepts differently, but the indicators which are utilized for operationalizing variables are frequently open to serious questions of validity. One of the most perplexing problems facing these interest in quantitative, comparative urban research is the development of valid measures of output. However, since the amount expended by a government may not always be transformed on a one-to-one basis into benefits for the citizens of the jurisdiction, we need to be developing other measures of output which indicate the level of output received by citizens.[11]

Howard Hallman in his book "Government by Neighborhoods," [12] has taken another interesting approach to the problem. He has compiled data to show what functions communities of various sizes can adequately manage. His summary is listed in the following table:

Functions	Activities which can be handled by a neighborhood: 10,000 population	Activities which can be handled by a neighborhood: 25,000 or more	Activities which cannot be handled by a neighborhood
Police	Patrol, routine investigation, traffic control.	Same	Crime laboratory, special investigation, communications.
Fire	Fire company (minimal).	Fire companies (better).	Training, communications, special investigation.
Streets and highways	Local streets, sidewalks, alleys: Repairs, cleaning, snow removal, lighting, trees.	Same	Expressways, major arteries.
Transportation			Mass transit, airport, port terminals.
Refuse	Collection	Same	Disposal.
Water and sewer	Local mains	do	Treatment plants, trunk lines.
Parks and recreation	Local parks, playgrounds, recreation centers, tot-lots, swimming pool (25 m.).	Same plus community center, skating rink, swimming pool (50 m.).	Large parks, zoo, museum, concert hall, stadium, golf courses.
Libraries	Branch (small)	Branch (larger)	Central reference.
Education	Elementary	Elementary, secondary	Community colleges, vocational schools.
Welfare	Social services	Same	Assistance payments.
Health		Public health services, health center.	Hospital.
Environmental protection.		Environmental sanitation.	Air pollution control.
Land use and development.	Local planning, zoning, urban renewal.	Same plus housing and building code enforcement.	Broad planning, building and housing standards.
Housing	Public housing management.	Public housing, management and construction.	Housing subsidy allocation.

There is ample historical precedent for the proposal I am making today. In addition to the experience that small, community oriented government has had in world history and in other countries, the United States has accumulated a great deal of such experience during the past two centuries. In the East and South from colonial times to the present, local participatory governments have been in existence. One can visit almost any State in the Northeast, for instance, and find governments that are organized around the town meeting. Similarly, our western cities were originally governed in much the same manner. Furthermore, virtually every major city in the United States has grown by the process of annexation, the central city—or what was to become the central city—bringing in suburbs, towns, municipalities, and villages on its borders within its jurisdiction.

The move to decentralization is not new. There is experimentation occurring in various cities, counties, and States today. Included in this list would be Dade County, Fla.; Bergen County, N.J.; New York City; Delaware County, Pa.; Montgomery County, Md.; Washington, D.C.—UPO, MICCO, and AMMO; Columbus, Ohio; Dayton, Ohio; Oakland, Calif.; Los Angeles, Calif.; Boston; Seattle; Kansas City; Pittsburg; and Sto-Rox, Pa.

One of the most interesting experiments with which I am familiar is taking place within the AMMO neighborhood under a separate corporation called Community Technology. The group is newly created—1973—and is examining the various methods by which neighborhoods can develop and utilize resources within the community to meet as much if not all of their technological needs: food, clothing, et cetera. The community experiment is fascinating for a number of reasons. Not only does it combine four very distinct ethnic groups, but it is experiencing with local control of government services and technological adaptation to local needs as well. At the beginning of my address, I referred to the need to reverse the trend of letting technology lead us rather than our controlling technology. This experiment, whether it succeeds or fails in terms of meeting the specific needs of this Washington neighborhood, will be a tremendous first step in the direction of freeing ourselves from our current form of technological slavery.

A critical aspect in developing any sense of genuine neighborhood, and developing programs based in the community, is defining the boundaries of the neighborhood. The best method of determining geographical boundaries that I have encountered was written by Gerson Green. Mr. Green's criteria are as follows:

1. Official designations by municipal governments for such city services as police and fire protection, recreation centers, and neighborhood city halls;

2. Official designations by public or semi-public institutions such as local Community Action Programs, Model Cities Programs, Public Housing Authorities, and Employment Service funded neighborhood outreach programs.

3. Sub-areas of the cities which originally possessed their own incorporated boundaries prior to annexation by the cities.

4. Sub-areas designated by indigenous voluntary neighborhood citizens organizations as their service areas;

Footnotes at end of article.

5. De-facto designations by church parish, by neighborhood schools, and by private settlement houses and community centers;

6. Sub-areas of the cities designated by indigenous 'folklore.'

7. Sub-areas of the cities contained within natural boundaries such as hills and rivers.

8. Sub-areas of the cities contained within artificial boundaries that have come to be accepted, such as freeways, railways, or other elements of urban design;

9. Sub-areas containing public and commercial clusters of amenities that have recently been or are currently primary amenities to the surrounding residents;

10. Sub-area designations consistently recognized by mass media.

In the final analysis, sub-area residents have defined their neighborhoods through the impact of some or most of the above criteria, plus the memory or reality of racial or ethnic concentrations, and the residual force of the past and current ward, district, or precinct boundaries.

In most cases, neither the residents, local politicans, or even local historians can empirically demonstrate the existence of neighborhood, but, in querying local residents, the specific designation is expressed with considerable confidence.

The task of defending the general and seemingly apparent arbitrariness of neighborhood designation was much simplified during the 1960's by official designation of municipal Community Action Agencies (CAA's) and the further definitional refinement accomplished by the neighborhood councils established by the CAA's. In general, both the residents of the designated neighborhoods, and city planning departments, and municipal political leadership have all accepted the designations, at least for functional purposes. Census data tends to confirm the designations at least in terms of income, race, and other socio-economic factors. Special studies or urban pathologies, such as those conducted by the Comprehensive Neighborhood Health Centers program, the neighborhood Legal Services Program, and a number of universities and health and welfare associations have confirmed the concentrations of pathology which have long been well known to the residents of the neighborhoods.

One final criterion that assists many cities in definition of neighborhoods is the boundaries staked out by youth gangs to define their turf. This is a relevant criterion generally observed by both the resident adult population and by rival youth gangs, as well as by police.[13]

The legislation I am introducing today encompasses three distinct areas. The first area is financing. There are three methods by which financing can be accomplished. First, there is a tax credit based upon the taxable income of each individual resident of the neighborhood set up on an inverse relationship between the credit and taxable income. The credit in this instance would range from between 80 and 10 percent. The second method of financing comes from moneys contributed by individuals, corporations, or other neighborhoods, also based on an inverse relationship between the taxable income and the credit, the credit in this case, however, would be one-half of that given to individual residents within the neighborhood. The third method of financing is by direct grants to the neighborhoods. The basis on which these grants are computed is by the amount of non-Federal taxes paid out by the residents of the neighborhood. The grant would be the total of these non-Federal taxes. While the methods of financing outlined above have their problems—and perhaps we will find simpler, more efficient methods, such as negative tax credits state reduction of income and other taxes, building up resources within neighborhoods, et cetera—these are the most effective means available with the present state of knowledge relative to neighborhood cash flow. But clearly more research needs to be done.

The second distinct area within the bill is the authority of the Secretary of the Treasury to determine whether or not sufficient numbers of the respective neighborhood's citizens wish to incorporate and participitate in the programs. I use the figure of 70 percent as the minimum desired proportion of voting age citizens who desire to form a neighborhood corporation as a somewhat arbitrary number. However, some guideline must insure against an oligarchical arrangement being created within the neighborhoods, or we will be regressing in history. We have had too much unfortunate experience with nondemocratically run governments—within our borders.

The third major area within the bill is the ultimate authority of the Secretary of the Treasury to approve of boundary determinations of neighborhoods. The guidelines to which I referred earlier of Mr. Gerson Green should be adequate. But if they are not, the criteria should be as nonpolitical as possible. In other words, natural geographical boundaries should be used to the greatest extent possible. The neighborhoods are not intended to be enclaves of ethnicity, specific economic interests, social stratification, and the like. Such will be the case in certain instances, but more than likely there would be a great cross-section of incomes, ethnic groups, religious groups, racial groups, and other interest groups. This may cause definite problems in human relations but, if the desire is there, which it would have to be if the neighborhood incorporated, that mixing of interests and backgrounds has been a primary source of the American genius.

Previously, in testimony for the 1972 Republican National Convention, I focused on not only what the Federal Government needed to do to move toward decentralization, but outlined what steps the various State governments might take as well. These steps could include the following:

A league of neighborhoods or league of community governments.

Proposed State legislation instituting community or neighborhood subunits.

Pilot projects on neighborhood welfare reform corporations.

Initiative to enable community control of education.

Statewide neighborhood atlas development.

The States have perhaps a greater potential role to play than the Federal Government. They have consistently and historically been the source of new programs for national adaptation. And neighborhood government can, and I believe will, be no exception. In any event, a great deal of cooperation will be required if this concept is to reach valid conclusions based on experimentation, let alone become an alternative national policy. While I personally believe that our society and each citizen of our country would be better for our own national interest by adopting neighborhood-based government within our communities, the choice ultimately rests with them, as it always has and, I hope, always will.

In the most humanly important ways, people function as members of neighborhoods rather than of cities or States. But the public life and needs of our neighborhoods carry no self-governing authority and responsibility. Therefore, it is essential that we develop a concerted policy of restoring political power to neighborhoods and their residents.

The plight of the poor and the disadvantaged must certainly be the concern of the Federal Government. But in the final sense, the relief for the dispossessed will come not through solely a bureaucratic program written and implemented in Washington, but through individuals, groups, neighborhoods, and local communities that are given, and choose to take, the responsibility. Enabling and evoking this kind of responsibility at decentralized levels of political life is the most fundamental contribution the Federal Government can make toward the realization of human well-being for all our people.

The purpose is to allow political power, resources, and responsibility to be retained as directly and closely to the people as possible. To do so obviously means that the power and functions of larger units of local government, such as the machines of city mayors, should relinquish responsibilities to neighborhood government. We must create such decentralized structures if the average citizen is to have a direct and meaningful opportunity for determining the institutions that affect his life and shape his future. The strategy and process of such a transition in government responsibility may present challenging problems. But ultimately, I believe there is no other way to overcome the dominate feeling of political lifelessness in America, and to restore genuine political power to our citizens.

Mr. President, I ask unanimous consent that footnotes prepared in connection with my statement together with the bill be printed in the RECORD at this point.

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

FOOTNOTES

[1] "Economic Report of the President," January 1973 and "Budget of the United States Government, Fiscal Year 1974".

[2] Calhoun, John B., "Declaration of Environment," from the "Journal of Environmental Health," January/February 1972, p. 357.

[3] Mellor, Earl F., "Public Goods and Services: Costs and Benefits, A Study of the Shaw-Cardozo Area," presented to the Institute for Policy Studies October 31, 1969.

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[5] Schaffer, Richard L., "Toward an Economic and Social Accounting System for Bedford-Stuyvesant, a Progress Report, April 1973," soon to be published.

[6] Hatfield, Mark O., "Congressional Record," Vol. 117, No. 176, 92d Congress, First Session, November 17, 1971.

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[9] Advisory Commission on Intergovernmental Relations, "Information Bulletin" No. 70-8) (Washington, D.C., Advisory Commission on Intergovernmental Relations, Sept. 16, 1970), p. 2.

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[11] Ostrom, Elinor, "Metropolitan Reform: Propositions Derived from Two Traditions," from "Social Science Quarterly," December 1972, pp. 487-488.

[12] Hallman, Howard W., "Government by Neighborhood," Center for Governmental Studies, Washington, D.C., June 1973, p. 24.

[13] Green, Gerson, specifically prepared for the Institute for Neighborhood Studies, Washington, D.C., 1971.

S. 2502

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 "Neighborhood Government Act of 1973."

DECLARATION OF PURPOSE

SEC. 2. It is the purpose of this Act to encourage communities and neighborhoods to incorporate for the purpose of providing their own neighborhood services, to provide additional operating funds for such corporations, to increase the sense of neighborhood participation by individuals in such neighborhoods by providing a tax credit for contributions thereto, and to provide additional Federal revenue to such corporations.

TAX CREDIT FOR CONTRIBUTIONS

SEC. 2. (a) Subpart A of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1954 (relating to credit against tax) is amended by renumbering section 40 as 41, and by inserting after section 39 the following new section:

"Sec. 40. Contributions to neighborhood corporations

"(a) GENERAL RULE.—There shall be allowed as a credit against the tax imposed by this chapter for any taxable year any amount contributed to a certified neighborhood corporation and paid during that year, subject to the limitations of subsection (b).

"(b) LIMITATIONS.—

"(1) AMOUNT.—Except as provided in paragraph (2), the amount of the credit under subsection (a) shall not exceed—

"(A 80 percent of the amount of the contribution if the contributor's taxable income for the taxable year is $10,000 or less;

"(B) 60 percent of such amount if his taxable income for the taxable year is more than $10,000 but not more than $15,000;

"(C) 40 percent of such amount if his taxable income for the taxable year is more than $15,000 but not more than $20,000;

"(D) 20 percent of such amount if his taxable income for the taxable year is more than $20,000 but not more than $25,000; and

"(E) 10 percent of such amount if his taxable income for the taxable year is more than $25,000.

"(2) NONRESIDENTS.—In the case of an individual who does not reside in the neighborhood served by the neighborhood corporation to or for the use of which he makes a contribution, or a corporation which does not have an office or other establishment in the neighborhood served by the neighborhood corporation to or for the use of which it makes a contribution—

"(A) the amount of the credit under subsection (a) shall not exceed one-half of the amount of the credit under such subsection as determined under paragraph (1) of this subsection; and

"(B) credit shall be allowed during any taxable year for contributions to only one neighborhood corporation.

"(3) APPLICATION WITH OTHER CREDITS.—The credit allowed by subsection (a) shall not exceed the amount of the tax imposed by this chapter for the taxable year reduced by the sum of the credits allowable under section 33 (relating to foreign tax credit), section 35 (relating to partially tax-exempt interest), section 37 (relating to retirement income), and section 38 (relating to investment in certain depreciable property).

"(c) CERTIFICATION OF NEIGHBORHOOD CORPORATIONS.—A corporation may be certified by the Secretary or his delegate for purposes of this section upon application by the corporation for certification if it—

"(1) is organized under the laws of the State in which it is located as a corporation not for profit and restricts its operations to the single neighborhood it was designed to serve;

"(2) is organized for the purpose of supplying services to its members, and other persons residing within the neighborhood it is designed to serve, which were supplied by a municipal or other government prior to the establishment of the corporation, or similar services; and

"(3) demonstrates a capacity to supply such services and to perform the activities for which it was established in an adequate and satisfactory manner.

No corporation may be certified for purposes of this section which is formed for the purpose, or with the effect, of preventing the implementation, within the neighborhood it is designed to serve or within the larger neighborhood within which it is located, of any plan or program designed to carry out the laws of the United States, or for any purpose which is contrary to public policy, or which would have a substantial adverse effect upon adjacent neighborhoods. No corporation may be certified for purposes of this subsection unless it is so organized as to permit a high degree of participation by members of the neighborhood it is designed to serve in making major policy decisions.

"(d) NONDEDUCTIBILITY OF CONTRIBUTIONS.—No deduction shall be allowed under section 170 for any contribution to or for the use of a neighborhood corporation to the extent that a credit is allowed (after the application of subsection (b)) for such contribution under subsection (a).

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

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

"Sec. 40. Contributions to neighborhood corporations.

"Sec. 41. Overpayments of tax."

(c) The amendments made by this section shall apply to taxable years ending after the date of enactment of this Act, but only with respect to contributions payment of which is made after such date.

COMPENSATION FOR STATE AND LOCAL TAXES

SEC. 3. (a) Upon application from a neighborhood corporation certified under section 40 of the Internal Revenue Code of 1954, the Secretary of the Treasury is authorized to pay to such corporation for general corporate use an amount equal to a part (determined under subsection (b)) of the amount of non-Federal taxes paid by members of that corporation to State and local governments. Such payments may be made annually or as otherwise determined by the Secretary.

(b) The amount of the payment which the Secretary may make under subsection (a) to a neighborhood corporation is an amount equal to a percentage of the total amount of non-Federal taxes paid by members of that corporation to State and local governments. That percentage shall be determined in accordance with the following table:

Per capita annual income of individuals residing in the neighborhood served by the corporation:	*Percentage*
$10,000 or less	80
$10,001 to $15,000	60
$15,001 to $20,000	40
$20,001 to $25,000	20
More than $25,000	10

(c) The amount payable under subsection (a) may be reduced by the Secretary whenever he determines that such reduction is necessary in consideration of the total amount of funds available to him for such payments and the total amount of payments for which application has been or may be expected to be made. Before making any payment under subsection (a), the Secretary shall require that any applicant provide for such fiscal control and fund accounting procedures as he deems necessary to assure proper accounting for Federal funds so paid. The Secretary may require such reasonable reports as to the use of funds paid under subsection (a) as he deems necessary, and he shall make an annual report to the Congress with respect to payments made and reports received under this section.

AUTHORIZATION OF APPROPRIATIONS

SEC. 4. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

By Mr. HUGH SCOTT:

S. 2504. A bill for the general reform and modernization of the patent laws, title 35 of the United States Code, and for other purposes. Referred to the Committee on the Judiciary.

Mr. HUGH SCOTT. Mr. President, I introduce a bill for the general reform and modernization of the patent laws, title 35 of the United States Code, and for other purposes.

This bill, proposed by the administration, has been transmitted to the Congress by the Commerce and Justice Departments.

In the past, the patent laws have stimulated and contributed to the growth of our economic system, but there have been no basic changes in the structure of the patent system since the Patent Act of 1836.

It is now time for the Congress to consider several new approaches necessary for the modernization of patent procedures. I am certain that the Patents, Trademarks, and Copyright Subcommittee of which I am a member will study this bill along with other suggestions previously advanced to determine the best possible future course. I look forward to working toward this end under the able leadership of the chairman, Senator MCCLELLAN.

I would like to call to the attention of my colleagues one provision in this bill that causes me some concern and one which I feel the subcommittee should consider carefully.

Section 147 of this bill adds another appellate layer to existing procedures by providing for an appeal to the circuit court of appeals following an appeal to the Patent Court. This appears to me to be totally unnecessary and I would hope the subcommittee would look at this provision carefully.

Since this is an administration proposal I have left the provision in the bill but I did want my colleagues to be aware of my position regarding section 147.

Mr. President, I ask unanimous consent that a fact sheet provided by the White House summarizing the significant provisions of this legislation be inserted at this point in the RECORD.

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

THE WHITE HOUSE FACT SHEET—PATENT REFORM

The President's Patent Reform Message calls for enactment of a bill which would substantially strengthen the American patent system. The Patent Modernization and Reform Act of 1973 would improve the strength and reliability of issued patents through procedural reforms in the patent examination and issuance process. It would also simplify procedures for obtaining patents and make more complete and precise the disclosure of technology contained in patents, as well as speed the disclosure of such technology to the public. The bill is designed to enhance the value of the patent grant, primarily by creating greater respect for the validity of issued patents and by adding certain new provisions concerning enforcement of patents.

NEED FOR REFORM

The patent system has played an important role in stimulating the Nation's progress and prosperity. There have been no basic changes in the structure of the patent system since the Patent Act of 1836.

In view of the technological and information explosion in recent years, which has resulted in the filing of approximately 115,000 new patent applications and the issuance of 70,000 new patents each year, the adequacy of our procedures for issuing valid patents has been increasingly called into question.

Too many patents today are declared invalid after protracted litigation discloses new information not considered when the application was originally reviewed.

Proceedings before the Patent Office present no opportunity for public participation before the patent is granted.

There have been increasing allegations of fraud and inequitable conduct in the procurement of patents; and some have suggested that the patent system is not bringing forth the full and rapid disclosure that it should.

The cost of litigating patents is often needlessly great, both for the patentee and the businessman accused of infringing the patent.

There is a need to stem the erosion of confidence in the validity of issued patents raised by these questions and the possible resulting erosion in the value of the patent grant itself.

SIX MAJOR POINTS OF THE ACT

1. Examination procedures would be thoroughly restructured to assure the issuance of valid patents and to obtain as much information concerning the patentability from all sources as is practicable—from the applicant himself, from the Office search files, and from members of the public—before the Patent Office issues a patent.

Broad public participation in the review of patent applications would be provided, so that members of the public may, prior to issuance, inform the Office of facts in their possession which might affect the Office's decisions regarding the issuance of a patent. All patent applications would be published when found to be allowable by the Patent Office, and the public would be given up to six months to bring to the attention of the Office any information relevant to the allowability of the applications. Members of the public would be permitted to present their views to the Patent Office in an adversary proceeding and new procedures for discovery and opportunities for the parties to appeal the decision of the Patent Office would be provided. The Office would be given increased resources for effectively conducting these new opposition proceedings.

Patent applications would be required to assist the Patent Office in the examination process. They would be required to disclose all pertinent information to the Office throughout the examination proceeding, together with a written explanation of why they believe their inventions are patentable notwithstanding this information. In addition, the bill spells out in considerable detail the duties of inventors, patent applicants, and attorneys to bring to the attention of the Office all relevant information of which they are aware during the examination process.

The patent examiner would be given additional tools to perform his job. These would include, in appropriate cases, authorization to require an adversary examination proceeding and assistance from a special officer to assist him in such a proceeding, including access to adequate discovery. This same newly created officer would also be authorized to investigate improper conduct before the Office and would be required to defend the examiner's decisions when they are appealed.

Patent Office proceedings would be more like the regular adjudicatory proceedings of other agencies. Patent Office decisions would more generally follow the Administrative Procedure Act, and the applicant would have the burden of persuading the Office that the claims he seeks are patentable.

There would be a full written record of Office action, and the examiner would be specifically empowered to control the examination proceeding. Judicial review of Office proceedings would be strengthened and placed more in the mainstream of the system of Federal courts of general jurisdiction.

2. Applicants would be required to make a more complete disclosure of the invention on which they seek a patent and a more rapid disclosure of new technology would be encouraged.

Applications would specify all novel or unexpected properties or results relied on in seeking a patent. They would include the best mode of commercially practicing (in "trade and industry") the subject matter—matter to be patented. Patent claims would be drafted in a clearer format, separating, wherever possible, the inventive contribution from background information.

A 20-year term of a patent would be measured from the date on which the application is filed rather than the present 17-year term from the date a patent is granted. If some claims in an application are finally rejected by the Patent Office, applicants would be permitted to obtain patents on the allowed claims in the same application, while simultaneously appealing the rejected claims. Both these reforms would provide an incentive for applicants to help speed the processing of their applications through the Office.

3. Procedures for filing and obtaining patents would be simplified without changing substantive law.

Owners of inventions, rather than only the inventors, would be permitted to file patent applications; other procedures are proposed that would eliminate difficulties in naming inventors which may arise in connection with team research in industry.

A number of procedural changes would correct or eliminate needless technical problems which now arise in cases where applications contain more than one invention.

4. The Patent Office fee system would be simplified and modernized.

Rather than a set schedule of statutory fees, the Commissioner would be given discretion to charge fees to recover 65 to 75 percent of the costs of the Office.

A new fee provision would be designed to encourage the lapsing of unused patents ten and fifteen years after filing unless good faith efforts were being made to commercialize them.

5. The value of a patent grant would be strengthened. In addition to the procedural reforms which strengthen the patent examination and issuance process, giving greater assurance of validity for those patents which issue, specific provisions are included which would enhance the value of a patent grant.

Present law which leaves the owner of United States process patents unprotected against importers would be changed. Exclusive sales agents or affiliates of foreign competitors who handle products made by foreign manufacturers using U.S. process patents would be considered patent infringers.

Additional discovery and discovery remedies would be authorized to speed the resolution of patent suits.

Patent owners would be specifically authorized to settle existing disputes over the infringement and validity of their patents by arbitration, thus avoiding the need to resort to expensive and time-consuming court litigation.

Provisions would be added to the law to avoid problems of possible abuse, raised by challenges to patent validity, by licensees and assignors of patents, and to ensure that the patent law would not preempt state trade secret laws when the latter did not interfere with ideas in the public domain. The decisions of the Supreme Court in these important areas would not be disturbed.

6. The Patent Modernization and Reform Act of 1973 would continue certain aspects of our patent system.

The basic criteria for patentability, including the important standards of unobviousness, novelty, and utility, would be retained in their present form.

The bill does not contain provisions that relate to the traditional case-by-case determination of anti-trust problems regarding the licensing of patented inventions. In response to concern over possible erosion of the reliability and value of the patent grant, a number of proposals addressed to this problem were carefully considered. After this study, the Administration concluded that no need for taking action in the area had been demonstrated at this time, other than the need to act to strengthen the procedures for examination and issuance of patents.

By Mr. STEVENSON (for himself, Mr. ABOUREZK, Mr. HART, Mr. HUMPHREY, Mr. MAGNUSON, Mr. MCGOVERN, Mr. MCINTYRE, Mr. METCALF, Mr. MONDALE, Mr. Moss, and Mr. PASTORE):

S. 2506. A bill to amend the Natural Gas Act to secure adequate and reliable supplies of natural gas and oil at the lowest reasonable cost to the consumer, and for other purposes. Referred to the Committee on Commerce.

OIL AND GAS REGULATORY REFORM ACT OF 1973

Mr. STEVENSON. Mr. President, I introduce, for appropriate reference, the Oil and Gas Regulatory Reform Act of 1973.

Competition is the cornerstone of our free enterprise system. Yet, evidence

continues to mount that the Nation's energy industries are stifling competition at the expense of consumers.

The major oil companies reaped a 39-percent increase in their profits during the first half of this year.

Consumers were saddled with a 12-percent increase in the price of gasoline.

Independent marketers, who provide the little remaining competition in the petroleum industry, are running out of gas—literally and figuratively. Three thousand independent gas stations have gone out of business since the first of the year. Thousands more have been cut back on supplies of gasoline as much as 50 percent, although the national shortfall is only 3 percent. Meanwhile, the major oil companies continue to expand their own operations—some in excess of 120 percent of last year.

The Nation's four largest producers of natural gas control 70 percent of our uncommitted gas reserves. These same four producers also happen to be four of the largest major oil companies.

Thirty of the Nation's 4,000 gas producers now produce about 85 percent of the Nation's gas supplies.

I am greatly concerned about what happens to the Nation when competition disapppears from its largest and most vital industry. And I am not alone.

On July 17, the Federal Trade Commission issued a complaint against the Nation's eight largest petroleum companies charging them with anticompetitive and monopolistic practices.

Fourteen States have either filed suit or are in the process of bringing antitrust actions against major oil companies.

The Director of the FTC's Bureau of Competition recently told the Senate Antitrust and Monopoly Subcommittee that the major producers of natural gas are withholding data from the Federal Power Commission on proven natural gas reserves.

The Cost of Living Council is conducting an intensive investigation of energy industry pricing.

Against this anticompetitive backdrop, the administration, in concert with the gas and oil industry, has asked the Congress to deregulate the price of natural gas.

The administration and the major oil companies argue that regulation discourages producers from exploring for natural gas. They contend that regulation is responsible for the current natural gas shortage.

I am not enthusiastic about Government regulation, and would not presume to defend the present system for the regulation of natural gas prices.

I believe in a free market. But there simply is no free market in the Nation's gas and oil business.

Efforts to restore effective competition will take years. Meanwhile, we are faced with an anticompetitive industry and an administration bent on removing all price controls from a major part of that industry. The American consumer is justified in asking whether we can afford to turn sole responsibility for price and supply of natural gas over to the very same companies which have already used the gasoline shortage they helped create to drive their competition out of business.

The industry claims that present regulations on natural gas are unworkable. Consumers consider total deregulation unthinkable. I believe the time has come for Congress to consider an alternative that will protect the consumer and, at the same time, meet some of the industry's objections to current regulatory practices.

Therefore, I introduce today a comprehensive regulatory reform bill to be considered as an alternative to the administration's deregulation bill. Both approaches will be considered by the Senate Commerce Committee in hearings which I will chair beginning on October 10.

The bill which I am introducing recognizes the procedural shortcomings of current regulatory law.

It would streamline the FPC regulatory process by establishing a national area rate by rulemaking. Under current law the establishment of rates involves adjudicatory proceedings which require many years. Under the rulemaking procedure proposed in my bill, the rate would be subject to congressional review and based on actual costs of production plus a reasonable rate of return.

It provides that once contracts for the sale of gas have been approved by the Commission, the Commission is powerless to change the contract price—a possibility under present law that poses potential hardship for producers.

It exempts all small producers from regulation, thus concentrating on the 30 largest producers powerful enough to exert an anticompetitive force in the marketplace, while substantially reducing the FPC's workload.

It extends regulation of natural gas prices to large gas producers in the intrastate market as well as in the interstate market. At present, high intrastate prices are diverting gas from the interstate market.

It directs the FPC to conduct its own review of natural gas reserves so for the first time the Nation will not be dependent on the industry's estimates.

It provides the FPC with the power to equitably allocate natural gas supplies during shortages among all customers and regions.

It gives the FPC the power to compel petroleum pipeline operators to provide service and storage facilities to independent producers and refiners who meet reasonable minimum requirements. Noncompliance by a pipeline owner would subject him to treble damage suits.

It also transfers the responsibility for the regulation of petroleum pipelines from the Interstate Commerce Commission—which has failed to meet its responsibility—to the Federal Power Commission, and gives the FPC authority over all new pipeline construction.

In a very real sense, petroleum pipelines are the jugular of the major integrated oil companies. They are, for the most part, owned by a few of the largest majors. And they are, quite literally, the lifetime upon which independent producers, refiners, and marketers depend.

I believe this kind of regulatory reform bill is a responsible, consumer-oriented alternative to the administration's proposal for deregulation. The administration and the industry are quick to blame regulation for the shortage of natural gas. But oil has never been regulated—and it is also in short supply. There is reason to believe that the real problem is the anticompetitive structure of the fuel industry. And if that is so, we need to explore ways of improving and streamlining regulation so that it can help restore competition and assure both adequate production and reasonable prices. We must ask if the oil and gas sectors of the industry should be dealt with differently—or if both should be regulated, or unregulated.

Our choices are clear. Without a free energy market, which is the lesser of two evils—regulated or unregulated energy industries? Improved controls that strive for a reasonable rate of return in markets dominated by the greatest concentration of economic power the Nation has ever seen, or an abandonment of Government responsibility that leaves these giant companies accountable only to their stockholders?

These are the kinds of questions the Senate Commerce Committee will begin considering next week.

A quick answer in favor of either regulation or deregulation is essential. Until the answer is forthcoming producers will hold back reserves, and the Nation will be short of vital energy. I am confident the Senate will move rapidly. The legislation will be introduced in the House of Representatives this week. If enacted I believe it would:

Substantially increase the amount of natural gas available to consumers and, in the event of shortages, assure that supplies are fairly allocated among the regions of the Nation and classes of customers.

Save the public billions of dollars by foreclosing massive windfall profits to the petroleum industry.

Improve the competitive structure of the oil industry by affording independent companies the opportunity to successfully compete in the marketplace.

Mr. President, I ask unanimous consent that the bill be printed in the RECORD at this point.

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

S. 2506

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 "Oil and Gas Regulatory Reform Act of 1973."

TITLE I—NATURAL GAS

SEC. 101. This title may be cited as the "Natural Gas Amendments of 1973".

INTRASTATE REGULATION

SEC. 102. Subsection (a) of section 1 of the Natural Gas Act (16 U.S.C. 717(b)) is amended by striking out "of natural gas and the sale thereof in" and inserting in lieu thereof "or sale of natural gas which affects".

SEC. 103. Subsection (b) of section 1 of the Natural Gas Act (15 U.S.C. 717(a)) is amended to read as follows:

"(b) Except as provided in subsection (c) hereof, the provisions of this Act shall

apply to the transportation and sale of natural gas and/or to natural gas companies engaged in such transportation and sale."

SEC. 104. Subsection (c) of section 1 of the Natural Gas Act (15 U.S.C. 717(c)) is amended to read as follows:

"(c) The provisions of this Act shall not apply to (1) production facilities and the construction of such facilities, or to the gathering of natural gas; and (2) the local distribution of natural gas and the facilities used for such distribution."

DEFINITIONS

SEC. 105. Section 2 of the Natural Gas Act (15 U.S.C. 717(a)) is amended to read as follows:

"SEC. 2. When used in this Act, unless the context otherwise requires—

"(1) 'Commission' means the Federal Power Commission.

"(2) 'Commissioner' means a member of the Federal Power Commission.

"(3) 'Corporation' includes any corporation, joint-stock company, partnership, association, business trust, organized group of persons, whether incorporated or not, receiver or receivers, trustee or trustees of any of the foregoing, but shall not include a municipality.

"(4) 'Definite pricing clause' means a provision in a producer contract which—

"(A) sets forth the price to be paid for natural gas delivered under such contract in terms of specific monetary units, including charges for specific supplemental services to be performed by the producer, without reference to any other contract, price, or circumstances, including, in addition to the initial price, any increases in the initial price, by specific amounts which shall become effectve at definite future dates;

"(B) changes in the price in order to reimburse the seller for all or any part of the changes in production, severance, of gathering taxes or taxes of a similar type or kind levied after a specific date; and

"(C) establishes the price to reflect changes in the heating value of the gas delivered under such contract.

"(5) 'Foreign commerce' means commerce with a foreign country.

"(6) 'Includes' or 'including' should be read as if the phrase 'but is not limited to' were also set forth.

"(7) 'In commerce' should be read as if the phrase 'interstate, foreign, and intrastate' were also set forth as an adjective modifying commerce.

"(8) 'Indefinite price clause' means a provision in a producer contract, other than a definite pricing clause, under which the price for natural gas sold under the contract may be determined or changed.

"(9) 'Interstate commerce' means commerce between a point in one State and a point outside such State, or between points within the same State but through any place outside such State.

"(10) 'Intrastate commerce' means commerce wholly within the same State.

"(11) 'Local' means of or pertaining to any political subdivision within a State.

"(12) 'Municipality' means a city, county, or other political subdivision of a State.

"(13) 'Natural gas' includes natural gas, liquefied natural gas, artificial gas, synthetic gas, or any mixture thereof.

"(14) 'Natural-gas company' means a person engaged in the production, importation, transportation, or sale of natural gas in commerce.

"(15) 'New producer contract' means a producer contract, or an amendment to such contract which adds natural gas reserves or acreage to an existing contract, under which contract or amendment deliveries have not commenced upon the effective date of this Act, and an amendment to a contract previously approved by the Commission under section 26 of this Act which decreases the delivery pressure, lowers the quality specifications, increase the price, or shortens or extends the term.

"(16) 'Person' includes an individual or a corporation.

"(17) 'Producer' means a person who is engaged in the production, gathering, or processing of natural gas and who sells natural gas in commerce for resale.

"(18) 'Producer contract' means a contract by a producer providing for a sale of natural gas subject to the jurisdiction of the Commission.

"(19) 'Rate' includes a local, State, or national area rate.

"(20) 'Sale' includes distributions and intracorporate transfers. In determining sale price, in the case of an intracorporate transfer, such price shall be the amount recorded in the books of such corporation for purposes of Federal income taxation.

"(21) 'Small producer' means a producer (a) whose total sales in commerce do not exceed 10,000,000 M.c.f. or 10,000,000 barrels during the preceding calendar year; (b) who is neither directly nor indirectly controlled by or affiliated with a natural gas company; and (c) who is neither directly nor indirectly controlled by or affiliated with another producer or energy company such the aggregate production of all such related or affiliated entities exceeds 10,000,000 M.c.f. or the equivalent amount of energy in another fuel per calendar year.

"(22) 'State' means any State, the District of Columbia, and any organized territory of the United States.

"(23) 'State commission' means the regulatory body of a State or municipality which has jurisdiction to regulate rates and charges for any sale, not regulated by the Commission, of natural gas to consumers within such State or municipality.

"(24) 'Transportation' includes production, importation, storage, and gathering.

"(25) 'United States' includes all States and all places and waters, continental or insular, subject to the jurisdiction of the United States."

NATIONAL AREA RATE

SEC. 106. Section 5 of the Natural Gas Act (15 U.S.C. 717(d)) is amended by adding at the end thereof the following four new subsections:

"(c) The Commission shall, in a rulemaking proceeding in accordance with section 553 of title 5, United States Code, establish and periodically revise a national area rate for production of natural gas. The Commission shall establish adjustments to the national area rate for each major producing region to reflect differences in production costs, State taxation, and similar costs. Sixty days before the Commission establishes or grants approval to any revision in such national area rate, the Commission shall submit its findings and proposed rate to Congress and shall publish such findings and proposed rate in the Federal Register. Such a national area rate or revised national area rate shall be implemented by order of the Commission at the conclusion of such sixty-day period, unless either House of Congress passes a resolution between the date of transmittal and the end of the sixty-day period stating in substance that it disapproves the proposed national area rate, or unless reversed pursuant to judicial review by the end of such sixty-day period. Judicial review of such proposed national area rate shall be in accordance with sections 701, 702, 703, 704, 705, and 706(2)(A) of title 5, United States Code. The Commission shall not order any increase in existing area rates for flowing natural gas unless such an increase is justified on the basis of an actual increase in costs of operation or maintenance (including a fair rate of return). The Commission shall establish or revise the national area rate for new natural gas only to the extent justified by actual costs of exploration, development, operation or maintenance (including a fair rate of return). The Commission may, because of special hardships or costs incurred by a producer, approve a new producer contract for rates in excess of the national area rate pursuant to section 29(b) of this Act.

"(d) In determining present and future requirements of consumers for natural gas, the Commission shall, insofar as possible, examine and implement conservation policies including rate design revision, end use controls, and termination of promotional practices to encourage wise management and utilization of the Nation's natural gas resources.

"(e) The Commission shall require separate rate filings for synthetic natural gas, liquified natural gas, and other supplemental natural gas supplies, the cost of production of which exceeds the national area rate. Such rate filings shall reflect incremental costing concepts. Each such filing shall include the cost of producing such gas, the cost of transporting such gas to an existing pipeline, and a fair allocation of the cost of transporting such gas in existing pipelines and distribution systems to the ultimate user.

"(f) The Commission is authorized and directed to prepare and submit to the Congress within twelve months after the date of enactment of this Act an analysis of direct sale and retail rate structures for natural gas other than synthetic, liquified, or supplemental natural gas. Such analysis shall include an indication of how marginal cost pricing would affect consumption within the United States and an evaluation on a regional basis of the impact various rate changes might have on natural gas consumption, the environment, and the economy of the United States."

SEC. 107. Section 10(a) of the Natural Gas Act (15 U.S.C. 7171(a)) is amended by inserting before the period at the end of the third sentence thereof the following: ", and current, planned, and contemplated efforts to increase such company's reserves or acreage of natural gas".

RESERVE EVALUATION

SEC. 108. Section 14 of the Natural Gas Act (15 U.S.C. 717m) is amended by adding at the end thereof the following three new subsections:

"(h) The Commission is further authorized and directed to conduct studies of the transportation and sale of natural gas, however produced, throughout the United States whether or not otherwise subject to the jurisdiction of the Commission, including the transportation and sale of natural gas by any agency, authority, or instrumentality of the United States, or of any State or municipality. The Commission shall make an independent evaluation of the proven and probable natural gas reserves of the United States identifying volumes committed to contract and volumes not committed and the reasons for such noncommitment. The Commission shall update such evaluation each year. The evaluation of proven natural gas reserves shall be based on individual company data obtained directly by the Commission and independently evaluated by its staff experts. The Commission shall, so far as practicable, secure and keep current information regarding (1) the ownership, operation, management, and control of all facilities for such transportation and sale; (2) the total estimated natural gas reserves of fields or reservoirs and the current utilization of natural gas and the relationship between the two; (3) the cost of transportation and sale; (4) the rates, charges, and contracts with respect to the sale of natural gas and its service to residential, rural, commercial, industrial consumers, and other purchasers; and (5) the relation of any or all facts to the development of energy conservation, industry, commerce, and the na-

tional defense. The Commission shall report to Congress, publish, and make available to interested persons the results of studies made under authority of this subsection.

"(i) The Commission, in making studies, investigations, and reports under this section, is authorized to obtain reserve information on natural gas reserves from natural gas companies, whether or not such companies are otherwise subject to the jurisdiction of the Commission. It shall publish such information annually in the form of an estimate of the Nation's natural gas reserves, both proven and potential, with breakdowns by producing areas, identifying the volumes in each area not being produced. The Commission shall utilize, insofar as practicable, the services, studies, reports, information, and continuing investigational programs, if any, of each department, bureau, office, agency, and other entity of the United States, and of each State. Nothing in this subsection shall be construed as modifying, reassigning, or otherwise affecting the investigating and reporting activities, duties, powers, and functions of any other department, bureau, office, or agency of the Federal Government.

"(j) Any natural-gas company which fails to reveal its natural gas reserves to the Commission shall, in addition to any other penalties which may be assessed, and after a hearing pursuant to section 556 of title 5, United States Code, be declared ineligible to bid on any leases on any Federal lands until such information is supplied to the satisfaction of the Commission.".

EXEMPTIONS AND RATE PROCEDURES

SEC. 109. The Natural Gas Act is amended by adding at the end thereof the following five new sections:

"SEC. 25. A small producer shall be exempt from the provisions of this Act for a period of five years from the date of enactment of this Act: *Provided,* That the Commission may by regulation require any such producers to prepare and furnish such information as it deems necessary for the purpose of establishing or continuing any such exemption. At five-year intervals after the grant of such exemption the Commission shall review, after opportunity for hearing pursuant to section 553 of title 5, United States Code, such exemption and continue, modify, or revoke such exemption as it deems necessary to protect the public interest.

"SEC. 26. (a) Each new producer contract, other than a small producer contract, shall be filed by the producer with the Commission.

"(b) Upon the initial filing of a new producer contract, the Commission shall review the contract to insure that the rate does not exceed the national area rate and shall by order (1) approve such contract unconditionally; (2) approve such contract subject to such reasonable terms and conditions specified by the Commission as to price, expiration, determination, or other provision thereof; or (3) disapprove such contract.

"(c) If the Commission by final order, no longer subject to judicial review, approves a new producer contract unconditionally under subsection (b) of this section, such contract shall not thereafter be subject to modification by the Commission, and the provisions of such contract shall be effective without further Commission action: *Provided,* That (1) the Commission is authorized to act upon any proposed amendments to such contract which may be submitted to it by the parties to such contract; and (2) any increase in the price of natural gas under such contract by application of an indefinite pricing clause in such contract shall be subject to Commission action under section 29 of this Act.

"(d) If the Commission by final order, no longer subject to judicial review, approves a new producer contract subject to reasonable terms and conditions specified by the Commission, and if such terms and conditions are accepted within thirty days by the party or parties to the contract adversely affected thereby, such contract, as conditioned, shall be deemed approved and become effective under subsection (b) of this section. If the Commission's approval is subject to conditions which disallow in full or in part any definite price changing provisions in a new producer contract, such disallowance shall be subject to reconsideration by the Commission, pursuant to notice, hearing, and effective rate procedures, upon application by the producer filed not less than nine months before the time any such price change is scheduled to take effect. This subsection shall not be construed to relieve the Commission of its obligation to act upon such definite price changing provisions at the time of its initial order.

"(e) If the Commission by final order, no longer subject to judicial review, disapproves a new producer contract or if the party or parties to the contract adversely affected do not "accept the terms and conditions specified by the Commission, deliveries have commenced under such contract prior to such order, they shall be terminated as soon as reasonably practicable after such order becomes final and no longer subject to judicial review: *Provided,* That if such contract is an amendment to a contract, such termination of deliveries shall affect only such amendment.

"(f) Upon the filing of a new producer contract with the Commission, deliveries pursuant to the provisions of such contract may be commenced at a rate not to exceed the national area rate after notice to the Commission, pending review of such contract by the Commission under subsection (b) of this section. Any such deliveries so commenced may be terminated, if such contract shall terminate or be terminated for any reason prior to the issuance by the Commission of a final order following review of such contract or upon the issuance of an initial order which contains terms and conditions unacceptable to the party adversely affected.

"SEC. 27. (a) In all proceedings to which section 26(b) of this Act is applicable, the Commission shall, after notice and opportunity for hearing pursuant to section 553 of title 5, United States Code, determine whether the contract is (1) just and reasonable; (2) required by the public convenience and necessity; and (3) not unduly discriminatory or preferential to any person.

"(b) The Commission is authorized to consolidate proceedings for hearing and decision when the Commission finds that such proceedings involve common questions of fact which may be heard more expeditiously on a single record.

"SEC. 28. Natural gas which is produced from its own wells by a natural-gas company engaged in the transportation of natural gas in commerce, which is not sold under a producer contract, and which is taken and delivered into its own transportation facilities or into the transportation facilities of any person transporting such natural gas for its account in interstate commerce shall be delivered only pursuant to a schedule of terms and conditions, including pricing provisions, applicable to the taking of such natural gas. Such schedule shall be filed with the Commission; all terms and provisions of this Act relating to a new producer contract shall be applicable to such schedule. The Commission shall allow as an operating expense of such natural-gas company the price established by the national area rate in accordance with the provisions of this Act.

"SEC. 29. (a) No new producer contract shall be accepted for filing if it includes any of the following types of indefinite pricing clauses:

"(1) the 'two-party favored-nation clause' under the terms of which the price of the natural gas is or many be increased in the event the purchaser shall pay or offer to pay a higher price for natural gas;

"(2) the 'third-party favored-nation clause' under the terms of which the price of the natural gas is or may be increased in the event some person not a party to the contract shall pay or offer to pay a higher price for natural gas;

"(3) the 'better market clause' or 'price redetermination clause' under the terms of which the price of the natural gas is or may be increased in the event the average of two or more prices which are paid by purchasers is greater; and

"(4) the 'spiral escalation clause' under the terms of which the price of the natural gas is or may be increased in the event the resale rates of the purchaser under the contract are increased.

"(b) No seller shall be entitled to receive all or any part of a price increase for natural gas which is intended to result, after the date this section takes effect, from the operation of an indefinite pricing clause in a new producer contract unless (1) the seller files an application with the Commission for permission to charge the increased price; and (2) the Commission, after notice and opportunity for hearing, makes findings in writing and enters its order pursuant to this subsection. Such application shall be filed not less than nine months prior to the time any proposed price increase is intended to take effect. If the Commission fails to make its finding and enter its order prior to the date such proposed price increase is intended to take effect, the increased price so proposed may, upon notice to the Commission, be charged by the seller so long as such price does not exceed the national area rate. Such price shall be paid by the purchaser, pursuant to the terms of such indefinite pricing clause, until the Commission issues its order in the application proceeding. If the Commission finds that the proposed increased price does not exceed the national area rate for present and future deliveries of natural gas at the point of delivery under new producer contracts then being approved by the Commission, the Commission shall issue its order approving the proposed increased price. Such price shall be charged by the seller and paid by the purchaser from and after the effective date of such order. If the Commission finds that the proposed increased price does exceed such national area rate, the Commission shall, in its finding, determine such portion, if any, of the proposed increase in price as is reasonable, because of special hardship or costs incurred by the producer in his overall operations such that the producer's overall costs exceed his overall revenues. If the Commission finds that a portion of the proposed increase is reasonable under the above test, the seller shall be entitled to charge and the buyer shall pay an increased price in accordance with such finding. If, during the course of such proceeding, the seller collected any amounts in excess of the price which the Commission ultimately determines is the amount properly chargeable pursuant to this subsection, the seller shall refund to the purchaser or purchasers, with interest, all or that part of the increase in price, above that so approved by the Commission, which the seller collected, prior to the Commission's order, under the indefinite pricing clause.

"SEC. 30. The Commission is authorized, after notice, hearing, and opportunity for public comment, to allocate natural gas among pipelines to attain the following specific objectives—

"(a) protection of public health, safety, and welfare, and the national defense;

"(b) maintenance of all public services;

"(c) maintenance of all essential agricultural operations directly related to the cultivation, production, and preservation of food, and

"(d) equitable distribution of natural gas among all regions and areas of the United States and all classes of consumers."

TITLE II—OIL PIPELINE TRANSPORTATION

SEC. 201. This title may be cited as the "Oil Pipeline Transportation Act of 1973".

SEC. 202. (a) All functions of the Interstate Commerce Commission with respect to the regulation of oil pipelines under, part I of the Interstate Commerce Act (49 U.S.C. 1 et seq.) are transferred to the Federal Power Commission.

(b) All personnel, property, records, obligations, commitments, and unexpended balances of appropriations, allocations, and other funds which are used by the Interstate Commerce Commission primarily with respect to the regulation of pipelines engaged in the transportation of crude oil or refined petroleum products are transferred to the Federal Power Commission. The transfer of personnel pursuant to this section shall be without reduction in classification or compensation for one year after such transfer. This provision shall not be construed to impair the authority of the Federal Power Commission to assign personnel during this period to carry out its functions in the most effective manner possible.

SEC. 203. Section 2 of the Natural Gas Act (15 U.S.C. 717a), as amended by title I of this Act, is further amended by—

(a) redesignating subsections (16) through (25) as subsections (18) through (27); and

(b) inserting the following three new subsections:

"(16) 'Oil' includes crude oil, petroleum, and any substance refined from petroleum.

"(17) 'Oil company' means a person engaged in the production, importation, refining, transportation by pipeline, or sale of oil in commerce.

"(18) 'Oil pipeline company' means an oil company engaged in the transportation by pipeline of oil subject to the jurisdiction of the Commission.".

SEC. 204. Section 7 of the Natural Gas Act (15 U.S.C. 717f) is amended by adding at the end thereof the following new subsections:

"(i) Whenever the Commission, after notice and opportunity for hearing finds such action necessary or desirable in the public interest, it may by order direct an oil pipeline company to extend or improve its transportation or storage facilities, to establish a physical connection of its transportation or storage facilities with the facilities of any person engaged or legally authorized to engage in the refining or distribution of oil, if the Commission finds that such a facility extension would not impair the oil pipeline company's ability to render adequate service to its customers.

"(j) No oil pipeline company shall abandon all or any portion of its facilities subject to the jurisdiction of the Commission, or any service rendered by means of such facilities, without the permission and approval of the Commission. The Commission shall grant such approval if it finds, after notice and opportunity for hearing, that the present or future public convenience or necessity permits such abandonment.

"(k) No oil pipeline company shall undertake the construction or extension of any facilities for the transportation or storage of oil, or acquire or operate any such facilities or extension of facilities, unless there is in force with respect to such oil pipeline company a certificate of public convenience and necessity issued by the Commission authorizing such acts or operations.

"(l) The Commission shall give priority consideration to applications for certificates of public convenience and necessity where the applicant is an oil pipeline company or a shipper which is an independent oil company seeking to extend pipeline or storage facilities for the purpose of carrying out an oil pipeline company's obligation. If the Commission does not act on any such application within sixty days after the date of filing, a certificate of public convenience and necessity shall be deemed to have been issued for such facilities, as described in such application.

"(m) If the applicant is a partnership, corporation, association, or other business entity, the Commission, prior to granting a certificate of public convenience and necessity pursuant to this Act, shall require the applicant to disclose the identity of all participants in the oil pipeline company. Such disclosure shall include, where applicable, (1) the name and address of each partner; (2) the name and address of each shareholder with voting rights to one per centum or more of the shares, together with the number and percentage of any class of voting shares of the entity which such shareholders is authorized to vote; and (3) the name and address of each affiliate of the entity together with, in the case of an affiliate controlled by the entity, the number of shares in the percentage of any class of voting stock of the affiliate owned, directly or indirectly, by that entity, and, in the case of an affiliate which controls that entity, the number of shares and percentage of any class of voting stock of that entity owned, directly or indirectly, by the affiliate.

"(n) A certificate of public convenience and necessity, issued or renewed pursuant to this Act, shall be given under regulations or stipulations issued by the Commission, in accordance with the provisions of this Act or any other applicable law and subject to such terms and conditions as the Commission may prescribe regarding extent, duration, survey, location, construction, maintenance, and termination. The Commission shall determine the duration of each certificate of public convenience and necessity granted or renewed pursuant to this Act. The Commission's considerations in determining duration shall include the cost of the facility and its useful life.

"(o) The Commission, prior to granting a certificate of public convenience and necessity pursuant to this Act for a new project which may have a significant impact on the environment, shall require the applicant to submit a plan of construction, operation, and rehabilitation of the facility and the right-of-way. Such plan shall comply with stipulations or regulations issued by the Commission. The Commission, in consultation with the Administrator of the Environmental Protection Agency shall issue regulations or impose stipulations which shall include: (1) requirements to insure that activities in connection with the construction and operation of the facility will not violate applicable State or Federal air and water quality standards, pipeline safety regulations, or land use planning requirements established by or pursuant to law; (2) requirements designed to control or prevent damage to the environment (including damage to fish and wildlife habitat), damage to public or private property, and hazards to public health and safety; and (3) requirements to protect the interests of individuals living in the general area traversed by the pipeline or storage facility who rely on the fish, wildlife, and biotic resources of the area for subsistence purposes. Such regulations shall be regularly revised. Such regulations shall be applicable to every certificate of public convenience and necessity granted pursuant to this Act, and may be applicable to existing certificates of public convenience and necessity to be renewed pursuant to this Act.

"(p) Where it deems appropriate, the Commission may require the holder of a certificate of public convenience and necessity to furnish a bond or other security satisfactory to the Commission, to secure any or all of the obligations imposed by the terms and conditions of such certificate or by any rule or regulation of the Commission.

"(q)(1) The Commission shall not grant, issue, or renew a certificate of public convenience and necessity until it has received the advice of the Attorney General of the United States and the Federal Trade Commission on the following question: 'Would such action by the Commission tend to create or maintain a situation inconsistent with the antitrust laws?' Whenever such action is contemplated by the Commission, it shall transmit promptly, to the Attorney General and the Federal Trade Commission, notice of the application for grant, issuance, or renewal of such certificate of public convenience and necessity and the probable terms or conditions of such certificate. Within a reasonable time after receipt of such notification, in no event more than sixty days thereafter, the Attorney General and the Federal Trade Commission shall advise the Commission whether, so far as can be determined, the proposed disposition would tend to create or maintain a situation inconsistent with the antitrust laws.

"(2) Upon request made by the Attorney General or the Federal Trade Commission, the Commission shall furnish or cause to be furnished to the Attorney General and the Federal Trade Commission such information as the Commission may possess which the Attorney General or the Federal Trade Commission determines to be appropriate or necessary in rendering the advice rquired by this subsection.

"(3) The Commission, with the approval of the Attorney General and the Federal Trade Commission, may exempt classes or types of grants or renewals from any of the requirements of this subsection if it determines that such exemption would not have any substantive impact under the antitrust laws.

"(4) Nothing contained in this Act shall impair, amend, or modify any of the antitrust laws or limit or prevent the application of any such law to any person under the provisions of this Act.

"(5) As used in this subsection, the term 'antitrust laws' includes the Act of July 2, 1890 (C.H. 647, Stat. 209), as amended; the Act of October 15, 1914 (Ch. 323, 38 Stat. 730), as amended; the Federal Trade Commission Act (38 Stat. 717), as amended: and sections 73 and 74 of the Act of August 27, 1894 (28 Stat. 570), as amended."

SEC. 205. Section 20 of the Natural Gas Act (15 U.S.C. 717s) is amended by adding at the end thereof the following new subsections:

"(d) It shall be unlawful for any pipeline company subject to the provisions of this Act and engaged in the transportation of oil to refuse or fail to provide any shipper of such oil or products who meets minimum tender requirements access or exit storage or terminal facilities at any origin point or any destination point (unless any such point is within fifty miles of another such point which provides storage or terminal facilities on the same pipeline), except that nothing in this subsection shall preclude a pipeline company from holding tenders of five thousand barrels of refined petroleum products until twenty-five thousand barrels are accumulated.

"(e) As used in this section, the term—

"(1) 'origin point' means the point at which crude oil or the refined petroleum product enters the pipeline either as provided by such pipeline company or as requested by the shipper;

"(2) 'destination point' means the point at which the crude oil or the refined petroleum product leaves the pipeline either as provided by the pipeline company or as requested by the shipper; and

"(3) 'minimum tender' means, subject to

the provisions of subsection (c) of this section, no more than ten thousand barrels of crude oil or five thousand barrels of refined petroleum products.

"(f) Notwithstanding the provisions of subsection (d) of this section, a pipeline company may file an application with the Commission requesting that the required minimum tender be raised. Pending the disposition by the Commission of such application it shall be unlawful for any pipeline company subject to the provisions of this Act to fail to meet the requirements of subsection (d) of this section. No such application shall be approved unless the Commission has first held, with respect to such application, a full formal hearing and investigation and, on the basis thereof, has determined that the failure to raise the minimum tender in accordance with such application would result in a degree of intermixture during transportation greater than the customary usage of the industry. In every determination by the Commission upon an application for an increased tender, the burden of proof shall be on the applicant. Such hearing and investigation shall include, but not be limited to consideration of the following:

"(1) evidence from factual tests of the degree of intermixture of different kinds of crude oil or of different kinds of refined petroleum products which will result from transportation in a pipeline of similar characteristics over the distances covered from eacn origin point to each destination point;

"(2) other relevant scientific, technological, and engineering calculations;

"(3) the opinion of the National Transportation Safety Board concerning the validity of the evidence presented and the requirements of safety; and

"(4) the opinion of the Department of Justice regarding the effects on competition of the proposed increased minimum tender as requested by such pipeline company.

"(g) The district courts of the United States shall have jurisdiction to prevent and restrain any violations of this Act or the conditions of any certificate of public convenience and necessity issued under this Act. It shall be the duty of the United States attorneys, in their respective districts, under the direction of the Attorney General, to institute proceedings for mandatory or prohibitive injunction relief. Before final decree, the court may at any time grant interim equitable relief. Whenever it shall appear to the court before when any such proceeding may be pending, that the ends of justice require that any other parties be brought before the court, the court may cause any such person or persons to be summoned and subpenas to that end be served in any judicial district of the United States.

"(h) Any oil pipeline company subject to this paragraph, or, whenever such oil pipeline company is a corporation, any director or officer thereof, or any receiver, trustee, lessee, agent, or person acting for or employed by such corporation, who alone or with any other corporation, company, person, or party, shall knowingly violate the provisions of this Act, or aid or abet therein, shall upon conviction thereof in any district court of the United States within the jurisdiction of which such offense was committed, be fined not more than $150,000, or imprisoned not more than five years, or both.

"(i) Notwithstanding any other provision of this Act, any shipper of crude oil or refined petroleum products who suffers damage, as a consequence of the refusal or failure of any oil pipeline company to provide such shipper access or exit storage or terminal facilities in accordance with subsection (d) of this section, may bring a civil action against such oil pipeline company in any appropriate district court of the United States without regard to amount in controversy and may recover threefold the amount of damage so sustained and the cost of any such action, including reasonable attorneys' fees. In any such action, such court is authorized to grant any interim or permanent equitable relief including mandatory or prohibitive injunctive relief.

"(j) The Commission shall monitor the activities of oil pipeline companies subject to the provisions of this Act by periodic investigations and shall require appropriate reports from such pipeline companies to assure compliance with the terms and conditions of certificates of public convenience and necessity and Commission regulations. The Commission shall annually report to Congress its findings resulting from such monitoring activities.

"(k) Noncompliance with any provision of this Act, any term or condition of a certificate of public convenience and necessity, or any applicable rule of the Commission may be grounds for suspension or termination of the certificate of public convenience and necessity if, after due notice to the holder and appropriate administrative proceeding pursuant to section 554 of title 5, United States Code, the Commission finds that such ground exists and suspension or termination is justified.

"(l) No administrative proceedings shall be required where the certificate of public convenience and necessity by its terms provides that it terminates on any fixed or agreed upon event, time, or other condition or conditions. If the Commission determines that an immediate temporary suspension of activities for violation of the terms and conditions of any certificate of public convenience and necessity is necessary to protect the public health or safety or the environment, it may abate such activities prior to an administrative proceeding. Prior to commencing any proceeding to suspend or terminate a certificate of public convenience and necessity, the Commission shall give written notice to the holder of the ground or grounds for such action and shall give the holder a reasonable time to resume operations pursuant to such certificate and to comply with the Act, condition, rule, or regulation, as the case may be. Deliberate failure of the holder of the certificate of public convenience and necessity to use or operate facilities for which such certificate was granted, issued, or renewed, for any continuous two-year period, shall constitute a rebuttable presumption that such certificate should be terminated.

"(m) The amendment made by this title shall take effect upon the expiration of the twelve-month period following the date of enactment of this Act.".

By Mr. TOWER (by request):

S. 2507. A bill to improve and simplify laws relating to housing and housing assistance; and

S. 2508. A bill to provide for the guarantee of private mortgage insurance. Referred to the Committee on Banking, Housing and Urban Affairs.

Mr. TOWER. Mr. President, on September 19, 1973, the President sent to the Congress his housing policy recommendations. These proposals were the result of a 7-month study conducted by the Department of Housing and Urban Development. They were designed to ease the tight credit conditions in the current housing market, and improve the prospects for potential home buyers to obtain mortgages over the longer term. Additionally, it contains new approaches for obtaining clean and decent housing for lower income families and elderly persons.

Also proposed was a private mortgage insurance guarantee program. It is hoped that this proposal will provide for an orderly flow of funds into the residential housing market as well as creating new mortgage investments in secondary markets.

Today I should like to introduce two bills which embody the administration's housing recommendations, the "Housing Act of 1973," and the "Private Mortgage Insurance Guarantee Act of 1973." I ask unanimous consent that the section-by-section summary of both bills be printed in the RECORD.

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

SECTION-BY-SECTION SUMMARY OF PRIVATE MORTGAGE INSURANCE GUARANTEE ACT OF 1973

To provide for the guarantee of private mortgage insurance.

SECTION 1. SHORT TITLE

Section 1 would provide that this Act may be cited as the "Private Mortgage Insurance Guarantee Act of 1973."

SECTION 2. FINDINGS

This section would contain Congressional findings that a sound national system of mortgage insurance issued by private mortgage insurers and backed by a voluntary Federal program for the guarantee to holders of insured mortgages that in the event a private mortgage insurer suffers financial difficulty its mortgage insurance contracts will be performed, would improve the orderly flow of funds into the finance of residential housing, create new mortgage investments in secondary markets, improve the availability of residential mortgage financing, and complement Federal housing and other programs to attain the National goal of a decent home and a suitable living environment for every American family.

SECTION 3. DEFINITIONS

Subsection (a) would define the term "mortgage insurance contract" as any insurance contract insuring a mortgage against all risks or specified risks of loss under a note or other evidence of indebtedness secured by a mortgage, deed of trust or other instrument constituting a lien on real estate the improvements on which are a residential building or buildings, other than a title insurance contract, fire and extended coverage or similar hazard insurance contract or mortgage payment life or disability insurance contract.

Subsection (b) would define the term "person" to include any individual or group of individuals, corporation, partnership, association, or other organization.

Subsection (c) would define the term "insured mortgagee" as the person insured under a mortgage insurance contract.

Subsection (d) would define "private mortgage insurer" as any person which is authorized under the laws of a State to issue mortgage insurance contracts.

Subsection (e) would define "guarantee" as the Secretary's guarantee of the performance of obligations of a private mortgage insurer under a mortgage insurance contract, and "guarantee agreement" as an agreement to guarantee.

Subsection (f) would define "Secretary" as the Secretary of Housing and Urban Development.

SECTION 4. GUARANTEE OF PRIVATE MORTGAGE INSURANCE

This section would authorize the Secretary to guarantee private mortgage insurance contracts issued after the effective date of the Act. The guarantee agreements by the Secretary would contain such incontestability provisions and be issued on such terms and conditions as determined by the Sec-

retary, but such guarantee agreements would not relieve a private mortgage insurer of its primary obligation to perform the guaranteed mortgage insurance contracts. The Secretary would be authorized to enter into and carry out any contracts necessary to the guarantee programs, and to issue such rules and regulations as he would deem appropriate to establish requirements for private mortgage insurers to be eligible for guarantee and to establish the types and classes of mortgage insurance contracts which would be guaranteed.

SECTION 5. PREMIUMS

This section would provide that the Secretary shall establish such premiums as he determines to be adequate to cover administrative expenses and to provide satisfactory reserves against the risks assumed pursuant to the guarantee programs established under this Act, and to establish application and other fees and charges as appropriate. The Secretary would be authorized to establish different premium rates with respect to particular private mortgage insurers and with respect to different types or classes of mortgage insurance contracts.

SECTION 6. GUARANTEE FUND

Subsection (a) would provide for the creation of a separate fund to be used by the Secretary as a revolving fund for the payment of claims and other program expenses, and would authorize the Secretary to borrow from the Treasury and advance to the fund amounts not to exceed $10,000,000.

Subsection (b) would provide that if at any time the moneys available in the fund are insufficient to enable the Secretary to discharge his responsibilities under guarantee agreement under this Act, he is authorized to issue to the Secretary of the Treasury notes or other obligations in such forms and denominations, bearing such maturities, and subject to such terms and conditions, as may be prescribed by the Secretary of the Treasury.

Subsection (c) would provide that notes or other obligations issued by the Secretary for amounts borrowed shall bear interest at a rate determined by the Secretary of the Treasury, taking into consideration the average market yield on outstanding comparable marketable obligations of the United States.

Subsection (d) would provide that moneys in the fund established under this Act which the Secretary determines are not needed for the current operations of the Department of Housing and Urban Development with respect to obligations of the Secretary under guarantee agreements entered into pursuant to this Act shall be deposited by the Secretary with the Treasurer or invested in bonds or other obligations of, or guaranteed as to principal and interest by, the United States.

SECTION 7. PAYMENT OF CLAIMS

Subsection (a) would provide that guarantee agreements made by the Secretary under this Act may provide for payment of claims in cash or debentures, or both.

Subsection (b) would provide that debentures issued under Section 7 shall be in such form and denominations, for such terms, and subject to such conditions as prescribed by the Secretary with the approval of the Secretary of the Treasury.

Subsection (c) would provide that debentures shall be dated as provided in the guarantee agreement and shall bear interest at the rate in effect under regulations of the Secretary which shall be the rate established by the Secretary under Section 602(e) of the Revised National Housing Act.

Subsection (d) would provide that principal and interest on debentures shall be subject to State and local taxation to the same extent as obligations issued under the Second Liberty Bond Act.

Subsection (e) would provide that debentures shall be redeemed and paid out of the fund established by the Act, and shall be fully and unconditionally guaranteed as to principal and interest by the United States, and that the full faith and credit of the United States is pledged to the payment of the debentures.

SECTION 8. CLAIMS AND JUDICIAL REVIEW

Subsection (a) would provide that claims against the Secretary under the Act shall be submitted in accordance with the terms and conditions established by the Secretary.

Subsection (b) would provide that upon disallowance of any claim under color of guarantee by the Secretary under this Act, or upon refusal of the claimant to accept the amount allowed upon any such claim, the claimant may institute an action against the Secretary on such claim in an appropriate United States district court, within one year.

Subsection (c) would provide that upon payment of any claim under this Act, the Secretary shall succeed to all of the rights of the claimant with respect thereto.

SECTION 9. RECORDS, ANNUAL STATEMENTS AND AUDITS

Subsection (a) would provide that a participating private mortgage insurer shall furnish the Secretary with such information as required by the Secretary in such form as the Secretary shall prescribe and shall furnish a correct copy of any statement submitted to a State insurance authority at the time filed with such State insurance authority.

Subsection (b) would provide that the Secretary shall have access to any books, documents, papers and records of a private mortgage insurer guaranteed by the Secretary, and that the Secretary shall cooperate with State insurance authorities and use their examining facilities to the extent feasible.

SECTION 10. ADMINISTRATIVE PROVISIONS

Subsection (a) would provide that the Secretary shall have the powers necessary to carry out this Act including the powers set forth in sections 108 (except with respect to technical assistance), 701, 702 and 703 of the Revised National Housing Act.

Subsection (b) would provide that financial transactions in payment of claims under guarantee agreements shall be final and conclusive upon all officers of the Government.

Subsection (c) would provide that any real property acquired and held by the Secretary under this Act shall be subject to taxation by any State or subdivision thereof.

SECTION 11. APPROPRIATIONS

This section would provide that there is authorized to be appropriated such sums as may be necessary to carry out this Act.

SECTION-BY-SECTION SUMMARY, HOUSING ACT OF 1973

TITLE I—DIRECT CASH ASSISTANCE

Section 102. Findings and Purpose

Subsection (a) would set forth Congressional findings that:

(1) Federal subsidized housing programs have not made an adequate contribution toward attaining "a decent home and suitable living environment for every American family" since that goal was adopted 25 years ago;

(2) current Federal housing subsidy programs are wasteful and inequitable because they concentrate on the construction of new housing for an arbitrarily selected, very small percentage of families who need assistance;

(3) current Federal housing subsidy programs often ignore the potential of utilizing available safe and sanitary existing housing;

(4) by making housing subsidies available to families eligible for assistance only while they occupy a particular dwelling unit, or live in a particular housing project, these current Federal programs have tended to produce a concentration of families living in subsidized housing, and to deprive them of the enjoyment of the benefits of Federal housing assistance in safe and sanitary dwelling units of their own choosing and free of the stigma which often attaches to subsidized project occupants;

(5) Federal assistance provided to those who cannot obtain safe and sanitary housing should be provided in a manner that allows those assisted to select safe and sanitary housing of their own choosing;

(6) in most areas of the country there is a substantial stock of existing safe and sanitary housing suitable for use by families of low and moderate income;

(7) a program of cash assistance payments which would provide low and moderate income families with that amount of assistance necessary to enable them to afford safe and sanitary housing of their choice could achieve substantial equity as among low and moderate income families with similar incomes, and substantial equity and the avoidance of work disincentives as among low and moderate income families of differing income levels if properly related to other programs which also assist these families; and

(8) the most promising way to enable all families to obtain decent housing at an acceptable cost appears to be direct cash assistance.

Subsection (b) would set forth the purpose of the title as being the development of a better approach to meeting the housing needs of families who cannot obtain safe and sanitary housing without assistance and the determining of whether a policy of direct cash assistance to such families, with first priority to the elderly poor, can be put into practical operation.

Section 103. Attainment of national housing goal

Paragraph (1) would amend the first sentence of section 1601 of the Housing Act of 1968, which currently states that the goal of a decent home and suitable living environment for every American family can be met over the ten years following the 1968 Act through the construction or rehabilitation of twenty-six million housing units—six million of these for low and moderate income families. As amended this section would reaffirm this goal but would indicate that it is to be achieved in a manner which makes maximum use the existing housing stock and which, to the fullest extent feasible, relies upon the disciplines and economics of a free housing market.

Paragraphs (2) and (3) would delete references to a ten year period from sections 1602 and 1603 of the Housing Act of 1968.

Section 104. Expansion of experimental program

This section would amend Section 504 of the Housing and Urban Development Act of 1970 as follows:

Subsection (a) would authorize and direct the Secretary through an expansion of the Experimental Housing Allowance Program to initiate and operate pilot programs of cash assistance for rental or homeownership expense to determine the practicality of such programs.

Subsection (b)(1) would direct the Secretary to develop data and experience to determine: (A) the attributes and composition of the group to be eligible under a full scale national cash assistance program, (B) appropriate methods for staging the implementation of a full scale program, (C) the definition of safe and sanitary housing, (D) the cost of safe and sanitary housing in various areas, (E) the amount that a family receiving Federal cash assistance should contribute to its housing costs and (F) the impact of a cash assistance program for housing on the welfare of low and moderate income families.

Subsection (b)(2) would direct the Secretary to develop administrative arrangements for a cash assistance program and to deter-

mine the effect the cash assistance program would have on the cost of housing and the availability of safe and sanitary housing.

Subsection (c) would require the Secretary to report his findings to Congress not later than 18 months after the enactment of the Housing Act of 1973 and to include in his report any appropriate proposed legislation.

Subsection (d) would authorize the Secretary, subject to appropriation acts, to contract for cash assistance payments and contract with public or private agencies for the performance of administrative functions.

Subsection (e) would authorize the appropriation of such sums as necessary for carrying out this section.

USE OF FUNDS FROM UNITED STATES HOUSING ACT OF 1937

Section 105 would permit the Secretary, out of funds appropriated pursuant to Section 5 of the United States Housing Act of 1937 to make payments of cash assistance for rental or homeownership expense to, or on behalf of, such number of individuals and families as the Secretary determines are necessary to enable him to make the findings and recommendations required by section 504(c) of the Housing and Urban Development Act of 1970 as amended by this Act.

TITLE II—MORTGAGE CREDIT ASSISTANCE

(Revised National Housing Act)

The first section of the bill would provide that upon enactment it would be cited as the "Revised National Housing Act."

Structure of the Act

The Act would replace a large number of existing insurance authorities and consolidate them in three major titles. Title III would cover property improvement, historic structure preservation and mobile home loans. Title IV would cover home mortgages including one to four family residences and a one-family unit in a condominium. Title V would consolidate various project mortgage insurance programs (including multi-family housing, land development and health facilities), together with a supplemental loan program which would in turn consolidate three existing authorities. The Act also would establish a new experimental financing authority. Additionally, various provisions spread throughout the National Housing Act relating to insurance funds, premiums and similar items would be revised, clarified and consolidated. The subsidized home ownership and rental programs now contained in Sections 235 and 236 of the National Housing Act would not be carried over to the new Revised National Housing Act.

REVISED NATIONAL HOUSING ACT

TITLE I—GENERAL AUTHORITY

Section 101—Definitions

This section would define "first mortgage", "mortgage," "mortgagor," "home mortgage," "project mortgage," "maturity date," "condominium," "experimental property," "State," and "Secretary," in substantially the same ways these terms are used in the National Housing Act. The term "loan" would be defined to mean a loan the security for which is acceptable to the Secretary but does not necessarily involve a mortgage. There would also be corresponding definitions of "lender" and "borrower". In addition, the term "advances" would be defined to permit "advances" of insured mortgage proceeds during construction or rehabilitation of projects or otherwise prior to final endorsement of a mortgage for insurance to cover the cost of materials and building components which are in transit, stored off-site, or otherwise located off-site but which will ultimately become part of the mortgaged property. Also, the term "experimental financing" would be defined as covering the use, on an experimental basis, of financing instruments not otherwise authorized or acceptable under the Act, but which the Secretary determines may be useful in expanding housing opportunities or meeting special needs and have a potential for acceptance in the private market.

Section 102—General insurance authority

Subsection (a) would require that an insured mortgage be made by, and held by, a mortgagee approved by the Secretary as responsible and able to service the mortgage properly.

Subsection (b) would provide general authority for the Secretary to insure and make (and modify) commitments to insure mortgages and loans. Except in the case of property improvement loans under Title III, insurance could be provided on a basis which obligates the Secretary to pay loans up to a specified percentage of the mortgage or loan, including the full value. The Secretary could also contract so that he would only pay losses in excess of a certain percentage of a mortgage or in excess of a specified dollar amount; he could contract to share losses; or he could combine two or more of the above approaches. The choice of method is to be made according to what the Secretary believes is appropriate to encourage provisions of housing opportunities, protect his interests as insurer, promote efficient administration and otherwise further the purposes of the Act. Different methods could be chosen for different programs or classes of risks.

Subsection (c) would provide that in order to be eligible for insurance under this Act, the mortgage transaction must be determined by the Secretary to be an insurable risk. However, it would also provide that the Secretary may accept for insurance as special risks mortgage transactions involving experimental property, property in areas where there is a reasonable prospect for revitalization, single-family housing for employees or personnel of research or military installations where the Secretary determines that there is a special need for such housing, or supplemental project loans where the Special Risk Insurance Fund created pursuant to section 238(b) of the National Housing Act is obligated for insurance of the original project mortgage.

Subsection (d) would provide that prior to July 1, 1977, the Secretary would be permitted to insure as a special risk a transaction involving experimental financing, provided that the transaction would, except for the method of financing and related adjustments involved, qualify for insurance under the Act. However the outstanding aggregate principal amounts of instruments insured under this authority could not exceed 2 per centum of the outstanding aggregate principal amount of mortgages and loans insured under Title IV and V of the Act.

Subsection (e) would provide that the Secretary not insure any mortgage or loan, the interest of which is exempt from Federal taxation.

Section 103—Limitations in relation to value or cost

This section would provide that for programs under Titles IV and V authorizing insurance of mortgages or loans involving the construction, rehabilitation, refinancing, repair or improvement of property, the Secretary shall prescribe limitations with respect to the ratio between the principal amount of eligible mortgages or loans and the value, cost, or replacement cost of the properties or work covered by such mortgages or loans.

Section 104—Interest rates

This section would provide for the interest rates on mortgages and loans insured under the Act, except in the case of property improvement and mobile home loans under Title III and experimental financing. The rate provided for would not be fixed but would be that rate as agreed to by the mortgagor and mortgagee or borrower and lender unless the Secretary determined that an agreed upon rate was excessive in relation to current market rates in the area. The section would further prohibit (under regulation of the Secretary) the sharing of mortgages or lenders of discounts or points in addition to interest.

Section 105—Water and sewer facilities

This section would require that there be public or adequate private community water and sewerage facilities serving newly constructed housing except where it was determined by the Secretary that the establishment of a public or adequate private community system was not economically feasible and the Secretary determined that the absence of such a system would not create a significant environmental hazard. The determination of economic feasibility would be made without regard to whether the establishment of the particular type of system was authorized by law or was subject to approval by one or more local governments or public bodies.

Section 106—Approval of technically suitable materials

This section would require the Secretary to adopt a uniform procedure for the acceptance of materials and products to be used in structures approved for mortgages and loans insured under the Act.

Section 107—Insurance contract incontestability

This section would establish the incontestability of an insurance contract in the hands of an approved mortgagee from the date of its execution, except for fraud or misrepresentation on the part of such mortgagee.

Section 108—Administration

This section would authorize the Secretary, in respect to his powers under this Act, to sue and be sued, make expenditures, and issue rules and regulations.

TITLE II—INSURANCE FUNDS, PREMIUMS AND CHARGES

Section 201—Insurance funds

Subsection (a) would provide that the General Insurance Fund established by the National Housing Act will be used by the Secretary to carry out both his obligations incurred pursuant to the National Housing Act and, except as otherwise provided in subsections (b) and (c) of this section, his obligations with respect to mortgages and loans under titles III, IV and V of this Act. This subsection would further require the Secretary to transfer to the General Insurance Fund all assets, liabilities, outstanding commitments and insurance of the Mutual Mortgage Insurance Fund, and to use the General Insurance Fund for carrying out his obligations under Sections 203(a), 203(h) and 203(i) of the National Housing Act.

Subsection (b) would provide that the Special Risk Insurance Fund be used by the Secretary to carry out both his obligations pursuant to the National Housing Act and his obligations with respect to mortgages and loans insured as special risks pursuant to section 102 (c) and (d) of this Act.

Subsection (c) would provide that in addition to those insurance obligations incurred pursuant to the National Housing Act, the Cooperative Management Housing Insurance Fund also be used to carry out the Secretary's obligations with respect to (1) project mortgages insured under section 501 where the mortgagor is a cooperative, and (2) supplemental project loans where the original project mortgage is an obligation of the Cooperative Management Housing Insurance Fund or is an uninsured mortgage covering a cooperative project.

Subsection (d) would provide that income received or expenses incurred in connection with the insurance of mortgages or loans be credited or charged to the fund obligated for such insurance.

Subsection (e) would authorize the Secretary to borrow from the Treasury from time to time such amounts as he determined were

necessary to make cash insurance payments, in lieu of payments in debentures.

Subsection (f) would allow moneys in an insurance fund which were not needed for current operations to be invested in obligations of, or guaranteed by, the United States or any agency of the United States, or in debentures which are the obligation of the particular fund.

Subsection (g) would authorize repayable advances from one insurance fund to the other in such amounts as the Secretary determined necessary for the administration of the funds.

Subsection (h) would authorize the appropriation of such sums as needed to cover losses sustained by the Special Risk Insurance Fund.

Section 202—Insurance premiums and charges

Subsection (a) would authorize the Secretary to fix an insurance premium charge or charges. The Secretary could require payment of any insurance premium either on an advanced or deferred payment basis.

Subsection (b) would authorize the Secretary, in his discretion, to collect an adjusted premium charge in the event a home or project mortgage were prepaid.

Subsection (c) would authorize the Secretary to terminate any insurance contract upon request of the mortgagor and the mortgagee, and to require the payment of a termination charge.

Subsection (d) would permit payment of premiums and charges under this section to be either in cash or debentures of the insurance fund to which the premium is to be credited, except that insurance premiums for property improvement and mobile home loans shall be paid only in cash.

Section 203—Processing fees and service charges

Subsection (a) would authorize the Secretary to charge the mortgagee processing, appraisal, inspection and other appropriate charges for the services rendered. Such charges would be payable in cash.

Subsection (b) would authorize the Secretary, in the case of mortgages held by him or made payable to him, to collect a service charge from the mortgagor in the event the mortgage is held by the Secretary.

TITLE III—PROPERTY IMPROVEMENT AND MOBILE HOME LOANS

Section 301—Types of loans

Subsection (a) would authorize the Secretary to insure financial institutions against losses in making, advancing credit in connection with, or purchasing property improvement loans, mobile home loans, and historic residential structure preservation loans.

Subsection (b) would make eligible for insurance home improvement loans for the purpose of repairing or improving existing structures or mobile homes (including the provision of fire safety equpment) or the building of new structures by the owner or a lessee under a lease expiring not less than six months after the maturity of the loan.

Subsection (c) would make eligible for insurance loans made for the purpose of financing the purchase of a mobile home to be used by the owner as his principal residence.

Subsection (d) would make eligible for insurance loans made for the purpose of financing the preservation of "historic structures".

Section 302—Loan terms

Subsection (a) would require that a home improvement loan (1) involve an amount not exceeding $10,000, except that where the structure to be repaired includes two or more dwelling units the loan could not exceed $15,000 nor an average amount of $5,000 per unit; and (2) have a maturity not exceeding twelve years and thirty-two days, except where the loan involves the construction of a new structure for use in whole or in part for agricultural purposes.

Subsection (b) would require that a mobile home loan (1) involve an amount not exceeding $10,000 ($15,000 in the case of a mobile home composed of two or more modules); and (2) have a maturity not exceeding fifteen years and thirty-two days.

Subsection (c) would require that a loan financing the preservation of a historic structure (1) involve an amount not exceeding $15,000 per family unit; and (2) have a maturity not exceeding fifteen years and thirty-two days.

Subsection (d) provides that loans under this title shall bear interest at a rate not in excess of such rate as the Secretary may determine is necessary to meet the loan market.

Section 303—Refinancing

This section would authorize the Secretary to refinance and extend the maturity of any loan insured under the title, provided that the amount of term of the loan as refinanced did not exceed the limitations prescribed in section 302.

Section 304—Prohibitions

This section would authorize the Secretary to prevent (1) the use of multiple loans which would result in outstanding loans, with respect to the same property or mobile home, in an amount in excess of the dollar limits prescribed in this title for an individual loan, or (unless waived by the Secretary) (2) the insuring of home improvement loans involving new residential structures (other than mobile homes) which have not been completed and occupied for at least six months.

Section 305—Property standards

Subsection (a) would authorize the Secretary to declare ineligible for financing under this title any products, repairs or improvements which do not improve the basic liveability or utility of properties or which are especially subject to selling abuses.

Subsection (b) would direct the Secretary to (1) prescribe minimum property standards for mobile homes and the sites on which they are to be located, and (2) obtain assurances from the borrowers on mobile home loans that their mobile homes will be placed on sites meeting standards prescribed by the Secretary and any local zoning or other requirements.

Section 306—Contract provisions

Subsection (a) would provide that the insurance obligation of the Secretary with respect to any lender not exceed either (1) 10 percent of the total amounts of loans made by the lender under this title and under section 2 of the National Housing Act after July 1, 1939, or (2) 90 percent of the loss on any individual loan.

Subsection (b) would make any payment for loss incontestable after two years in the absence of fraud or misrepresentation by the lender unless a demand for repurchase of the obligation on behalf of the United States has been made before the end of the two-year period.

Section 307—Waiver of requirements

This section would authorize the Secretary to waive compliance with any regulation issued pursuant to this title if the lender has acted in good faith and enforcement would impose an injustice on him, but the waiver could not involve an increase in the amount of the Secretary's obligation.

Section 308—Transfer of insurance

This section would authorize the Secretary to transfer the insurance of any loan to any approved lender which purchases such loan.

TITLE IV—HOME MORTGAGE INSURANCE

Section 401—Conditions for insurance of home mortgages

Subsection (a) would authorize the Secretary to insure unsubsidized home mortgages (including open-end advances under the mortgage) covering a one- to four-family residence or a one-family unit in a condominium.

Subsection (b) would provide certain eligibility requirements for mortgages insured under this section:

(1) The mortgage must require complete amortization payments which are not in excess of the mortgagor's ability to pay and must have a maximum term within such limits as the Secretary may prescribe.

(2) The mortgagor would have to make a minimum down payment in cash or its equivalent in such amount as the Secretary requires.

(3) The mortgage has a principal obligation not to exceed $45,000 in the case of a single-family resident, $48,750 for a two- and three-family residence or $56,000 in the case of a four-family residence, except the Secretary may increase such amounts by 50 per centum in Alaska, Hawaii or Guam.

Subsection (c) would require the Secretary to establish such requirements as he finds necessary to protect the rights of owners of one-family units in a condominium.

Subsection (d) would require that ratio limits on mortgages (required by section 103(b) of the Act) be based upon the appraised value of the property covered by such mortgages. In determining the limitations to be established under this subsection the Secretary is to consider the desirability of lower limitations where the mortgagor is not the occupant or where an existing property has been recently constructed without the prior approval which is required for mortgage insurance under the Act or for assistance under Chapter 37 of title 28 (VA).

Subsection (e) would require that the mortgagor receive a written statement of the Secretary's appraisal of the value of the property prior to completion of the sale or mortgage transaction.

TITLE V—PROJECT MORTGAGE INSURANCE

Section 501—Multifamily housing

Subsection (a) would provide for four categories of multifamily housing: (1) rental projects (other than those constructed under section 8(g) of the United States Housing Act of 1937); (2) cooperative projects; (3) projects in which the individual units are to be sold on a condominium basis; and (4) mobile home parks.

Subsections (b) and (c) would authorize the Secretary to insure mortgages financing the construction of new multifamily projects and the rehabilitation, purchase, or refinancing of existing multifamily projects. The mortgage would have to be approved by the Secretary and could be made subject to regulation by the Secretary as to rents, or sales, capital structure, rate of return and methods of operation.

Subsection (d) would provide that the mortgages insured under this section:

(1) provide for the complete amortization by periodic payments within and terms as the Secretary prescribes.

(2) involve a principal amount for such part of the property as may be attributable to dwelling use of (A) in the case of a non-elevator structure, not to exceed $13,000 per family unit without bedroom, $18,000 per family unit with one bedroom, $21,500 per family unit with two bedrooms, $26,500 per family unit with three bedrooms, and $30,000 per family unit in the case of a unit with four or more bedrooms; and (B) in the case of an elevator structure, not to exceed $15,000 per family unit without bedroom; $21,000 per family unit with one bed-

room; $25,750 per family unit with two bedrooms; $32,250 per family unit with three bedrooms; and $36,465 per family unit with four or more bedrooms. These maximums could be increased by up to 45 percent in any geographical area if costs so required, and by an additional amount up to 50 percent in Alaska, Hawaii or Guam.

Subsection (e) would require that a project contain at least 5 dwelling units (which, with the Secretary's approval, need not be self-contained living units) or 5 spaces in a mobile home park. Projects could include nondwelling facilities to serve occupants in the neighborhood but these facilities would have to be found to contribute to economic feasibility.

Section 502—Mortgage insurance for health facilities

Subsection (a) would define various terms used throughout the section. The terms "hospital," "nursing home," "intermediate care facility," and "group practice facility" would be defined in substantially the same manner as under the National Housing Act.

Subsection (b) would authorize the Secretary to insure mortgages which cover new or rehabilitated projects for use as hospitals, nursing homes, intermediate care facilities, or any combination of the foregoing. The mortgage would require complete amortization of periodic payments within a maximum term prescribed by the Secretary. Mortgagors could be made subject to restrictions as to charges and methods of financing.

Subsections (c), (d), and (e) of this section would (1) establish the general types of hospitals, nursing homes and intermediate care facilities with respect to which mortgages could be insured, with requirements for certain State health agency approvals for hospitals, nursing homes and intermediate care facilities; (2) authorize the Secretary, after consultation with the Secretary of Health, Education, and Welfare as to medical aspects of these facilities, to prescribe such regulations as are necessary to carry out the insurance program authorized by this section, and (3) provide that hospitals insured pursuant to this section be encouraged to carry out comprehensive health care programs for defined populations.

Section 503—Supplemental project loans

Subsection (a) would authorize the Secretary to insure a supplemental loan (including advances) for a multifamily or health facility project insured under the National Housing Act or under this title, or held by the Secretary. A limited number of housing cooperatives which purchased wartime housing covered by an uninsured mortgage for part of the purchase price from the Federal Government, and which qualify for supplemental loan insurance under existing law, would continue to be eligible.

Supplemental loans could be made: (1) to cover the operating losses of a project which during the first two years of operation has had costs exceeding income; (2) to finance repairs, improvements, and additions to projects; and (3) to finance the purchase and resale of cooperative memberships, provided that the down payment of new members is at least proportionately equal to the original downpayment for such memberships.

Subsection (b) would require that a loan covering operating losses not exceed in duration the unexpired term of the original mortgage and be limited in amount to the actual losses incurred by the project, as determined by the Secretary.

Subsection (c) would establish requirements for a loan financing repairs, improvements, and additions. The amount of the loan when a project is covered by an insured mortgage would be limited so that the sum of the loan plus the outstanding balance of the mortgage does not exceed the maximum mortgage limit prescribed by the Secretary for the type of project involved. The maximum maturity of the loan could not exceed the remaining term of the mortgage except that a supplemental loan with a maturity up to ten years in excess of the outstanding mortgage term could be made in the case of a cooperative project covered by an uninsured mortgage.

Subsection (d) would establish requirements for a loan to a cooperative to finance the purchase and resale of memberships. The amount of the loan plus the outstanding balance remaining on the mortgage could not exceed the maximum mortgage limit authorized by the Secretary for the type of project involved. The maturity of the loan could not exceed the remaining term of the mortgage.

Subsection (e) would provide that, in addition to the other supplemental loans authorized by this section, the Secretary is authorized to insure a loan for the repair or improvements to a multifamily project or health facility not covered by an insured mortgage, if he finds such loans would improve housing opportunities or provide protection against fire or other hazards.

Section 504—Mortgage insurance for land development

Subsection (a) would define the terms "land development" and "improvements" in substantially the same manner as they are used in the National Housing Act.

Subsection (b) would establish certain conditions under which a land development mortgage could be insured. The mortgage could cover land to be developed and the improvements to be made, except that facilities intended for public use and in public ownership would be excluded. Any eligible party approved by the Secretray other than a public body could qualify as a mortgagor. The term of the mortgage would be determined by the Secretary.

Subsection (c) would limit the principal obligation of the mortgage to the sum of 80 percent of the estimated value of the land before the development plus 90 percent of the estimated cost of development.

Subsection (d) would require that the improvements comply with applicable State and local governmental requirements as well as minimum standards set by the Secretary and would establish certain other conditions under which a land development project could be undertaken.

Subsection (e) would authorize the Secretary to adopt requirements for land development including encouragement of broad participation by small builders and a proper balance of housing for low and moderate income families.

Subsection (f) would require that public or private water and sewage systems consistent with existing or planned area systems be provided after development of the land.

Subsection (g) would authorize the Secretary to release or subordinate part or parts of the mortgaged property from the lien of the mortgage.

Subsection (h) would authorize the Secretary to adopt requirements to assure, at reasonable intervals of time during development, that the amount of the outstanding mortgage loan does not exceed 80 percent of the before development value of the remaining land under the lien of the mortgage plus 90 percent of the cost of the development of such land.

Section 505—Cost certification

Subsection (a) would require the Secretary to adopt requirements for the certification of costs incurred in the construction or rehabilitation of multifamily housing or health facilities. The amount of the mortgage or loan at the time of final endorsement could not exceed the approved percentage of the estimated value or cost of the land, property or interest prior to construction or rehabilitation plus the Secretary's approved actual cost of such construction or rehabilitation.

Subsection (b) would require the mortgagor to certify the actual costs of construction or rehabilitation. The Secretary could, in his discretion, require other parties involved in the transaction to certify the actual costs they have incurred with respect to the project or property. The Secretary could exempt from the requirements of this section (1) a mortgage covering a multifamily project designed for occupancy by 12 or fewer families, or (2) a mortgage of less than $500,000.

Subsection (c) would define various terms used in this section: (1) The term "approved percentage" means the percentage of estimated value, cost or replacement cost of a project or property which the Secretary is authorized to insure under the appropriate section of the Act. (2) The term "actual cost" means the costs to the mortgagor of various improvements. Allowable expenditures could include those for labor, materials, construction, contracts, engineers' and architects' fees, off-site public utilities, streets, organizational expenses, legal expenses, taxes and interest during construction, allocations of general overhead, and similar expenses allowed by the Secretary. If the Secretary determines that a cost certification is from a builder, contractor, or similarly interested party, the term "actual cost" could include an allowance for profit and risk determined to be reasonable by the Secretary.

Section 506—Labor standards

Subsection (a) would prohibit the Secretary from insuring any mortgage or loan under Title V involving new or rehabilitated property, except a mortgage covering multifamily housing designed for use by fewer than 12 families, unless all laborers and mechanics involved in the construction of the project or facility have been paid wages not lower than those prevailing for similar work in that locality, as determined by the Secretary of Labor.

Subsection (b) would allow the Secretary to waive compliance with this section in any case where services are voluntarily donated without compensation or at reduced compensation, and the Secretary determines that the amounts saved thereby are fully credited to the mortgagor.

TITLE VI—INSURANCE CLAIMS

Section 601—Insurance claim settlement

Subsection (a) would require the Secretary to issue regulations necessary to provide for the payment of benefits and settlement of claims arising from the issuance of mortgages and loans. Such regulations would prescribe conditions to receipt of insurance benefits and the manner in which such benefits are to be calculated, including the allowances to be made for indemnifying mortgagees for losses or costs incurred in preserving or enforcing those security interests or transferring those interests to the Secretary.

Subsection (b) would provide that payment of claims could be made in cash or in debentures.

Section 602—Settlement of insurance claims with debentures

Subsection (a) would require that the debentures issued in settlement of insurance claims be in registered form and in denominations which are multiples of $50. Such debentures would be subject to conditions prescribed by the Secretary with the approval of the Secretary of the Treasury.

Subsection (b) would provide that the debentures are to be negotiable instruments, signed by the Secretary and issued in the name of the applicable insurance fund carrying the insurance obligations with respect to the loan or mortgage.

Subsection (c) would provide that the debentures would be dated as of the date of default, unless a later date were established by the Secretary.

Subsections (d) and (e) would establish the means of determining the rate at which the debentures would bear interest.

Subsection (f) would provide for the semi-annual payment of interest on debentures, and would establish a maturity.

Subsection (g) would exempt the principal and interest from State and local taxation.

Subsection (h) would provide that the debentures would be redeemed and paid out of the insurance fund under which they were issued. If the principal or interest were not so paid, the Secretary of the Treasury is directed to pay the holders the amount thereof.

Section 603—Forbearance of payments on home mortgages

This section would permit the Secretary, in a case where a mortgagor defaulted on a home mortgage due to circumstances beyond his control, to: (1) approve the request of the mortgagee for an extension of time for curing the default; or (2) approve a modification of the mortgage by recasting over the remaining term of the mortgage or a longer period the total unpaid amount then due.

Section 604—Modifications in terms of project mortgages

This section would provide that the Secretary could consent to any extension or modification of a defaulted multi-family mortgage only under and in conformity with regulations prescribed by him. Such regulations must provide that, unless otherwise approved by the Secretary, during the period of any such extension or modification the mortgagor will place in trust any income from the project in excess of operating needs. Criminal penalties would be prescribed for the misuse of project income in violation of the requirements of this section.

TITLE VII—MISCELLANEOUS

Section 701—General authorization for dealing with and disposing of property

This section would provide authority to the Secretary for dealing with and disposing of property acquired in connection with the settlement of insurance claims.

Section 702—Acquisition of title by the Secretary

This section would authorize the Secretary, in connection with a mortgage assigned to him, to acquire possession and title to the property by a voluntary conveyance in extinguishment of the mortgage debt or to institute foreclosure proceedings and prosecute such proceedings to conclusion. It also would authorize the Secretary to bid at a foreclosure sale of a mortgage held by him and to exercise all the rights of a mortgagee under such mortgage.

Section 703—Insurance for mortgages sold or executed in connection with the sale of property by the Secretary

This section would authorize the Secretary to insure mortgages sold by him or executed in connection with the sale of property by him. Such insurance is permitted to be made without being limited to the eligibility, insurance premium and settlement provisions of the Act.

Section 704—Expenditures to correct defects in experimental property

This section would authorize the Secretary to expend available funds to correct defects or failures (when he determines it necessary to protect the occupants) with respect to experimental property covered by an insured mortgage where the defects are caused or related to the advanced technology utilized.

Section 202—Transition between National Housing Act and Revised National Housing Act

This section would provide that the Revised National Housing Act be effective, in whole or in part, at such date or dates as the Secretary of Housing and Urban Development prescribed by regulation and would require the Secretary to establish procedures for the orderly transfer of mortgage insurance operations from the authority of the National Housing Act to the authority of the Revised National Housing Act in order to assure continuity of efficient program activity and to provide adequate opportunity for necessary administrative and legislative revisions.

TITLE III—PUBLIC HOUSING ASSISTANCE PROGRAM

Section 301—Revision of U.S. Housing Act of 1937

This section would revise the United States Housing Act of 1937.

Section 1—Short title

This section would provide that the revised Act may be cited as the "United States Housing Act of 1937."

Section 2—Declaration of policy

This section would state that it is the policy of the United States to assist the States and their political subdivisions to conduct programs to provide housing for families of low-income and, consistent with the provisions of the Act, to vest in local housing agencies the maximum amount of responsibility in the administration of their housing programs. It also would state that it is the sense of Congress that no tenant in a low-income housing project should be barred from serving on the board of a public housing agency because of his tenancy.

Section 3—Definitions

Subsection (1) would definite the term "low-income housing" to mean decent, safe, and sanitary dwellings and their necessary appurtenances, within the financial reach of families of low income. Except as otherwise provided in the Act, income limits for occupancy and rents would be fixed by public housing agencies and approved by the Secretary. The rent fixed by a public housing agency could not exceed one-fourth of a low-income family's income, but in no event could it be less than 40% of that part of the cost of operating and maintaining the project, including the cost of utilities whether tenant or agency supplied, which is reasonably allocable to the unit. This subsection also would provide that, in defining income for purposes of this Act, the Secretary shall consider income from all sources of each member of the family in the household, except that there would be excluded the income of any family member (other than the head of household or spouse) who is under eighteen years of age or is a full-time student; the first $300 of income of a secondary wage earner who is the spouse of the head of household; an amount equal to $300 for each family member residing in the household (other than the head of the household or spouse) who is under eighteen years old or who is eighteen or older and is disabled or handicapped or a full time student; nonrecurring income as determined by the Secretary; and such extraordinary medical expenses as the Secretary approves for exclusion.

Subsection (2) would define the term "low-income families" to mean families who are in the lowest income group and who cannot afford to pay the cost of decent, safe, and sanitary dwellings for their use. It also would provide that a low-income family may consist of a single person who is (i) the remaining member of a tenant family, (ii) at least sixty-two years of age, (iii) under a disability as defined in section 223 of the Social Security Act, (iv) a handicapped person who, pursuant to regulations of the Secretary, meets specified conditions, (v) a person displaced by governmental action, or (vi) a person whose present or former dwelling has been affected by certain disasters.

Subsection (3) would define the term "development" to mean any or all undertakings necessary for planning, land acquisition, demolition, construction, or equipment, in connection with a low-income housing project. It also would define the term "development cost" to be the cost incurred by a public housing agency in such undertakings and their necessary financing, and in otherwise developing such a project. Additionally, it would provide that construction activity in connection with a low-income housing project could be confined to the reconstruction, remodeling, or repair of an existing building.

Subsection (4) would define the term "operation" to mean any or all undertakings appropriate for low-income housing project management, operation, services, or maintenance, and their necessary financing, as well as the financing of "tenant programs and services", which would be defined to include development or maintenance of tenant organizations, training for housing management, counseling and related services. It also would provide that, to the maximum extent available and appropriate, existing public and private agencies in the community shall be used for the provision of such services.

Subsection (5) would define the term "acquisition cost" to mean the amount prudently required to be expended by a public housing agency in acquiring a low-income housing project.

Subsection (6) would define the term "public housing agency" to mean any State, county, municipality or other governmental entity or public body (or agency or instrumentality thereof) which is authorized to engage in or assist in the development or operation of low-income housing.

Subsection (7) would define the term "State" to include the several States, the District of Columbia, the Commonwealth of Puerto Rico, the territories and possessions of the United States, the Trust Territory of the Pacific Islands, and Indian tribes, bands, groups, and Nations (including Alaska Indians, Aleuts, and Eskimos) of the United States.

Subsection (8) would define the term "low-income housing project" and "project" to mean any low-income housing developed, acquired, or assisted by a public housing agency under the Act and to mean the improvement of such housing.

Subsection (9) would define the term "Secretary" to mean the Secretary of Housing and Urban Development.

Section 4—Loans for low-income housing projects

Subsection (a) would authorize the Secretary to make loans or commitments to make loans to public housing agencies to help finance or refinance the development, acquisition, or operation of low-income housing projects by such agencies. Any contract for such loan and any amendment to a contract for such loans would have to provide for an interest rate, specified by the Secretary, not less than a rate determined by the Secretary of the Treasury taking into consideration the current average market yield on outstanding marketable obligations of the United States with remaining periods to maturity comparable to the average maturities of such loans, plus one-eighth of one percent. This subsection also would provide that such loans shall be secured in such manner and shall be repaid within a period not to exceed forty years or forty years from the date of the bonds evidencing the loan, as the Secretary determines. Also, it would allow the Secretary to require such loans or commitments to make such loans to be pledged as security for obligations issued by a public housing agency in connection with a low-income housing project.

Subsection (b) would authorize the Secretary to issue and have outstanding at any one time notes and other obligations for purchase by the Secretary of the Treasury

in an amount which, unless authorized by the President, could not exceed $1.5 billion. It also would direct the Secretary, for the purpose of determining obligations incurred to make loans pursuant to the Act against any limitation otherwise applicable to such loans, to estimate the maximum amount to be loaned at any one time pursuant to loan agreements outstanding with public housing agencies. Additionally, it would authorize the Secretary, with the approval of the Secretary of Treasury, to establish terms and conditions of notes or obligations; would authorize and direct the Secretary of the Treasury to purchase notes or obligations issued under the section; and would establish other related terms and conditions.

Section 5—Annual contributions for low-income housing projects

Subsection (a) would authorize the Secretary to make annual contributions to public housing agencies and would direct that provisions for such contributions be embodied in a contract guaranteeing their payment. It would provide that the annual contributions payable under this section may not exceed the annual amount of principal and interest payable on obligations issued by the public housing agency to finance the development or acquisition cost of the low-income project involved. It also would provide that the amount of annual contributions which would be established for a new project to accommodate a number of families of a given size and kind may be established under this section for a project by such public housing agency which would provide housing for the comparable number, sizes, and kinds of families through the acquisition, acquisition and rehabilitation, or use under lease of structures suitable for low-income housing use and obtained in the local market.

Additionally, this subsection would authorize the Secretary to require the pledging of annual contributions payable under this section as security for obligations of a public housing agency to assist the development or acquisition of the project to which annual contributions relate and would direct that annual contributions shall be paid over a period not to exceed forty years.

Subsection (b) would authorize the Secretary to prescribe regulations fixing the maximum contributions to be provided under different circumstances, giving consideration to cost, location, size, rent-paying ability of prospective tenants, or other factors bearing upon the need to achieve and maintain low rentals, and would authorize regulations providing for rates of contribution based upon development, or acquisition costs, number of dwelling units, number of persons housed, interest charges, or other appropriate factors.

Subsection (c) would authorize the Secretary to enter into contracts for annual contributions aggregating not more than ——— per year, which would be increased by ——— million on July 1, 1974. It would provide that, of the aggregate amount authorized for annual contributions, an amount not to exceed ——— million per year may be used for the modernization of low-income housing projects. It would limit the Secretary's authority to enter into new contracts for preliminary loans to such contracts as are consistent with the number of dwelling units for which contracts for annual contributions may be entered into. It would pledge the faith of the United States to payment of all annual contributions contracted for pursuant to this section, and would authorize appropriation in each fiscal year of amounts necessary to provide for such payments. It also would provide that all payments of annual contributions pursuant to section 5 shall be made out of any funds available for purposes of the Act when such payments are due, except that funds obtained through the issuance of obligations pursuant to section 4(b) (including repayments or other realizations of the principal of loans made out of such funds) shall not be available for the payment of such annual contributions.

Subsection (d) would provide that any contract for loans or annual contributions, or both, could cover one or more low-income housing project owned by a public housing agency and, in the event that a contract covers two or more projects, such projects could, for any purposes of the Act and of such contract (including, but not limited to, determination of the amount of the loan, annual contributions, or payments in lieu of taxes, specified in such contract), be treated collectively as one project.

Subsection (e) would provide that the Secretary may not enter into a contract with a public housing agency for preliminary loans for surveys and planning in respect to a project unless the governing body of the locality has approved the application of the public housing agency for such loan and unless the public housing agency has demonstrated to the satisfaction of the Secretary that there is not, and there is not likely soon to be, in the locality, an adequate supply of existing housing for low-income families. This subsection also would provide that the Secretary could not enter into a contract for loans (other than preliminary loans) or for annual contributions unless the governing body of the locality has entered into an agreement with the public housing agency providing for the local cooperation required by the Secretary pursuant to the Act.

Subsection (f) would authorize the Secretary to consent to the modification, with respect to rate of interest, time of payment of any installment of principal and interest, security, amount of annual contribution or any other term of any contract or agreement to which the Secretary is a party, subject to specific limitations contained in the Act. It also would authorize the Secretary to amend or supersede any contract made for annual contributions, loans, or both, when it would promote economy or be in the financial interest of the Government. It also would proscribe the amending or superseding of contracts in a manner which would impair outstanding obligations, and would deem any contrary rule of law inapplicable.

Subsection (g) would provide that, notwithstanding any other provision of law, a public housing agency may sell a low-income housing project to its low-income tenants, on such terms and conditions as the agency may determine, without affecting the Secretary's commitment to pay annual contributions with respect to that project, but such contributions could not exceed the maximum contributions authorized under subsection 5(a).

Section 6—Contract provisions and requirements

Subsection (a) would authorize the Secretary to include in any contract for loans, annual contributions, sale, lease, mortgage, or any other agreement or instrument made pursuant to the Act, such covenants, conditions, or provisions as he may deem necessary to insure the low-income character and economic viability of the project involved, including a condition requiring an open space or playground in connection with a housing project. It also would provide that, except in the case of housing predominantly for the elderly, any such contract shall require that high-rise elevator projects shall not be provided for families with children unless the Secretary determines that there is no practical alternative.

Subsection (b) would provide that every contract for loans (other than preliminary loans) and annual contributions shall provide that the development cost of a low-income housing project (excluding the cost of non-dwelling facilities and the cost of relocation payments and assistance) on which the computation of any annual contributions may be based shall not exceed by more than 10 percent the appropriate prototype cost for the area, except where the Secretary determines that this limitation should not be applied to the project because of special considerations with respect to the cost of land or site improvements.

This subsection would direct the Secretary to establish prototype costs at least annually based on his estimate of the construction costs (excluding land and site development costs) of new dwelling units of various sizes and types in the area suitable for occupancy by persons assisted under the Act, and his determination of reasonable allowances for the cost of land and site improvements. In determining prototype costs, the Secretary would be directed to take into account the extra durability required for economical maintenance of assisted housing, the provision of amenities designed to guarantee safe and healthy home life, and good design and architectural standards. The prototype costs would become effective upon publication in the Fedeal Register.

Subsection (c) would require every contract for annual contributions to include provisions (1) authorizing the Secretary to require the public housing agency to review and revise its maximum income limits for admission to the project; (2) requiring a public housing agency to determine and certify to the Secretary that each family in a project was admitted in accordance with approved income limits and to make such reviews of incomes of tenant families as the Secretary may require, but proscribing both establishment of any income limits for continued occupancy and the charging of any rent in excess of the rental described in section 9(b) of the Act; and (3) requiring prompt notification to applicants determined to be ineligible for admission of the basis for the determination and an opportunity for an informal hearing, and prompt notification of the approximate date of occupancy, insofar as it can reasonably be determined, to any applicant determined eligible for occupancy.

Subsection (d) would provide that annual contributions may not be made available for a public housing project unless the project (exclusive of any portion not assisted by annual contributions under the Act) is exempt from all real and personal property taxes imposed by the State or its political subdivisions. This subsection also would require public housing agencies to make certain payments in lieu of taxes, and would provide for certain additional payments by State or local governments if a project is not exempt from all taxes.

Subsection (e) would require every contract for annual contributions to provide that whenever in any year the receipts of a public housing agency in connection with a low-income housing project exceed its expenditures (including debt service, operation, maintenance, establishment of reserves, and other costs and charges), an amount equal to the excess must be applied, or set aside for application, to purposes which, in the determination of the Secretary, will reduce the amount of subsequent annual contributions.

Subsection (f) would authorize every annual contribution contract to provide that, upon substantial default, as defined in the contract, by the public housing agency with respect to the covenants and conditions to which the agency is subject, the Secretary could require the agency to convey title or possession of the project to the Secretary. The Secretary would be required to reconvey or redeliver the project to the public housing agency when the Secetary was satisfied that all defaults with respect to the project had been cured. This subsection also

would provide that, with respect to contracts for annual contributions containing the provisions set forth above, the Secretary's obligation to pay annual contributions to cover debt service on the local agency's obligations would continue, if the annual contributions have been pledged as security by the public housing agency, and notwithstanding any other provision of the Act.

Section 7—Congregate housing

This section would direct the Secretary to assist public housing agencies, in providing housing predominantly for displaced, elderly, or handicapped families, to design, develop, or otherwise acquire such housing to meet the special needs of the occupants and, wherever practicable, for use in whole or in part as congregate housing. The section would provide that not more than ten per centum of the total amount of annual contribution contracts entered into in any fiscal year under new authority in section 202 of the Housing and Urban Development Act of 1970 or any subsequent law could be entered into with respect to units in congregate housing. The term "congregate housing" would be defined to mean low-income housing in which some or all dwelling units do not have kitchen facilities, and there is a central dining facility. This section would provide for inclusion, as project operating costs, of expenses (other than the cost of providing food and service) incurred by a public housing agency in the administration of such central dining facility.

Section 8—Low-Income housing in private accommodations

Paragraph (1) of subsection 8(a) would authorize public housing agencies, for the purpose of providing a form of low-income housing which will take full advantage of vacancies in the private housing market, to provide housing for low-income families in the form of low-income housing in private accommodations in accordance with section 8.

Paragraph (2) of subsection (a) would provide that the provisions of this section shall not apply to any locality unless the governing body of the locality has passed a resolution approving application of such provisions to such locality.

Paragraph (3) of subsection (a) would define, for the purposes of this section the term "low-income housing in private accommodations" to mean dwelling units, leased from a private owner (including an owner-occupant), which provide decent, safe, and sanitary dwelling accommodations and related facilities, and would define the term "owner" to mean any person or entity having the legal right to lease or sublease property containing one or more dwelling units as described in this section.

Paragraph (4) of subsection 8(a) would authorize the Secretary, at periodic intervals, to determine the market rental required to obtain modest existing and newly constructed rental housing and, on the basis of such determination, to establish for each housing area in which the program authorized under this section operates, a fair market monthly rental (including utilities and all maintenance and management services) for units by bedroom size for low-income housing in private accommodations.

Subsection (b) would direct each public housing agency, by notification to owners of housing suitable for use as low-income housing in private accommodations, or by publication or advertisement, or otherwise, to make known from time to time to the public in the community or communities under its jurisdiction the availability of financial assistance to low-income families seeking low-income housing in private accommodations and the anticipated need for dwelling units to be used as such low-income housing in such communities, inviting the owners of such dwelling units to make available for purposes of this section one or more such dwelling units, but not exceeding 20 per centum of the units in any single structure except to the extent that the Secretary by regulation may establish exceptions. This subsection also would direct public housing agencies to conduct appropriate inspections of offered units, or of units solicited by low-income families, and if it finds that such units are, or may be made, suitable for use as low-income housing in private accommodations within the meaning of subsection (a)(3) and the rentals to be charged for such units, as agreed to by the agency and the owner consistent with subsection (c)(2), are within the financial range of families of low income, the agency could approve such units in accordance with (and subject to the applicable limitations contained in) this section. Also, each public housing agency would be required to maintain a current list of units approved by it including related information it considers necessary or appropriate.

Subsection (c) would provide that, to the extent of contracts entered into by the Secretary and a public housing agency for annual contributions authorized by section 5(a) of the Act, such agency may enter into contracts for the use of dwelling units in accordance with section 8. It also would state that each contract entered into under section 8 shall provide (with respect to any unit) that (1) selection of tenants shall be by the owner subject to the contract between the Secretary and the agency; (2) the rental and other charges to be received by the owner (which shall not exceed the fair market rental established by the Secretary) shall be agreed to by the agency and the owner, and the contribution toward the rental and other charges agreed to by the agency and the owner to be made by the tenant shall be determined in accordance with the provisions of section 3(1) of the Act; (3) maintenance and replacement shall be in accordance with standard practices for the building concerned as established by the owner and agreed to by the agency; and (4) the agency and the owner shall carry out such other appropriate terms and conditions as mutually agreed to by them. This subsection also would provide that each contract for an existing structure entered into under this subsection shall be for a term of not less than one month or more than sixty months, except as otherwise provided by the Secretary; and that each contract for a new structure entered into under this subsection shall be for a term of not less than one month nor more than one hundred and twenty months and may be renewable at the expiration of such term, except that no renewal of such a contract shall result in a total term exceeding two hundred and forty months.

Subsection (d) would provide that the period over which payments will be made by a public housing agency for a project of low-income housing in private accommodations under section 8, and the aggregate amount of such payments, under a contract for annual contributions, shall be determined on the basis of the number of units in the community or communities under the jurisdiction of such agency which are in use (or can reasonably be expected to be placed in use) as low-income housing in private accommodations under this section, taking into account the terms of the leases under which the units are (or will be) so used. Also, this subsection would state that contracts between the Secretary and a public housing agency pursuant to this section shall provide for payment or reimbursement of reasonable and necessary expenses incurred by the administering entity in carrying out functions under section 8.

Subsection (e) would authorize a public housing agency to purchase any structure containing one or more dwelling units leased to provide low-income housing in private accommodations under this section for the purpose of reselling the structure to the tenant or tenants occupying units aggregating in value at least 80 percent of the structure's total value. This paragraph also would provide that any such resale may be made on the terms and conditions set forth in section 5(g) of the Act.

Subsection (f) would make the provisions of subsections 5(e) and 6(d) of the Act inapplicable to low-income housing in private accommodations provided under section 8, and to housing purchased (or in the process of purchase) by the public housing agency for resale to tenants as provided under subsection (e).

Paragraph (1)(A) of subsection (g) would direct the Secretary, to the maximum extent feasible, to provide assistance for the construction or substantial rehabilitation of housing for low-income families under the Act in accordance with the provisions of this subsection. Such housing would have to be located in housing areas with respect to which the Secretary has determined that there is not, and not likely to be, an adequate supply of existing housing suitable to the needs of low-income families, except that newly constructed or substantially rehabilitated housing for low-income families could be located in other areas if such areas met standards established by regulations of the Secretary.

Paragraph (1)(B) of subsection (g) would provide that, notwithstanding any other provision of the Act, assistance for the construction or substantial rehabilitation of housing for low-income families pursuant to this subsection shall be provided through contracts with owners who agree to construct or substantially rehabilitate low-income housing in which some or all of the units (as agreed to by the owner and the Secretary) shall be available for occupancy by low-income families.

Paragraph (2) of subsection (g) would authorize the Secretary to make, and to contract to make, assistance payments to owners in such amounts and under such circumstances as are prescribed in this subsection.

Paragraph (3) of subsection (g) would define, for purposes of this subsection the term 'low-income family' to mean any family who, pursuant to criteria and procedures established by the Secretary, has been certified to have a gross annual income which is not more than four times the annual fair market rental as established by the Secretary for existing housing in the housing area for a dwelling unit suitable in size to the housing needs of such family and would define the term 'owner' to mean any private person or entity having the legal right to lease or sublease newly constructed or substantially rehabilitated dwelling units as described in this subsection and may include a public housing agency.

Paragraph (4)(A) of subsection (g) would direct that the contract between the Secretary and the owner shall provide that all ownership, management and maintenance responsibilities and expenses shall be assumed by the owner; shall establish the maximum monthly rent (including utilities and all maintenance and management service charges) which the owner shall receive per dwelling unit with respect to which monthly assistance payments are to be made pursuant to this subsection, the number and size (by bedrooms) of the dwelling units with respect to which such assistance payments are to be made, and the length of time for which such assistance payments are to be made.

Paragraph (4)(B)(1) of subsection (g) would provide that the maximum monthly rent shall not exceed the fair market rental established by the Secretary for modest newly constructed rental housing in the housing area, except that maximum rents not in

excess of 10 per centum above the fair market rental may be contracted for when the Secretary determines that such additional amount is required to provide housing for low-income families.

Paragraph (4)(B)(2) of subsection (g) would provide that assistance payments shall not be made with respect to more than 20 per centum of the dwelling units in any single structure except as otherwise provided by the Secretary.

Paragraph (4)(B)(3) of subsection (g) would direct the Secretary not to contract to make assistance payments with respect to a dwelling unit for a term of less than one month or more than one hundred and twenty months and would provide that such term may be renewable except that no renewal shall result in a total term exceeding two hundred and forty months.

Paragraph (4)(C) of subsection (g) would direct that the contract between the Secretary and the owner shall provide that assistance payments may be made only with respect to a dwelling unit occupied by a family who was certified as a low-income family at the time it entered into a dwelling unit with respect to which assistance payments are to be made by the Secretary and whose current gross annual income is not more than four times the annual rental of the dwelling unit occupied by it.

Paragraph 4(D) of subsection (g) would provide that the contract between the Secretary and the owner may provide for adjustment in the maximum rents in amounts not greater than the amount of increases or decreases over the same period of time in the fair market rental established for the housing area for similar sizes and types of dwelling units to the extent such increases or decreases can be justified on the basis of the actual expense of owning and maintaining the dwelling units covered by the contract or, if the Secretary determines, on the basis of a reasonable formula.

Paragraph (4)(E) of subsection (g) would provide that no other assistance under the Act and no loans or insurance under the Revised National Housing Act shall be made available with respect to any structure containing dwelling units for which assistance payments are contracted to be made pursuant to this subsection.

Paragraph (5) of subsection (g) would limit the maximum amount of the monthly assistance payment with respect to any dwelling unit to the lesser of (1) the difference between not less than 25 per centum of one-twelfth of the gross annual income of the family occupying the dwelling unit and the maximum monthly rent which the contract provides that the owner is to receive for the unit; or (2) the difference between the amount of the monthly utility charges attributable to the dwelling unit (whether or not such charges are included in the monthly rent) and the maximum monthly rent which the contract provides that the owner is to receive for the unit.

Paragraph (6) of subsection (g) would provide that subsection 3(1) through 3(5), the third and fourth sentences of section 5(a), and section 6, would not apply to contracts for assistance entered into under this subsection, except that the term "family" or "families" as used in this subsection would include single persons who are included under paragraph (2) of section 3.

Paragraph (7) of subsection (g) would provide that applications for contracts for assistance pursuant to this subsection shall be made to the Secretary and shall be evaluated by him, and that, in the event the Secretary determines that there is an insufficient number of applications to provide adequate competition or suitable sites, the Secretary may advertise for proposals.

Section 9—Annual contributions for operation of low-income housing projects

Subsection (a) would authorize the Secretary to make annual contributions, in addition to the contributions authorized under section 5(a) of the Act, to public housing agencies for the operation of low-income housing projects owned by them. The Secretary would be authorized to embody the provisions for annual contributions for operating subsidy in a contract guaranteeing their payment, which contract could include such terms and conditions as he determines are necessary to carry out the purposes of the Act.

Subsection (b) would provide that the Secretary could not make any annual contributions to a public housing agency for the operation of low-income housing in any year unless the aggregate rentals collected for such year from families residing in the dwelling units owned by that agency are not less than an amount equal to one-fifth of the sum of the incomes of all such families but in no event could the rental charged for an individual dwelling unit exceed the sum of that part of the payment of principal and interest which the public housing agency is obligated to pay on the capital cost of the project and that part of the cost of operating and maintaining the project attributable to the dwelling unit or, in the case of low-income housing in private accommodations provided under section 8 of the Act, the rental which the owner receives for the dwelling unit plus the cost of utilities and necessary services not included in such rental.

Subsection (c) would authorize the Secretary, from the amounts authorized under section 5(c) of the Act, to enter into contracts for annual contributions under this section aggregating not more than per year.

Section 10—General provisions

Subsection (a) would require the Secretary, in carrying out the Act, to prepare and submit annual budget programs as provided for wholly owned Government Corporations by the Government Corporation Control Act and to maintain an integral set of accounts to be audited annually by the General Accounting Office.

Subsection (b) would provide that all receipts and assets of the Secretary under the Act shall be available until expended.

Subsection (c) would authorize the Federal Reserve banks to act as depositories, custodians, and fiscal agents for the Secretary, and would authorize the Secretary to reimburse any such bank for such services in such manner as may be agreed upon.

Section 11—Financing low-income housing projects

Subsection (a) would provide that, where obligations issued by a public housing agency in connection with low-income housing projects are secured by a pledge of loans, annual contributions, or both with respect to such obligations, and bear or are accompanied by a certificate of the Secretary that they are so secured, the full faith and credit of the United States would back the guarantee, which would be incontestable in the hands of a bearer.

Subsection (b) would provide that public housing agency obligations (including interest thereon) issued by public housing agencies in connection with low-income housing projects and the income from such projects shall be exempt from Federal taxes whether paid by such agencies or by the Secretary.

Section 12—Labor standards

Subsection (a) would require contracts for loans, annual contributions, sale, or lease pursuant to the Act, other than under the authority of section 8 of the Act, to include a provision requiring that not less than the wages prevailing in the locality, as determined or adopted (subsequent to a determination under applicable State or local law) by the Secretary, shall be paid to all architects, technical engineers, draftsmen, and technicians employed in the development, and to all maintenance laborers employed in the operation, of low-income housing projects.

Subsection (b) would require any contract for loans, annual contributions, sale, or lease pursuant to the Act to include a provision that laborers and mechanics employed in the development of a project designed for residential use for twelve or more families including a project for the use of privately built housing in any case where the Secretary or the public housing agency and the builder or sponsor enter into an agreement for such use before construction or rehabilitation is commenced, shall not be paid less than the wages prevailing in the locality, as predetermined by the Secretary of Labor pursuant to the Davis-Bacon Act. It also would direct the Secretary to require certification as to compliance before making any payment under the contract.

Section 13—Termination of authority to enter into new contracts

This section would provide that, notwithstanding any other provision of law, the Secretary could not enter into any new contracts, agreements, or other arrangements with respect to low-income housing projects the acquisition or development of which is initiated after December 31, 1975, nor after that date could he amend existing contracts, agreements, or other arrangements to permit the construction or lease of additional dwelling units, but the Secretary could enter into new contracts, agreements, or other arrangements with respect to the modernization or rehabilitation of low-income housing acquired or developed prior to that date.

Section 302—Applicability of rental requirement

This section would provide that, if amendments to the United States Housing Act of 1937, as amended by section 301 of the Act, would require the establishment of any increased rental for any family which occupies a low-income housing unit as of the effective date of such amendments, the required adjustment would be made as follows: (1) an increase equal to one half the increased rent would become effective at the time the public housing agency makes the first review of the family's income pursuant to such Act (as so amended) which occurs at least one year after the effective date of such amendments, and (2) the family's rent would be increased to the full amount of the rental charge required under this Act when the public housing agency makes its next review of the family's income. This section also would provide that rent increases would be effective on the first day of the month immediately following the month in which the income review takes place.

Section 303—Exemption of certain projects from rental formula

This section would authorize the Secretary of Housing and Urban Development, in lieu of the rental or income contribution provisions of the United States Housing Act of 1937, as amended by section 301 of the Act, to approve (1) the use of special schedules of required payments for participants in mutual help housing projects who contribute labor, land, or materials to the development of such projects, or (2) the continued use of special schedules of required payments as approved by the Secretary for homebuyers in occupancy in homeownership opportunity projects under lease-purchase type contracts on the effective date of title III.

Section 304—Repeal of specification requirements in construction contracts

This section would repeal section 815 of the Housing Act of 1954.

Section 305—Retroactive repeal of section 10(j)

This section would amend section 206(c) of the Housing Act of 1961 to authorize the Secretary to agree with a public housing agency to amend outstanding contracts for annual contributions which contained the provision prescribed in section 10(j) so as to delete such provision and waive any rights of the United States under such provision.

Section 306—Amendment to National Bank Act

This section would affect several amendments to section 5136 of the Revised Statutes, as amended (12 U.S.C. 24).

Section 307—Amendment to Lanham Act

This section would amend section 606(b) of the Lanham Act by striking out all of the first sentence following the parenthetical phrase and inserting in lieu thereof a period, and by striking out the second sentence.

Section 308—Effective date of title III

This section would provide that Title III of the Act would be effective at such date or dates as prescribed by the Secretary of Housing and Urban Development, but not later than six months after enactment thereof.

FEDERAL MORTGAGE FORECLOSURE ACT

Section 401. Short title

This section would provide that this Act may be cited as the "Federal Mortgage Foreclosure Act."

Section 402. Statement of findings

This section would set forth the following Congressional findings:

(1) that disparate state foreclosure laws have inhibited the free flow of mortgage money to homeowners in many States and have burdened Federal programs involving real estate mortgages;

(2) that delays in foreclosures have caused vandalism, depreciation and related costs;

(3) that delays in foreclosure have resulted in "equity skimming";

(4) that foreclosure costs are excessive in many parts of the Nation;

(5) that a uniform, less expensive and more expeditious foreclosure procedure would facilitate the nationwide secondary mortgage markets and would remove burdens on interstate commerce;

(6) that this Act would provide a less expensive and more expeditious foreclosure procedure which would reduce litigation in the courts and promote general welfare.

Section 403. Definitions

(a) "Mortgage" would mean any formal instrument under which real property is subjected to a lien to secure payment of money, including an installment contract for the purchase of real property.

(b) "Mortgage agreement" would mean the note and mortgage, deed of trust or other instrument, including any instrument incorporated by reference therein.

(c) "Mortgagee" would mean the obligee or obligees named in the mortgage agreement, and their successors and assigns.

(d) "Holder" would mean the current owner of the indebtedness secured by the mortgage.

(e) "Mortgagor" would mean the obligor named in the mortgage agreement and, unless the context otherwise indicated, would include the current owner of record of the mortgaged property.

(f) "Person" would include any individual, association, partnership, corporation or organization.

(g) "Record" and "records" would include "register" and "registered" in order to cover torrens systems.

(h) "Security property" would mean the real property and other property subject to the mortgage.

(i) "State" would include the District of Columbia, the Commonwealth of Puerto Rico, the territories and possessions, and the Trust Territory of the Pacific Islands.

(j) "County" would mean county as defined in 1 U.S.C. § 2.

Section 404. Mortgages Subject to this Act

This section would provide that the Act would cover mortgages made, owned, insured or guaranteed, in whole or in part, by the United States. Mortgages executed prior to the enactment of the statute would be covered, provided the default upon which foreclosure is based occurred subsequent to enactment.

Section 405. Designation of Foreclosure Commissioner

This section would provide that a Federal foreclosure remedy is created by authorizing a nonjudicial power of sale. This section would provide that the mortgage agreement may designate a "foreclosure commissioner" to conduct the foreclosure, and that the mortgagee may designate the foreclosure commissioner whether or not one is designated in the mortgage agreement.

The foreclosure commissioner would be required to be a resident of the State in which the security property is located, or if not a natural person, the foreclosure commissioner would be required to be duly authorized to transact business in such State. The person or entity selected by the mortgagees would be required, to the knowledge of the mortgagee, to be responsible, financially sound and competent to conduct the foreclosure. An employee could not be selected. The mortgagee would be responsible for the payment of any judgment obtained against the foreclosure commissioner based upon wrongful performance of the foreclosure commissioner's duties. Where the foreclosure commissioner is to be an official or employee of the United States or a local government, the foreclosure commissioner may be designated by title or position rather than name.

Section 406. Prerequisites to foreclosure

This section would provide that foreclosure may be commenced upon breach of a covenant or condition of the mortgage agreement for which foreclosure is authorized, provided that no foreclosure proceeding has been separately instituted by the mortgagee other than under this Act, and provided that there is pending no action on the debt. This section would permit simultaneous suit to appoint a receiver, obtain mortgagee in possession status, or obtain relief under an assignment of rents.

Section 407. Notice of default and foreclosure sale

This section would require that a notice of default and foreclosure sale be subscribed with the name and address of the foreclosure commissioner, and set forth the following information:

(a) the names of the holder of the mortgage, original mortgagee and the original mortgagor;

(b) the street address or description of the location of the security property, and a description of the security-property, or so much thereof as is to be offered for sale, sufficient to identify the property to be sold;

(c) the date of the mortgage, the office in which the mortgage is recorded, and the liber and folio or other description of the location of recordation of the mortgage;

(d) the failure to make payment, including the due date of the earliest payment remaining wholly unpaid as of the date the notice is subscribed, or the description of other default or defaults upon which foreclosure is based, and the acceleration of the secured indebtedness:

(e) the date, time and place of the foreclosure sale;

(f) a statement that the foreclosure is being conducted pursuant to this Act and that objections and a written request for a meeting may be made in accordance with subsection 411(b);

(g) the types of costs, if any, to be paid by the purchaser upon transfer of title;

(h) the amount and method of deposit to be required at the foreclosure sale, the time and method of payment of the balance of the foreclosure purchase price, and other terms of sale which the foreclosure commissioner deems appropriate.

Section 408. Commencement of foreclosure

This section would provide that the foreclosure commissioner shall commence foreclosure upon request of the mortgagee provided the prerequisites to foreclosure set forth in section 406 are satisfied, by serving a notice of default and foreclosure sale in accordance with section 409.

Section 409. Service of notice of default and foreclosure sale

This section would provide that the foreclosure commissioner shall serve a notice of default and foreclosure sale by publication, mailing and posting as follows:

Subsection (a) would require the notice to be published once a week during three successive calendar weeks with last date of publication not less than four nor more than twelve days prior to sale. The newspaper in which publication is made would be required to have general circulation in the county in which the security property is located, and to have circulation, to the extent practicable, conducive to achieving notice by publication. In the event no newspaper of general circulation is available, the section would require posting in three public places.

Subsection (b) would require mailing notice by certified or registered mail, postage prepaid and return receipt requested, to the following persons:

(1) the owner of record as the record exists forty-five days prior to the date set for foreclosure sale;

(2) the original mortgagor and subsequent mortgagors of record except those released;

(3) with respect to one- to four-family residential properties, any other person known to the holder of the mortgage to be in lawful posession;

(4) all lienors of record as the record exists forty-days prior to the date set for the foreclosure sale.

Notices under (1), (2) and (3) above would be required to be mailed at least twenty-one days prior to date of foreclosure sale, and notices under (4) above would be required to be mailed at least ten days prior to date of foreclosure sale. Notice would be deemed sufficient whether or not received.

Subsection (c) would require that a copy of the notice be posted in a prominent place on the security property at least seven days prior to foreclosure sale, except where:

(1) the foreclosure commissioner has received return receipts for all notices mailed under subsection (b) except those mailed to lienors: or

(2) the foreclosure commissioner determines that posting would cause a breach of the peace; or

(3) all persons to be mailed notice, except lienors, request in writing that notice not be posted; or

(4) the property is vacant.

Section 410. Pre-sale reinstatement

This section would require that the foreclosure be cancelled in the event the mortgagor tenders payment of all installments past

due or cures a non-monetary default upon which foreclosure is based, and tenders the expenses of foreclosure, except that the foreclosure commissioner shall have discretion not to cancel a foreclosure when the current mortgagor has on two or more occasions previously so required a foreclosure to be cancelled.

Section 411. Adjournment; objections to foreclosure

Subsection (a) would provide that the foreclosure commissioner shall act as a fiduciary to the mortgagor and the mortgagee and shall conduct the foreclosure in a manner fair to both. The foreclosure commissioner would be required to attend the foreclosure sale and would be authorized to adjourn the sale to a later hour in the same day without further giving of notice, or to adjourn the foreclosure sale for not less than nine nor more than twenty-four days in which case revised notice would be served by publication and mailing.

Subsection (b) would provide that the foreclosure commissioner would review any objections to foreclosure sale, and would meet with the mortgagor upon written request. The foreclosure commissioner could request a representative of the mortgagee to attend such meeting.

Section 412. Conduct of sale

This section would require that the foreclosure sale not be held earlier than sixty days after the due date of the earliest installment wholly unpaid or the earliest occurrence of any uncured non-monetary default, with respect to one- to four-family residential properties except those which are vacant. Foreclosure would be required to be at public auction at a location where real estate auctions are customarily held, or at a courthouse, or at the property. The foreclosure commissioner would be prohibited from bidding but would be permitted to receive written one-price bids and to serve as auctioneer.

Section 413. Foreclosure costs

This section would provide that the following costs be paid from the sale proceeds before any other claim is paid:

(1) advertising expenses, postage and other out-of-pocket expenses of giving notice by publication and mail;

(2) mileage, at the rate provided in 28 U.S.C. § 1921, for posting notices and conducting sale;

(3) reasonable costs actually incurred in any necessary title search;

(4) out-of-pocket expenses to record documents; and

(5) a commission as authorized by joint regulations of the Secretaries of Housing and Urban Development and of Agriculture and the Administrators of the Veterans Administration and the Small Business Administration.

Section 414. Disposition of Sale Proceeds

This section would provide that money realized from a foreclosure sale be applied to costs of foreclosure, then to any liens prior to the mortgage which are required to be paid, then to advancements for taxes and assessments and expenditures for the necessary protection of the security property, then to interest on the mortgage, then to the principal on the mortgage, then to payment of junior lienholders in order of priority, then to the mortgagor. Provision would be made for deposit of disputed funds with any appropriate State official and for the payment of the foreclosure commissioner costs should a lawsuit be necessary to determine rights to disputed funds.

Section 415. Transfer of Title and Possession

Subsection (a) would provide that the foreclosure commissioner shall deliver a deed to the purchaser and obtain the balance of the purchase price in accordance with the terms of sale of the notice of default and foreclosure sale.

Subsection (b) would provide that the deed to the purchaser shall convey all right, title, and interest of the mortgagee, the mortgagor and others claiming through them, without any judicial proceeding ancillary or supplemental to the foreclosure provided in this Act.

Subsection (c) would provide that a purchaser at foreclosure shall be entitled to possession upon passage of title subject only to an interest senior to that of the mortgage.

Subsection (d) would provide that no right of redemption or possession shall exist in the mortgagor subsequent to the foreclosure sale.

Subsection (e) would provide that where conveyance is made to the United States, no tax shall be imposed upon the foreclosure deed or the transfer of title.

Section 416. Record of Foreclosure and Sale

Subsection (a) would provide that the foreclosure commissioner shall include in recitals of the deed to the purchaser, or prepare an affidavit, respecting:

(1) the fact that the mortgage was made, owned, insured or guaranteed by the United States in whole or in part;

(2) the particulars of service of notice;

(3) the conformity of the conduct of the foreclosure sale with the terms of the notice;

(4) a correct statement of foreclosure costs;

(5) the name of the successful bidder and amount of successful bid.

Subsection (b) would require that the foreclosure deed, the foreclosure commissioner affidavit, and any other instruments necessary to be recorded shall be accepted for recordation.

Section 417. Protection of properties

This section would provide that in the event the security property after default becomes vacant, the mortgagee would be entitled to take reasonable steps to secure the property against fire, vandalism and similar risks, and to take possession of the property by peaceable entry until one of the following events occurs: (i) the mortgagor demands and gives reasonable assurance of intention to take immediate possession; (ii) a foreclosure is commenced under State law; (iii) foreclosure under this Act is completed; or (iv) foreclosure is cancelled pursuant to section 410.

Section 418. Computation of time

This section would define the method of computation of time to include the day from which any period is calculated and the day on which any event or action to be taken occurs.

Section 419. Separability

This section would provide that if any part of the Act shall be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not impair the remainder of this Act.

By Mr. CHILES:

S. 2509. A bill to name structure S–5A of the Central and Southern Florida Flood Control District, located in Palm Beach County, Fla., as the "W. Turner Wallis Pumping Station" in memory of the late W. Turner Wallis, the first secretary-treasurer and chief engineer for the Central and Southern Florida Flood Control District. Referred to the Committee on Public Works.

Mr. CHILES. Mr. President, today I am introducing a bill which would name structure S–5A of the Central and Southern Florida Flood Control District located in Palm Beach County, Fla., as the "W. Turner Wallis Pumping Station" in memory of the late W. Turner Wallis, the first secretary-treasurer and chief engineer for the Central and Southern Florida Flood Control District.

Turner Wallis, a native of Clarksburg, W. Va., received his bachelor of science degree in civil engineering from Virginia Military Institute, and came to Florida in 1920 to engage in his chosen profession. After many years of experience in south Florida, especially in the Florida Everglades, he was appointed the first secretary-treasurer and chief engineer for the Central and Southern Florida Flood Control District in July 1949.

With his wealth of first-hand knowledge of the land and related water problems of the region, gained by years of varied activities, Turner Wallis was extremely influential in getting the central and southern Florida flood control project off to an early and progressive start on construction of works so vital and necessary for the protection of life and property and for the health and welfare of the residents and visitors within the area of the district.

I believe it is fitting and proper that W. Turner Wallis be posthumously honored for his outstanding contributions to the advancement of the project, and it is the desire of the governing board of the district that his contributions be properly recognized by dedicating a major project facility in his honor. I am therefore introducing this bill today and hope that it will receive the early favorable attention of the Congress.

By Mr. CHILES:

S. 2510. A bill to create an Office of Federal Procurement Policy within the Executive Office of the President, and for other purposes. Referred to the Committee on Government Operations.

OFFICE OF FEDERAL PROCUREMENT POLICY ACT OF 1973

Mr. CHILES. Mr. President, today, I am introducing a bill that represents the first step in a major legislative campaign about to be started by my Ad Hoc Subcommittee on Federal Procurement to reform the Federal procurement process.

Senator ROTH, ranking minority member on the subcommittee, joins me in sponsoring this act to create an Office of Federal Procurement Policy—OFPP—the No. 1 recommendation made by the Congressional Commission on Government Procurement on which I served. Since the Commission report was delivered to Congress at the start of this year, much has transpired to crystallize the legislation. Bills have been introduced and, in the House, Chairman HOLIFIELD has already completed extensive hearings on OFPP issues.

Now the Senate is prepared to take up its part in reforming a process that consumes nearly 40 percent of the Federal budget through procurement of goods and services and grants.

The legislation introduced today reflects the latest developments elicited by House hearings and executive branch reaction. It provides a new baseline for moving towards a central authority to guide and direct Federal procurement policies and regulations. In place of fragmented and inconsistent procurement authority and practices, it seeks to sub-

stitute a central focus for taking a hard look at policies, regulations, procedures and focus on a governmentwide basis.

Mr. President, I ask unanimous consent that this bill be printed in the RECORD.

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

S. 2510

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 "Office of Federal Procurement Policy Act of 1973."

DECLARATION OF POLICY

SEC. 2. It is hereby declared to be the policy of Congress to promote economy, efficiency, and effectiveness in the procurement of goods, services and facilities by and for the executive branch of the Federal Government by—

(1) establishing policies, procedures, and practices which will require the Government to acquire goods, services, and facilities of the requisite quality and within the time needed at the lowest reasonable cost, utilizing competition to the maximum extent practicable;

(2) improving the quality, efficiency, economy, and performance of Government procurement organizations and personnel;

(3) avoiding or eliminating unnecessary overlapping or duplication of procurement and related activities;

(4) avoiding or eliminating unnecessary or redundant requirements placed on contractor and Federal procurement officials;

(5) identifying gaps, omissions, or inconsistencies in procurement laws, regulations, and directives and in other laws, regulations, and directives, relating to or affecting procurement;

(6) achieving greater uniformity and simplicity whenever appropriate, in procurement procedures;

(7) coordination procurement policies and programs of the several departments and agencies;

(8) conforming procurement policies and programs, whenever appropriate, to other established Government policies and programs;

(9) minimizing possible disruptive effects of Government procurement on particular industries, areas, or occupations;

(10) improving understanding of Government procurement laws and policies within the Government and by organizations and individuals doing business with the Government;

(11) promoting fair dealing and equitable relationships among the parties in Government contracting; and

(12) otherwise promoting economy, efficiency, and effectiveness in Government procurement organizations and operations.

FINDINGS AND PURPOSE

SEC. 3. (a) The Congress finds that economy, efficiency, and effectiveness in the procurement of property and services by the executive agencies will be improved by establishing an organization to assume responsibility for and direction over procurement policies and regulations.

(b) The purpose of this Act is to establish within the Executive Office of the President an office to provide overall leadership and direction for the development of procurement policies and regulations for executive agencies in implementation of procurement statutes.

DEFINITIONS

SEC. 4. As used in this Act—

(1) the term "executive agency" means an executive department as defined in section 101 of title 5, United States Code, an independent establishment as defined by section 104 of title 5, United States Code (except that it shall not include the General Accounting Office), a military department as defined by section 102 of title 5, United States Code, a wholly owned Government corporation, and the District of Columbia;

(2) the term "Office" means Office of Federal Procurement Policy; and

(3) the term "Administrator" means the Administrator of the Office of Federal Procurement Policy.

OFFICE OF FEDERAL PROCUREMENT POLICY

SEC. 5. (a) There is established within the Executive Office of the President an agency to be known as the Office of Federal Procurement Policy. Functions exercised by the Office shall be subject to such policies and directives as the President shall deem necessary to effectuate the provisions of this Act.

(b) There shall be at the head of the Office an Administrator of the Office of Federal Procurement Policy, who shall be appointed by the President by and with the advice and consent of the Senate.

(c) There shall be in the Office a Deputy Administrator of the Office of Federal Procurement Policy who shall be appointed by the President by and with the advice and consent of the Senate. The Deputy Administrator shall perform such functions as the designate and shall be Acting Administrator during the absence or disability of the Administrator and, unless the President shall designate another officer of the Government, in the event of a vacancy in the Office.

FUNCTIONS

SEC. 6. (a) The Administrator shall provide overall guidance and direction of procurement policy, and to the extent he considers appropriate and with due regard to the program activities of the executive agencies, shall prescribe policies and regulations which shall be followed by executive agencies (A) in the procurement of—

(1) property other than real property in being;

(2) services, including research and development; and

(3) construction, alteration, repair, or maintenance of real property; and (B) in providing for or in connection with procurement of items specified in (1), (2), and (3) above, to the extent required for performance of Federal assistance programs. However, in the case of programs to provide Federal assistance to States and political subdivisions, this authority shall not be construed to authorize any procurement contrary to State and local laws. Also, the authority of the Administrator under this Act shall apply to procurement by or for a military department only when payable from appropriated funds.

(b) The functions of the Administrator shall include the following:

(1) monitoring and revising as necessary policies and regulations concerning the role of the Federal government and its reliance on the private sector in providing goods and services required to meet public needs;

(2) monitoring and revising as necessary policies and regulations to protect the interests and integrity of the public and private sectors in the procurement of goods and services;

(3) establishing a system of Governmentwide coordinated and, to the extent feasible, uniform procurement regulations;

(4) establishing criteria and procedures for an effective method of soliciting the viewpoints of interested parties in the development of procurement policies, regulations, procedures, and forms, and for overseeing and upgrading the status of procurement personnel through improved programs for recruitment, training, career development, and perfomance evaluation;

(5) sponsoring research in procurement policies, regulations, procedures, and forms; and

(6) guiding and directing the development of a system for collecting and disseminating governmentwide procurement data to meet the informational needs of the Congress, the Executive branch and the private sector.

(c) In the development of policies and regulations to be atuhorized or prescribed by him, the Administrator shall consult with the executive agencies affected and, to the extent feasible, with the consent of the executive agencies concerned, shall designate an executive agency or agencies, establish agency representatives or personnel, to solicit the views and the agreement, so far as possible, of agencies affected on significant changes in policies and regulations.

(d) The authority of the Administrator under this Act shall not be construed to impair or interfere with—

(1) the determination by executive agencies of their need to procure, or their use of, property, services, or construction;

(2) the decisions by executive agencies to procure individual property, services, or construction, including the particular specifications therefor; and

(3) the procedures and forms used by executive agencies except to such extent as may be necessary to insure effective implementation of policies and regulations authorized or prescribed by the Administrator.

ADMINISTRATIVE POWERS

SEC. 7. (a) The Administrator is authorized, in carrying out this Act, to—of the Federal, State, and local governments, and to pay such members (other than those regularly employed by the Federal Government) while attending meetings of such committees or otherwise serving at the request of the Administrator, compensation (including traveltime) at rates not in excess of the maximum rate of pay for GS–18 as provided in the section 5332 of title 5, United States Code, and while such members are so serving away from their homes or regular places of business, to pay such members travel expenses and per diem in lieu of subsistence at rates atuhorized by section 5703 of title 5, United States Code, for persons in Government service employed intermittently;

(2) utilize, with their consent, the services, personnel and facilities of State and private agencies and instrumentalities;

(3) accept voluntary and uncompensated services, notwithstanding section 665(b) of title 31, United States Code;

(4) employ experts and consultants in accordance with section 3109 of title 5, United States Code, and compensate individuals so employed for each day (including traveltime) at rates not in excess of the maximum rate of pay for grade GS–18 as provided in section 5332 of title 5, United States Code, and while such experts and consultants are so serving away from their homes or regular place of business, to pay such employees travel expenses and per diem in lieu of subsistence at rates authorized by section 5703 of title 5, United States Code, for persons in Government service employed intermittently; and

(5) adopt an official seal, which shall be judicially noticed.

(b) Upon request of the Administrator, each executive agency is directed to—

(1) make its services, personnel, and facilities available to the greatest practical extent for the performance of functions under this act: and

(2) except when prohibited by law, furnish and allow access to all information and records in its possession which the Administrator may determine to be necessary for the performance of the functions of his Office.

SUBMISSION OF REPORTS AND INFORMATION TO CONGRESS

SEC. 8. The Administrator shall keep the Congress and its duly authorized committees fully and currently informed of its activities including consideration of proposed changes in procurement policies and regulations, and shall submit a report to Congress annually, and at such other times as may be necessary for this purpose, with recommendations for amendment or repeal of existing laws or adoption of new laws when appropriate. Neither the Administrator, the Deputy Administrator, nor employees of the Office may refuse to testify before or submit information to Congress or any duly authorized committees thereof.

EFFECT ON EXISTING LAWS

SEC. 9. Authority under any other law permitting an executive agency to prescribe policies, regulations, procedures and forms for procurement is subject to the authority conferred in this Act.

EFFECT ON EXISTING REGULATIONS

SEC. 10. Procurement policies, regulations, procedures, or forms in effect as of the date of this Act shall continue in effect, as modified from time to time, until superseded by policies, regulations, procedures, or forms promulgated by the Administrator.

AUTHORIZATION OF APPROPRIATIONS

SEC. 11. There are authorized to be appropriated such sums as necessary to carry out the provisions of this Act.

DELEGATION

SEC. 12. The Administrator may delegate and authorize redelegation of any authority under this Act to any official in his Office or, with the consent of the agency or upon direction of the President, to any executive agency.

ANNUAL PAY

SEC. 13. Section 5314 of title 5, United States Code, is amended by adding at the end thereof the following:

"(60) Administrator of the Office of Federal Procurement Policy."

ACCESS TO INFORMATION BY COMPTROLLER GENERAL

SEC. 14. The Administrator and personnel in his Office shall furnish such information as the Comptroller General may require for the discharge of his responsibilities, and for this purpose, the Comptroller General or his representatives shall have access to all books, documents, papers, and records of the Office.

COORDINATION OF FEDERAL ASSISTANCE POLICIES

SEC. 15. The Administrator, in cooperation with the executive agencies and the Office of Management and Budget, shall undertake a study to determine the feasibility and desirability of authorizing his Office, or another Federal office or agency, to provide overall guidance and direction for Federal assistance programs and the relationship of policies and regulations governing the use of contracts, grants and cooperative agreements. In carrying out such study, the Administrator shall consult with representatives of States and local governments and that segment of the public which is actively engaged in the administration and performance of Federal assistance programs. The results of the study, together with recommendations for administrative or statutory changes, shall be reported to the Committees on Government Operations of the Senate and House of Representatives at the earliest practicable date but in no event later than two years after the date of enactment of this Act.

REPEALS AND AMENDMENTS

SEC. 16. (a) Section 201(c) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 481(c)) is amended by inserting "subject to regulations prescribed by the Administrator of the Office of Federal Procurement Policy," after the comma following "Administrator.".

(b) Section 602(d) of the Federal Property and Administrative Services Act (40 U.S.C. 474) is amended by striking out clauses (8), (19), and (20); by amending clause (12) to read as follows:

"the Tennessee Valley Authority with respect to the matters referred to in section 201(a)(4), and with respect to the disposal of any property acquired or to be acquired for or in connection with any program of processing, manufacture, production, or force account construction: *Provided*, That the Tennessee Valley Authority shall to the maximum extent that it may deem practicable, consistent with the fulfillment of the purpose of its program and the effective and efficient conduct of its business, coordinate its operations with the requirements of said chapters and the policies and regulations prescribed pursuant thereto;

by amending clauses (13), (15), and (17) to add at the end 'with respect to the disposal of property'; and by amending clause (16) by striking out 'construction, reconstruction, and reconditioning (including outfitting and equipping incident to the foregoing), the acquisition, procurement, operation, maintenance, preservation';"

(c) Section 602(c) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 474) is amended in the first sentence thereof by inserting "except as provided by the Office of Federal Procurement Policy Act, and" immediately after "herewith".

By Mr. DOLE:

S. 2511. A bill entitled the Rural Health Care Delivery Improvement Act of 1973. Referred to the Committee on Labor and Public Welfare.

RURAL HEALTH CARE DELIVERY IMPROVEMENT ACT OF 1973

Mr. DOLE. Mr. President, the task of making health care accessible to all Americans has become an issue of national importance in recent years. The average American citizen is spending an increasingly larger portion of his income on health care and is justifiably demanding better services in return. In many areas across the country, improvements in health technology and the presence of many highly skilled physicians have brought the best in modern medical services. Yet, at the same time some communities—especially rural communities—face the problem of a decreasing level of health care.

The delivery of adequate health care to our rural populations is a task which is complicated by the very nature of rural communities. Health services must be provided to low density populations scattered over a large geographic area. Often the population is not adequate in a given community to financially support a medical staff and the facilities necessary to provide quality medical care. As a result, physicians and other health professionals and technicians are not attracted to these areas and health manpower problems develop. Often the nearest available health care for rural residents is miles away and public transportation is also not available. On top of all this, rural health problems are compounded by the fact that rural populations have a higher than average percentage of elderly residents and normally a higher degree of poverty. Both the elderly and the poverty populations present additional and unique health care problems.

In the past, the unique problems of rural health care delivery have not received the special consideration they deserve on Federal programs. In fact, the rural applicants for many of the Federal programs are at a disadvantage because they lack the technical skill—the grantsmanship ability and experience—necessary to draft competitive applications. In many ways, the impact of Federal health care programs has increased rather than decreased the problems of rural health care delivery.

The bill I introduce today, the Rural Health Care Delivery Improvement Act of 1973, is intended to reverse this trend in Federal health care legislation. This bill is oriented specifically toward the unique needs of rural communities. It would authorize the establishment within the Department of Health, Education, and Welfare of an Office of Rural Health. The Director of the Office of Rural Health would have the authority to award grants, contracts, loans, and loan guarantees to applicants who wish to develop rural health care delivery models. The intent of this program is to develop new models of rural health care and also new components within these models which can be adapted in other rural communities across the country so that they might too improve their own health care delivery system.

The following problems and issues important to rural health care are to be specifically addressed in the model delivery projects:

First. The demographic and geographic characteristics of a rural health service area.

Second. The identification of new and innovative rural health care delivery models and manner in which these models may be utilized to increase the availability of health care services to rural populations.

Third. The identification and utilization of transportation models and communication systems to make health care more accessible to rural residents.

Fourth. The methods of making available and the economic feasibility of using biomonitoring technology in rural health care delivery systems.

Fifth. The development of health and nutrition education programs in rural areas as well as continuing education programs for health professionals serving in these areas.

Sixth. The development of community health planning and administration mechanisms and experimentation with appropriate linkages of these mechanisms with regionalized health programs and facilities.

Seventh. The identification and utilization of appropriate dental services for rural areas.

Emphasis is placed on these special issues for two reasons. First, these are issues which are basic to the rural health care problems and must be answered if the delivery of health services to our rural population is to be improved. Secondly, developments and new initiative on any of these issues can be applied in other areas, and thus a much larger population

than just the residents of the model community can be served by accomplishments under this program.

In addition to the administration of the grant and loan program, the Director of the Office of Rural Health has other responsibilities to help make Government programs and resources more available to rural communities. These duties include:

First. Providing liaison among all agencies and instrumentalities of the Federal Government for the purpose of coordinating health care programs in rural areas.

Second. Periodically evaluating HEW programs relating to health care in rural areas and recommending changes which might be needed.

Third. Coordinating model programs and projects with National Health Service Corps projects to encourage the expansion of private medicine to rural areas of extreme need.

The Rural Health Care Delivery Improvement Act of 1973 authorizes the appropriation of $300 million over the next 3 years for assistance to rural health delivery models. Funds are to be provided for a model project only when the Director of Rural Health has determined that such assistance is likely to further the goal of increasing the availability of health care services in a rural area in which such services are not presently available. Operation of the program would be reviewed by an 11-member Rural Health Care Advisory Committee responsible for advising the Director of the Office of Rural Health with respect to the overall planning, policies and objectives of the rural health program. In order to insure that the program is realistic and focuses at providing reasonable answers to rural health problems, the projects are to be developed with a view to becoming self-sustaining within 3 years.

Mr. President, I am sure all of my colleagues agree that rural health delivery problems do exist and need special consideration. In Kansas, for example, 54 percent of the State's practicing physicians are located in the State's four most populous counties leaving the remaining 46 percent to serve the other 101 counties. A 1972 survey of Kansas illustrated that over half of the counties in the State had no dentist or had a dentist/patient ratio which exceeds 3,000 patients per dentist. Although these figures illustrate only one aspect of the problem, they do show its immensity and reveal the need for concentrated effort in this area.

This bill is based upon the promise that community health programs can best be planned and implemented at the community and regional level. It provides assistance so that communities can develop a comprehensive health program suited to their own needs and desires, but yet emphasizes the need for organization and regional cooperation.

I feel the legislation would provide much needed assistance to rural communities and in addition give special emphasis to unique rural situations. I would invite my colleagues who have expressed an interest in improving health care in rural areas to join in sponsoring the legislation and ask prompt consideration of the matter in committee.

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

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

S. 2511

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. That this act may be cited as the "Rural Health Care Delivery Improvement Act of 1973."

FINDINGS; DECLARATION OF POLICY AND PURPOSE

SEC. 2. (a) The Congress finds—

(1) that there is an urgent need for the development and improvement of rural health care delivery in many areas throughout the nation;

(2) that availability of health services in many rural areas is below that of the Nation as a whole;

(3) that although current authorized federal programs are applicable to rural health, there has been no centralized focus on the health needs of rural areas;

(4) that community health programs can best be planned and implemented at the community and regional level with coordination at community, regional, state, and national levels;

(5) that there is a need for feasibility studies, development, and demonstration of rural health care delivery models and components;

(6) that recognition by rural communities should be given to the fact that rural health resources are limited and that consequently, alternative rural health care delivery models and components should be tested and developed; and

(7) that experimental and developmental rural health care delivery models and/or components should be developed with a view to becoming financially self-sustaining within three years.

(b) It is the policy of the Congress and the purpose of this Act to provide assistance to programs for the delivery of health services in order to increase the availability of health care services to residents of rural areas. This purpose should be achieved through the establishment of a federal entity within the Department of Health, Education, and Welfare having the authority to coordinate federal activities, review existing programs, and initiate demonstration projects and programs which can improve rural health care delivery.

ESTABLISHMENT OF OFFICE OF RURAL HEALTH

SEC. 3. There is established within the Department of Health, Education, and Welfare, an Office of Rural Health. The Office shall be administered and headed by a Director who shall be a qualified health care professional, appointed by the Secretary.

DIRECTOR OF THE OFFICE; TECHNICAL AND PROFESSIONAL PERSONNEL

SEC. 4. (a) The Director of the Office of Rural Health, under the general direction and supervision of the Secretary of Health, Education, and Welfare (hereinafter referred to as the "Secretary") through the Assistant Secretary for Health, shall carry out the functions and responsibilities vested in him or to the Office by or under this Act, and shall perform such related duties as may be prescribed by the Secretary to carry out the purposes of this Act.

(b) The Director shall receive basic pay at the rate prescribed for level V of the Executive Schedule under subschapter II of Chapter 53 of title 5 United States Code.

(c) The Director shall appoint in addition to the regular personnel of the Office under his direction and control, such technical and professional personnel and consultants as are necessary to carry out the functions of the Office, in accordance with the provisions of title 5, United States Code, governing appointments in the competitive service or the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates.

(d) Such technical and professional personnel and consultants shall include specialists in the health professions as well as specialists in environmental health, community organization, communication, transportation, and such other areas as the Director deems appropriate.

DIRECTOR'S AUTHORITY

SEC. 5. (a) The Director shall have the authority to award grants, contracts, loans, and loan guarantees for projects to examine existing models of rural health care delivery, to determine their applicability and transferability to other rural areas, and to assist in the study, planning, development, experimentation, and demonstration of rural health care delivery models and/or components. Except in the case of assistance for feasibility studies, assistance shall be provided only when the Director has determined that such assistance is likely to further the goal of increasing the availability of health care services in rural areas where the Director has determined that adequate services are presently not available. In determining the eligibility of any entity (which term shall include an individual) for assistance for improving the availability of health care services in a rural area, the Director will consider the extent to which the entity will incorporate in its activities one or more of the following:

(1) identification of the demographic and geographic characteristics which categorize an area as rural, including the definition and delineation of health service areas;

(2) identification of beneficial (including new and innovative) health components of various types of rural health care delivery models, and utilization of such components in increasing availability of health care services;

(3) identification and utilization of transportation modes appropriate in achieving the goal of making health care services available to residents of rural areas;

(4) identification and utilization of appropriate communications in rural areas;

(5) determination and utilization of economically feasible uses of biomonitoring technology;

(6) emergency medical care components and systems available to meet the special problems of the rural areas;

(7) education programs in rural areas, including health and nutrition education, as well as continuing education for health professionals;

(8) experimentation in appropriate linkages with regionalized health programs and facilities in its and other rural areas, and with health programs and facilities in urban areas;

(9) development of community planning mechanisms so that the communities can develop health care delivery models appropriate to their needs; and

(10) provision for community support for appropriate health care delivery models and/or components including necessary staffing, construction, and equipment;

(11) identification and utilization of appropriate dental services for rural areas

(b) No assistance shall be provided to any project under subsection (a) above unless the Director has satisfactory evidence indicating that the type of project being assisted will be transferable or adaptable to other rural areas.

(c) No assistance shall be provided to a project under subsection (a) above unless the project, in accordance with regulations

prescribed by the Director, provides for periodic evaluation of the effectiveness of the project in meeting its purposes.

(d) Any assistance provided under subsection (a) above, may also include support for staffing, construction, and furnishing of necessary equipment. Staffing assistance would be limited in the first year to 90% of such costs, to 60% of such cost in the second year, and to 30% of such cost in the third year.

(e) The Director shall—

(1) provide liaison among all agencies and instrumentalities of the Federal Government for the purpose of coordinating health care programs in rural areas,

(2) make a periodic evaluation of other Department of Health, Education, and Welfare programs relating to health care in rural areas, including development of adequate manpower and to make periodic recommendations to the Secretary;

(3) provide technical assistance and advice for the development of rural health care delivery models and/or components including such assistance and advice to health providers, and including such assistance to expand existing or develop new medical groups in rural areas;

(4) provide for evaluation of the projects assisted under this Act in order to insure that the projects are carried out in conformance with the application for the assistance and in conformance with regulations of the Director.

(5) provide for the coordination of programs and projects assisted under this act with programs and projects of the National Health Service Corps to the end that the development and expansion of private medical care will be encouraged.

SEC. 6. Agencies and departments of the Federal Government are hereby authorized by this Act to enter into contracts with the Office or Rural Health to enable the Office of Rural Health to carry out provisions and/or functions authorized by law dealing with rural health care delivery or development.

AUTHORIZATION OF APPROPRIATIONS

SEC. 7. (a) For grants and contracts, as authorized by Sections 5 and 9, there is authorized to be appropriated the sum of $75 million for the fiscal year ending June 30, 1974, the sum of $100 million for the fiscal year ending June 30, 1975, and the sum of $125 million for the fiscal year ending June 30, 1976.

(b) Any amounts appropriated pursuant to this section shall remain available until expended and any amounts authorized for any fiscal year under this section but not appropriated, may be appropriated for any succeeding fiscal year commencing prior to July 1, 1976.

LOAN GUARANTEES AND LOANS

SEC. 8. (a) The Director may not approve the application for assistance under this Act unless—

(1) he determines, in the case of a loan for which a guarantee is sought, that the terms, conditions, maturity, security (if any), and schedule and amounts of repayments with respect to the loan are sufficient to protect the financial interests of the United States and are otherwise reasonable and in accord with regulations, including a determination that the rate of interest does not exceed such percentum per annum on the principal obligation outstanding as the Secretary determines to be reasonable, taking into account the range of interest rates prevailing in the private market for similar loans and the risks assumed by the United States;

(2) the term of a loan for which a guarantee is sought does not exceed 15 years or such shorter period as the Secretary prescribes; and

(3) he obtains assurances that the applicant will keep such records, and afford such access thereto, and make such reports, in such form and containing such information, as the Secretary may reasonably require.

(b) Guarantees of loans under this section shall be subject to such further terms and conditions as the Secretary determines to be necessary to assure that the purposes of this part will be achieved, and, to the extent permitted by subsection (d), any of such terms and conditions may be modified by the Secretary to the extent he determines it to be consistent with the financial interests of the United States.

(c) In the case of any loan guaranteed under this section, the United States shall be entitled to recover from the applicant the amount of any payments made pursuant to such guarantee unless the Secretary, for good cause, waives his right of recovery, and, upon making any such payment, the United States shall be subrogated to all of the rights of the recipient of the payments with respect to which the guarantee was made.

(d) Any guarantee of a loan under this section shall be incontestable in the hands of an applicant on whose behalf such guarantee is made, and as to any person who makes or contracts to make a loan to such applicant in reliance thereon, except for fraud or misrepresentation on the part of such applicant or such other person.

(e) The cumulative total of the principal of the loans outstanding at any time with respect to which guarantees have been issued, or which have been directly made, under this section may not exceed such limitations as may be specified in appropriations Acts.

(f)(1)(A) There is hereby established in the Treasury a rural health care delivery loan guarantee and loan fund (hereinafter in this section referred to as the "fund") which shall be available to the Secretary without fiscal year limitation, in such amounts as may be specified from time to time in appropriations Acts, (i) to enable him to discharge his responsibilities under guarantees issued by him under this section, and (ii) for direct loans to public entities. There are authorized to be appropriated to the fund from time to time such amounts as may be required for the fund. There shall be deposited in the fund amounts received by the Secretary as interest payments or repayments of principal on loans and any other moneys, property, or assets derived by him from his operations under this section, including any moneys derived from the sale of assets.

(B) Of the moneys in the fund there shall be available to the Secretary for the purpose of making direct loans to public entities only such sums as are appropriate for such purpose, or sums received by the Secretary as interest payments or repayments of principal on such loans and authorized in appropriations Acts to be used for such purpose.

(2) If at any time the moneys in the fund are insufficient to enable the Secretary to discharge his responsibilities under this section to meet obligations under guarantees of loans under subsection (a), he is authorized to issue to the Secretary of the Treasury notes or other obligations in such forms and denominations bearing such maturities, and subject to such terms and conditions, as may be prescribed by the Secretary with the approval of the Secretary of the Treasury. Such notes or other obligations shall bear interest at a rate determined by the Secretary of the Treasury, taking into consideration the current average market yield on outstanding marketable obligations of the United States of comparable maturities during the month preceding the issuance of the notes or other obligations. The Secretary of the Treasury is authorized and directed to purchase any notes and other obligations issued hereunder and for that purpose he is authorized to use as a public debt transaction the proceeds from the sale of any securities issued under The Second Liberty Bond Act, as amended, and the purposes for which securities may be issued under that Act, as amended, are extended to include any purchase of such notes and obligations. The Secretary of the Treasury may at any time sell any of the notes or other obligations acquired by him under this subsection. All redemptions, purchases, and sales by the Secretary of the Treasury of such notes or other obligations shall be treated as public debt transactions of the United States. Sums borrowed under this subsection shall be deposited in the fund and redemption of such notes and obligations shall be made by the Secretary from such fund.

(g)(1)(A) Any loan by the Secretary under this section shall bear interest at a rate comparable to the current rate of interest prevailing with respect to loans which are guaranteed under subsection (a).

(B) No such loan may be made unless—

(i) the Secretary is reasonably satisfied that the applicant therefore will be able to make payments of principal and interest thereon when due, and

(ii) the applicant provides the Secretary with reasonable assurances that there will be available to it such additional funds as may be necessary to complete the project with respect to which such loan is requested.

(C) Any such loan shall have such security, have such maturity date, be repayable in such installments, and be subject to such other terms and conditions (including provisions for recovery in case of default) as the Secretary determines to be necessary to carry out the purposes of this title while adequately protecting the financial interests of the United States.

(D) No such loan shall have a term in excess of 15 years.

(2) The Secretary may, for good cause, waive any right of recovery which he has by reason of the failure of a public organization to make payment of principal and interest on a loan under this section.

GRANTS, CONTRACTS, LOANS, AND LOAN GUARANTEES

SEC. 9. (a) The Director may make grants to public and to nonprofit private entities, may enter into contracts with public and private entities and individuals, and the Secretary may provide loans to public entities, and may provide loan guarantees to private entities and individuals, for projects described in Section 5.

(b) No grant, contract, loan, or loan guarantee may be awarded under this Act unless an application therefor has been submitted to and approved by the Director, and the Rural Health Care Advisory Committee, nor shall any such assistance be awarded without the approval of the appropriate state and local medical society. Such an application shall be in such form and submitted to the Director in such manner as the Secretary shall by regulation prescribe. In order to be approved, an application shall include assurances to the satisfaction of the Director that existing facilities and services will be utilized to the maximum extent feasible, and shall contain information such as the Secretary shall by regulation prescribe. This shall include assurances satisfactory to the Director that the applicant is qualified to carry out the provisions outlined in the application and that the program will be conducted in cooperation with the planning entity referred to in Section 10.

SEC. 10. The Director may not approve an application under this Act unless the planning agency referred to in Section 314(b) of the Public Health Service Act, or if there is no such agency or organization, then the state planning agency referred to in Section 314(a) of the Public Health Service Act has been provided an opportunity in accordance with regulations of the Secretary, to review the application and to submit to the Director

for his consideration its recommendations respecting approval of the application.

SEC. 11. Payment may be made in advance or by way of reimbursement and at such intervals and on such conditions as the Director finds necessary.

SEC. 12. Contracts may be entered into under this Act without a regard to Sections 364(b) and 3709 of the Revised Statutes of the United States (31 U.S.C. 529, 41 U.S.C. 5).

RURAL HEALTH CARE ADVISORY COMMITTEE

SEC. 13. There is established a Rural Health Care Advisory Committee which shall advise, consult with, and make recommendations to the Director with respect to overall planning, policies, objectives and priorities for the Office of Rural Health and the general administration of the program created under this Act. The Committee shall consist of eleven members, appointed by the Secretary, who by virtue of their education, training, or experience are qualified to carry out the function as members of the Committee. Of the members so appointed, six shall be Doctors of Medicine or Doctors of Osteopathy knowledgeable in rural health care delivery, one shall be a Dentist and the remainder shall be persons who are recognized authorities in rural health care delivery. The Secretary shall designate one member of the Committee to be Chairman of the Committee and the Committee shall meet at the call of the Chairman but not less than four times a year.

(b)(1) The Committee shall conduct a study and shall within eighteen months after its appointment, and annually thereafter, submit to the Secretary and to the Congress a report on the accomplishments of this Act in meeting the goal of increasing the availability of health care in rural areas and also with respect to the need for continued assistance under the Act. The Committee shall include recommendations for legislative and administrative modifications as it determines appropriate to further the purposes of this Act.

(c) Members of the Committee (other than members who are full time officers or employees of the United States) shall, while serving on business of the Committee, be entitled to receive a per diem allowance for grade GS–18 of the General Schedule. Each member of the Committee, while so serving away from his home or regular place of business, may be allowed actual travel expense and per diem in lieu of subsistence as authorized by section 5703 title 5 of the United States Code for persons in the Government service employed intermittently.

ADDITIONAL COSPONSORS OF BILLS AND JOINT RESOLUTIONS

S. 796

At the request of Mr. PELL, the Senator from Montana (Mr. MANSFIELD) was added as a cosponsor of S. 796, a bill to improve museum services.

S. 1283

Mr. ROBERT C. BYRD. Mr. President, on behalf of the distinguished Senator from Washington (Mr. JACKSON), I ask unanimous consent that, at the next printing of the bill (S. 1283), the National Energy Research and Development Policy Act of 1973, the name of the Senator from Minnesota (Mr. MONDALE) be added as a cosponsor.

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

S. 1919

At the request of Mr. BARTLETT, the Senator from North Carolina (Mr. HELMS) was added as a cosponsor of S. 1919, a bill to allow the interstate shipment of State inspected meat.

S. 2384

At the request of Mr. PELL, the Senator from Arizona (Mr. GOLDWATER) was added as a cosponsor of S. 2384, a bill to provide uniform procedures for absentee voting in Federal elections for citizens outside the United States.

S. 2389

At the request of Mr. STEVENS, the Senator from Florida (Mr. GURNEY) was added as a cosponsor of S. 2389, a bill to authorize certain revenues from leases on the Outer Continental Shelf to be made available to coastal and other States.

S. 2465

At the request of Mr. BIBLE, the Senator from South Dakota (Mr. ABOUREZK), and the Senator from Arizona (Mr. GOLDWATER) were added as cosponsors of S. 2465, a bill to guarantee loans for the financing of commercial ventures in geothermal energy; to coordinate Federal activities in geothermal energy exploration, research, and development; and for other purposes.

SENATE JOINT RESOLUTION 158

At the request of Mr. RANDOLPH, the Senator from Colorado (Mr. DOMINICK) was added as a cosponsor of Senate Joint Resolution 158, to set aside regulations of the Environmental Protection Agency under section 206 of the Federal Water Pollution Control Act, as amended.

THE FOREIGN ASSISTANCE ACT OF 1973—AMENDMENTS

AMENDMENT NO. 567

Mr. FULBRIGHT. Mr. President, I submitted an amendment to the Foreign Assistance Act last Friday but I did not submit a statement explaining the measure. I wish to say a word or two on the amendment.

In submitting the amendment to S. 2335 I sought to reinstate the same general principles that the administration had recommended before the bill now pending was introduced, really, in the nature of a substitute by the Senator from Minnesota, cosponsored by the Senator from Vermont, which was a new phraseology applied to the same basic principles of foreign aid involved in the traditional bill.

Mr. President, 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:

Strike out all after the enacting clause and insert in lieu thereof the following:

That this Act may be cited as the "Foreign Assistance Act of 1973".

DEVELOPMENT LOAN FUND

SEC. 2. Title I of chapter 2 of part I of the Foreign Assistance Act of 1961 is amended as follows:

(1) In section 202(a), relating to authorization—

(A) immediately after "fiscal year 1972," strike out "and";

(B) immediately after "fiscal year 1973," insert "$125,000,000 for each of the fiscal years 1974 and 1975,";

(C) immediately after "June 30, 1972," strike out "and"; and

(D) immediately after "June 30, 1973," insert "June 30, 1974, and June 30, 1975,".

(2) In section 203, relating to fiscal provisions, strike out "for the fiscal year 1970, for the fiscal year 1971, for the fiscal year 1972, and for the fiscal year 1973" and insert in lieu thereof "for the fiscal years 1974 and 1975".

TECHNICAL COOPERATION AND DEVELOPMENT GRANTS

SEC. 3. Title II of chapter 2 of part I of the Foreign Assistance Act of 1961 is amended as follows:

(1) In section 211(a), relating to general authority, in the last sentence immediately after the word "assistance", insert the word "directly".

(2) In section 212, relating to authorization, strike out "$175,000,000 for the fiscal year 1972, and $175,000,000 for the fiscal year 1973" and insert in lieu thereof "$100,000,000 for each of the fiscal years 1974 and 1975".

(3) Section 214, relating to American schools and hospitals abroad, is amended by striking out subsections (c) and (d) and inserting in lieu thereof the following:

"(c) To carry out the purposes of this section there are authorized to be appropriated to the President for the fiscal year 1974, $19,000,000, which amount is authorized to remain available until expended.

"(d) There are authorized to be appropriated to the President to carry out the purposes of this section, in addition to funds otherwise available for such purposes, for fiscal year 1974, $6,500,000 in foreign currencies which the Secretary of the Treasury determines to be excess to the normal requirements of the United States.

"(e) On or before the termination of thirty days after the convening of the second regular session of the Ninety-third Congress, the Secretary of State shall submit to the Congress, for consideration in connection with Department of State authorization legislation, such recommendations as he considers desirable for assistance to schools, libraries, and hospital centers for medical education and research, outside the United States, founded or sponsored by United States citizens and serving on study and demonstration centers for ideas and practices of the United States."

HOUSING GUARANTIES

SEC. 4. Title III of chapter 2 of part I of the Foreign Assistance Act of 1961 is amended as follows:

(1) In section 221, relating to worldwide housing guarantees, strike out "$205,000,000" and insert in lieu thereof "$349,900,000".

(2) In section 223(i), relating to general provisions, strike out "June 30, 1974" and insert in lieu thereof "June 30, 1975".

ALLIANCE FOR PROGRESS

SEC. 5. Section 252 of the Foreign Assistance Act of 1961, relating to authorization, is amended as follows:

(1) In subsection (a)—

(A) strike out "for the fiscal year 1972, $295,000,000, and for the fiscal year 1973, $295,000,000" and insert in lieu thereof "for each of the fiscal years 1974 and 1975, $150,000,000"; and

(B) strike out "$88,500,000 for each such fiscal year" and insert in lieu thereof "$50,000,000 for each such fiscal year".

(2) Strike out subsection (b) and insert in lieu thereof the following:

"(b) There are authorized to be appropriated to the President for each of the fiscal years 1974 and 1975, $900,000 for grants to the National Association of the Partners of the Alliance, Incorporated."

PROGRAMS RELATING TO POPULATION GROWTH

SEC. 6. Section 292 of the Foreign Assistance Act of 1961, relating to authorization, is amended by striking out "1972 and 1973" and inserting in lieu thereof "1974 and 1975".

INTERNATIONAL ORGANIZATIONS AND PROGRAMS

SEC. 7. Section 302 of the Foreign Assistance Act of 1961 is amended as follows:

(1) In subsection (a), relating to authorization, strike out "for the fiscal year 1972, $138,000,000 and for the fiscal year 1973, $138,000,000" and insert in lieu thereof "for each of the fiscal years 1974 and 1975, $120,000,000".

(2) In subsection (b)(2), relating to Indus Basin Development grants, strike out "for use in the fiscal year 1972, $15,000,000, and for use in the fiscal year 1973, $15,000,000" and insert in lieu thereof "for use in each of the fiscal years 1974 and 1975, $14,000,000".

CONTINGENCY FUND

SEC. 8. Section 451(a) of the Foreign Assistance Act of 1961 is amended by striking out "for the fiscal year 1972 not to exceed $30,000,000, and for the fiscal year 1973 not to exceed $30,000,000" and insert in lieu thereof "for each of the fiscal years 1974 and 1975, not to exceed $23,500,000".

INTERNATIONAL NARCOTICS CONTROL

SEC. 9. Section 482 of the Foreign Assistance Act of 1961, relating to authorization, is amended by striking out "$42,500,000 for the fiscal year 1973, which amount is" and inserting in lieu thereof "$40,000,000 for the fiscal year 1974, and $30,500,000 for the fiscal year 1975, which amounts are".

PROHIBITIONS AGAINST FURNISHING ASSISTANCE

SEC. 10. The first full paragraph of section 620(e)(1) of the Foreign Assistance Act of 1961 is amended by striking out "no other provision of this Act shall be construed to authorize the President to waive the provisions of this subsection." and inserting in lieu thereof "the provisions of this subsection shall not be waived with respect to any country unless the President determines and certifies that such a waiver is important to the national interests of the United States. Such certification shall be reported immediately to Congress."

EMPLOYMENT OF PERSONNEL

SEC. 11. Section 625 of the Foreign Assistance Act of 1961 is amended by adding at the end thereof the following new subsection:

"(k)(1) In accordance with such regulations as the President may prescribe, the following categories of personnel who serve in the agency primarily responsible for administering part I of this Act shall become participants in the Foreign Service Retirement and Disability System:

"(A) a person serving under unlimited appointments in employment subject to subsection (d)(2) of this section as Foreign Service Reserve officers and as Foreign Service staff officers and employees; and

"(B) a person serving in a position to which he was appointed by the President, whether with or without the advice and consent of the Senate, if (i) such person shall have served previously under an unlimited appointment pursuant to such subsection (d)(2) or a comparable provision of predecessor legislation to this Act, and (ii) following service specified in clause (i) of this subparagraph, such person shall have served continuously with such agency or its predecessor agencies only in positions established under the authority of sections 624(a) and 631(b) or comparable provisions of predecessor legislation to this Act.

"(2) Upon becoming a participant in the Foreign Service Retirement and Disability System, any such officer or employee shall make a special contribution to the Foreign Service Retirement and Disability Fund in accordance with the provisions of section 852 of the Foreign Service Act of 1946, as amended. Thereafter, compulsory contributions will be made with respect to each such participating officer or employee in accordance with the provisions of section 811 of the Foreign Service Act of 1946, as amended.

"(3) The provisions of section 636 and title VIII of the Foreign Service Act of 1946, as amended, shall apply to participation in the Foreign Service Retirement and Disability System by any such officer or employee.

"(4) If an officer who becomes a participant in the Foreign Service Retirement and Disability System under paragraph (1) of this subsection is appointed by the President, by and with the advice and consent of the Senate, or by the President alone, to a position in any agency of the United States Government, any United States delegation or mission to any international organization, in any international commission, or in any international body, such officer shall not, by virtue of the acceptance of such an appointment, lose his status as a participant in the system.

"(5) Any such officer or employee who becomes a participant in the Foreign Service Retirement and Disability System under paragraph (1) of this subsection shall be mandatorily retired (A) at the end of the month in which he reaches age seventy, or (B) earlier if, during the third year after the effective date of this subsection, he attains age sixty-four or if he is over age sixty-four; during the fourth year at age sixty-three; during the fifth year at age sixty-two; during the sixth year at age sixty-one; and thereafter at the end of the month in which he reaches age sixty. However, no participant shall be mandatorily retired under this paragraph while serving in a position to which appointed by the President, by and with the advice and consent of the Senate. Any participant who completes a period of authorized service after reaching the mandatory retirement age specified in this paragraph shall be retired at the end of the month in which such service is completed.

"(6) Whenever the President deems it to be in the public interest, he may extend any participant's service for a period not to exceed five years after mandatory retirement date of such officer or employee.

"(7) This subsection shall become effective on the first day of the first which begins more than one year after the date of its enactment, except that any officer or employee who, before such effective date, meets the requirements for participation in the Foreign Service Retirement and Disability System under paragraph (1) of this subsection may elect to become a participant before the effective date of this subsection. Such officer or employee shall become a participant on the first day of the second month following the date of his application for earlier participation. Any officer or employee who becomes a participant in the system under the provisions of paragraph (1) of this subsection, who is age fifty-seven or over on the effective date of this subsection may retire voluntarily at any time before mandatory retirement under paragraph (5) of this subsection and receive retirement benefits under section 821 of the Foreign Service Act of 1946, as amended.

"(8) Any officer or employee who is separated for cause while a participant in the Foreign Service Retirement and Disability System pursuant to this subsection, shall be entitled to benefits in accordance with section 637 (b) and (d) of the Foreign Service Act of 1946, as amended. The provisions of subsection (e) of this section shall apply to participants in lieu of the provisions of sections 633 and 634 of the Foreign Service Act of 1946, as amended."

ADMINISTRATION EXPENSES

SEC. 12. Section 637(a) of the Foreign Assistance Act of 1961, relating to authorizations, is amended by striking out "for the fiscal year 1972, $50,000,000 and for the fiscal year 1973, $50,000,000" and inserting in lieu thereof "for each of the fiscal years 1974 and 1975, $49,000,000".

GENERAL AND MISCELLANEOUS PROVISIONS

SEC. 13. Part III of the Foreign Assistance Act of 1961 is amended by adding at the end thereof the following new sections:

"SEC. 659. SHARING OF COSTS.—No assistance shall be furnished by the United States Government to a country under title I, II, or VI of chapter 2 of part I of this Act until the country provides assurances to the President, and the President is satisfied, that such country will provide at lease 25 per centum of the costs in any fiscal year of the entire program, project, or activity with respect to which such assistance is to be furnished, except that such costs borne by such country may be provided on an 'in-kind' basis.

"SEC. 660. MULTILATERAL APPROACHES TO DEVELOPMENT.—Greater efforts should be made to promote and support sound multilateral approaches to the development of foreign countries. Therefore, the Secretary of State shall undertake consultations with multilateral organizations (including the United Nations) for the purpose of determining (1) how soon and which such multilateral organizations would be able to administer foreign assistance funds transferred to them by the United States Government for programs, projects, and activities for the development of foreign countries, (2) the kinds of such programs, projects, and activities which those organizations are able and will be able to administer, (3) likely methods for the administration of those programs, projects, and activities, and (4) the expectation of increased contributions by other countries to such organizations for those programs, projects, and activities. Not later than six months after the date of enactment of this section, the Secretary shall make a report to the President and the Congress with respect to his consultations, including such recommendations as the Secretary considers appropriate.

"SEC. 661. PROHBITING TRAINING.—No part of any appropriation made available to carry out this or any other provision of law shall be used to conduct any police training or related program for a foreign country."

POSTWAR RELIEF AND RECONSTRUCTION IN SOUTH VIETNAM, CAMBODIA, AND LAOS

SEC. 14. The Foreign Assistance Act of 1961 is amended by adding at the end thereof the following new part:

"PART V—POSTWAR RELIEF AND RECONSTRUCTION IN SOUTH VIETNAM, CAMBODIA, AND LOAS

"SEC. 801. GENERAL AUTHORITY.—The President is authorized to furnish, on such terms and conditions as he may determine, assistance for relief and reconstruction of South Vietnam, Cambodia, and Laos, including humanitarian assistance to refugees, civilian war casualties, and other persons disadvantaged by hostilities or conditions related to those hostilities in South Vietnam, Cambodia, and Laos.

"SEC. 802. AUTHORIZATION.—There are authorized to be appropriated to the President to carry out the purposes of this chapter, in addition to funds otherwise available for such purposes, for the fiscal year 1974 not to exceed $376,000,000, which amount is authorized to remain available until expended.

"SEC. 803. ASSISTANCE TO SOUTH VIETNAMESE CHILDREN.—(a) It is the sense of Congress that inadequate provision has been made (1) for the establishment, expansion, and improvement of day care centers, orphanages, hostels, school feeding programs, health and welfare programs, and training related to these programs, which are designed for the benefit of South Vietnamese children, disadvantaged by hostilities in Vietnam or conditions related to those hostilities, and (2) for the adoption by United States citizens of South Vietnamese children, who are orphaned or abandoned, or whose parents or sole surviving parent, as the case may be, has irrevocably relinquished all parental rights.

"(b) The President is therefore authorized to provide assistance, on terms and conditions he considers appropriate, for the pur-

poses described in subsection (a) of this section. Of the funds appropriated pursuant to section 802 of this Act for the fiscal year 1974, $7,500,000 shall be available until expended solely to carry out the purposes described in such subsection (a). Not more than 10 per centum of the funds made available to carry out such subsection (a) may be expended for the purposes referred to in clause (2) of such subsection. Assistance to carry out the purposes referred to in such subsection (a) shall be furnished, to the maximum extent practicable, under the auspices of and by international agencies or United States or South Vietnamese voluntary agencies.

"SEC. 804. CONSTRUCTION WITH OTHER LAWS.—All references to part I of this Act, whether heretofore or hereafter enacted, shall be deemed to be references also to this part unless otherwise specifically provided. The authorities available to administer part I of this Act shall be available to administer programs authorized in this part. The provisions of section 655(c) of this Act shall not apply with respect to funds made available for fiscal year 1974 under part I, this part, and section 637 of this Act."

TERMINATION OF INDOCHINA WAR

SEC. 15. No funds authorized or appropriated under this or any other law may be expended to finance military or paramilitary operations by the United States in or over Vietnam, Laos, or Cambodia.

LIMITATION ON USE OF FUNDS

SEC. 16. No funds authorized or appropriated under any provision of law shall be made available for the purpose of financing directly or indirectly any military or paramilitary operations by foreign forces in Laos, Cambodia, North Vietnam, South Vietnam, or Thailand unless (1) such operations are conducted by the forces of the government receiving such funds within the borders of that country, or (2) specifically authorized by law enacted after the date of enactment of this Act.

WEST AFRICAN FAMINES

SEC. 17 In regard to the famine in West Africa, the President shall consult with international relief organizations and other experts to find the best way to forestall future famine conditions in West Africa, and he shall report to Congress as soon as possible on solutions to this problem of famine and further propose how any of these solutions may be carried out by multilateral organizations.

POLITICAL PRISONERS

SEC. 18. It is the sense of Congress that the President should deny any economic or military assistance to the government of any foreign country which practices the internment or imprisonment of that country's citizens for political purposes.

TERMINATION OF ASSISTANCE IN INDOCHINA

SEC. 19. (a) It is the sense of the Congress that the Agreements on Ending the War and Restoring Peace in Vietnam, and protocols thereto, signed in Paris, France, on January 27, 1973, will be effective only to the extent that the parties to such agreements and protocols carry out the letter as well as the spirit of those agreements and protocols. It is further the sense of Congress that the United States should not furnish economic or military assistance to any such party, or make any sale, credit sale, or guaranty to or on behalf of any such party, unless that party agrees to comply, and does comply, with those agreements and protocols.

(b) This section shall not apply to the provision of food and other humanitarian assistance which is administered and distributed, under international auspices or by United States voluntary agencies, directly to persons and not through any government.

ACCESS TO INFORMATION

SEC. 20. (a) After the expiration of any thirty-five-day period which begins on the date the Committee on Foreign Relations of the Senate or the Committee on Foreign Affairs of the House of Representatives has delivered to the office of the head of the Department of State, the United States Information Agency, the Agency for International Development, the United States Arms Control and Disarmament Agency, ACTION, or the Overseas Private Investment Corporation, a written request that it be furnished any document, paper, communication, audit, review, finding, recommendation, report, or other material in its custody or control relating to such department, agency, or corporation, none of the funds made available to such department, agency, or corporation, shall be obligated unless and until there has been furnished to the committee making the request the document, paper, communication, audit, review, finding, recommendation, report, or other material so requested.

(b) The provisions of subsection (a) of this section shall not apply to any communication that is directed by the President to a particular officer or employee of any such department, agency, or corporation or to any communication that is directed by any such officer or employee to the President.

(c) Section 634(c) of the Foreign Assistance Act of 1961 (22 U.S.C. 2394(c)) is amended—

(1) by striking out "(1)"; and

(2) by striking out all after the phrase "so requested" and inserting in lieu thereof a period and the following: "The provisions of this subsection shall not apply to any communication that is directed by the President to a particular officer or employee of the United States Government or to any communication that is directed by any such officer or employee to the President."

Mr. FULBRIGHT. Mr. President, this is an amendment in the nature of a substitute. It would continue the foreign aid program under the traditional authorities in the Foreign Assistance Act of 1961, as recommended by the administration earlier this year, and make a modest reduction of $217 million in the overall amount recommended by the committee. It also includes all of the provisions now in S. 2335 that were initiated in the Foreign Relations Committee. It is the same bill except for deletion of the new authorization categories and the reduction in amounts.

I urge the adoption of this substitute for two principal reasons: First, the bill reported by the Foreign Relations Committee is merely a cosmtic job designed to give a face-lifting to the foreign aid program, but which leaves the basic policy unchanged. Second, the state of our economy and the Government's fiscal condition are such that we cannot afford the luxury of continuing to spend the massive amounts recommended in this bill for a bilateral foreign aid program which is badly in need of basic change.

The bill is both deceptive and defective. For years bilateral economic aid, other than that for straight budget support, as has been the case in Indochina, has been approved by Congress in two major categories, developing loans and grants for technical assistance. These funds were then loaned or given to recipient countries for the various projects and activities—in the fields of agriculture, health, population, education, industrial development, transportation, and so on—that had been justified to Congress.

This year the Agency for International Development (AID) argued within the executive branch that its program would have a better chance to survive the gauntlet of an increasingly skeptical Congress if it asked for money in categories which had more sales appeal. Instead of the traditional loan and grant categories, it wanted to ask Congress for money under these labels: First, food production, nutrition, and rural development, second, population planning and health, third, education and human resource developing, fourth, selected development problems, and fifth, selected countries and organizations. But the Office of Management and Budget did not accept that plan and the executive branch's foreign aid submission to Congress ended up as a straight-forward extension of the existing loan and grant authority. This bill contains the same authorization categories sought by AID and rejected within the executive branch. Thus, it is, in effect, AID's second attempt to obtain a legislative revamping of its image.

Senators should not be deceived. The foreign aid program will not be changed by this bill; even the authorization labels are the same as those in the AID congressional presentation book. The people who will administer the program will be the same as now. And they will be dispensing $1.2 billion for the same projects and programs AID has supported in the past. This is hardly the "vigorous new initiative" claimed for this measure by its principal sponsor.

By authorizing amounts for five specific aid categories, it appears, on the surface, that congressional control will be strengthened under this bill. This is but a bit of legislative slight of hand. The bill authorizes $592,000,000 this fiscal year for five categories. In addition, $251,000,000 in repayments on outstanding foreign aid loans will be available and up to one-third of that can be used in any one of these categories. Yet that quarter of a billion dollars does not appear anywhere in this bill.

Let us look at how this new system will work. Take, for example, the category of "Selected Countries and Organizations," for which the bill authorizes $28,000,000. Among other things this money is to be used for "support of the general economy of recipient countries," in plain English, a program to finance imports. By adding loan reflows, the money available for "Selected Countries and Organizations" this fiscal year can be increased to $112,000,000—four times the specific amount the Senate is being asked to approve in this bill.

Here is another example of how this bill weakens Congress control over foreign aid spending. Under existing law Congress authorizes and appropriates specific amounts for loans and specific amounts for grants. But not under this bill. It authorizes a lump sum for each of the five categories, money which can be used for either loans or grants. The only requirement is that not more than half of the new funds appropriated for all categories can be used as grants.

Executive branch bureaucrats, not Congress, will be the ones to decide how much in each category is given out as grants and how much in loans.

They could require that population activities be financed entirely on a loan basis while financing the building of dams and steel mills with grants, if they choose to do so. The bill is so loosely drawn that the assistance authorized in the new categories could be used here in the United States, not in the poor countries, as intended. The bill states only that the "President is authorized to furnish assistance on such terms and conditions as he may determine . . ."—without specifying that the assistance is to go to foreign countries. It is another example of why this bill should be put aside for further study and refinement. For years Congress has been trying to plug the many loopholes in the foreign aid programs. This bill reverses that commendable record.

If the Senate adopts S. 2335, it will probably do so under the impression that it is voting to make significant changes in the foreign aid program. This would be an illusion which would result only in giving the existing unsatisfactory aid program a new lease on life. This bill does not represent a change of policy; it is "business as usual." The foreign aid program needs a drastic overhaul, not a face lifting. My substitute would continue the existing programs, at a slightly reduced level, to give an opportunity for Congress to make an indepth study of the entire spectrum of U.S. relations with the poor countries of the world. It would avoid shoving the foreign aid problem under the rug.

As to the amounts, my substitute would authorize a total of $1 billion compared with the $1.2 billion recommended by the committee, a reduction of $217,000,000. The reductions would be made primarily in the development loan category, and, to a lesser extent, the technical assistance program. I ask unanimous consent to have printed in the RECORD following my remarks a comparative table of the amounts involved. However, this table does not reflect the additional $251,000,000 that will be available to AID this year for relending as a result of repayments on outstanding foreign aid loans. So instead of the $225,000,000 for loans provided in my substitute, there will actually be a total of $476,000,000 available, all of it at 2 percent interest for the first 10 years and 3 percent for following 30 years.

This bill cannot be considered in isolation from our general economic situation. Our economy is in a state of disarray, the Government's fiscal condition perilous. In the past 2 years we have seen the end of the convertibility of the dollar into gold and two devaluations of the dollar—by 7.9 percent and 10 percent.

The disorder in our financial house is largely due to the accumulated effects of many years of overcommitment abroad, including the foreign aid program. Our Government's zealous determination to control and shape the destinies of much of the world has brought our Nation to a state of financial exhaustion. Since 1965 the Federal debt has increased by $150 billion, interest on the national debt has doubled, and the cost of living is up by 40 percent. The $50 billion balance-of-payments deficit our Nation has incurred over the last 3 years is directly related to overcommitment abroad and the lessening of world confidence in the U.S. ability to put its house in order. The programs to be funded by this bill add over $400 million annually to our balance-of-payments deficit. Enactment of this bill will contribute further to the deterioration of our general economic position.

Mr. President, 3 years ago AID completed a luxurious hotel and apartment complex in New Delhi for foreign aid personnel at a cost of $3.2 million. Not long ago it was turned over to the Indian Government as a consequence of the shutdown of most of the U.S. aid program following the India-Pakistan war. Now, according to press accounts, India cannot figure out what to do with this costly white elephant. This is an appropriate symbol of the foreign aid program.

On a related issue, the September 20 Washington Post reported that India had proposed, and the United States had tentatively agreed, to settle its $3 billion foreign currency debt to us for $100 million in dollars and $900 million in local currency. Although, on the surface, it appears that only two-thirds of the rupee debt was written off, the American taxpayer has lost much more since, apparently, much of the $900 million in rupees will be used in foreign aid programs in the region.

I do not criticize this settlement as such, but for what it represents— the culmination of a misguided foreign aid policy. An Indian economist wrote in the New York Times recently:

> . . . Better Indo-United States relations can only be built on a "zero aid" position . . . The overwhelming majority of the Indian people . . . are against foreign aid.

Now that the Indian foreign currency debt is being settled on such a favorable basis for India, we can expect Pakistan to demand equal treatment on the $1.1 billion in foreign currency she owes on Public Law 480 purchases. And the list of petitioners is likely to grow. Indeed, if the entire $8.3 billion in outstanding Public Law 480 foreign currency debts were settled on this basis, the American taxpayer would end up getting only about $280 million in dollars and $2.5 billion in foreign currency. And, with the debt burdens of the poor countries growing, it is not unreasonable to expect similar defaults in the future on the $29 billion oustanding in dollar repayable loans. Settlement on the one-third basis followed in India would cost the taxpayers an additional $20 billion.

One final point. The $1 billion proposed in my substitute is but a small part of the overall foreign aid program for this fiscal year. The total foreign aid package proposed by the executive branch comes to $7.9 billion, using the most conservative estimates. Other estimates go as high as $8.6 billion. There is now $2.7 billion in the pipeline for the programs to be authorized by this bill. If no new program money at all were provided by Congress the foreign aid program would still continue for the indefinite future. In view of our Government's fiscal situation I think a further modest reduction in foreign aid is well justified.

I urge the Senate to give priority consideration to restoring the confidence of our people in our ability to act responsibly in fiscal matters and to vote for my substitute.

I ask unanimous consent to have printed in the RECORD certain tables and articles.

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

FOREIGN ECONOMIC ASSISTANCE AUTHORIZATION

[In millions of dollars]

	Continuing resolution fiscal year 1974	Committee recommendation fiscal year 1974 [1]	Fulbright substitute [1]
Supporting assistance for South Vietnam, Laos, and Cambodia	[2] 450.0	376.0	376.0
International organizations	94.1	120.0	120.0
Indus Basin	9.0	14.0	14.0
Worldwide development loans	175.8	----------	[3] 125.0
Worldwide technical assistance grants	140.8	----------	100.0
Alliance for Progress	204.1	----------	150.0
Loans	(134.4)	----------	[5] (100.0)
Grants	(69.7)	----------	(50.0)
Population	89.8	(4)	(4)
New development assistance categories: [5]			
Food and nutrition	----------	282.0	----------
Population planning and health	----------	141.0	----------
Education and human resources	----------	94.0	----------
Selected development problems	----------	47.0	----------
Selected countries and organizations	----------	28.0	----------
Miscellaneous categories:			
American schools and hospitals	9.0	[6] 19.0	19.0
International narcotics control program	----------	40.0	40.0
Contingency	22.4	23.5	23.5
Partners of the Alliance	----------	.9	.9
Administrative expenses (AID)	45.9	49.0	49.0
Totals	1,240.9	1,234.4	1,017.4

[1] The same amounts are recommended for fiscal year 1975 for all programs with the exception of the international narcotics control program for which $30,500,000 is authorized and American schools and hospitals abroad and assistance to South Vietnam, Cambodia, and Laos for which funds are authorized only for fiscal year 1974.

[2] Estimate.

[3] In addition $251,000,000 in loan reflows will be available for relending.

[4] $125,000,000 earmarked out of all categories for population programs.

[5] Not more than 50 percent of the amounts appropriated for these categories may be used for grants. In addition, $251,000,000 in repayments on outstanding foreign assistance loans will be available for relending in fiscal year 1974.

[6] In addition $6,500,000 in excess foreign currencies are authorized.

Foreign assistance and related programs, estimated unliquidated obligations by appropriation item, fiscal year 1973, as of June 30, 1973

[In millions of dollars]

Title I—Foreign assistance activities:	
DEVELOPMENT ASSISTANCE	
Development loans	(1,841.3)
Worldwide	885.5
Alliance for Progress	955.8
Development grants	(161.4)
Worldwide	110.1
Alliance for Progress	51.3
Population programs	155.0
International organizations:	
United Nations development program and other programs	—
U.N. technical assistance and other programs	—
U.N. Environment Fund	—
Indus Basin Development Fund, loans	—
Indus Basin Development Fund, grants	—
Refugee relief assistance (Bangladesh)	167.6
American schools and hospitals abroad	23.6
International narcotics control	12.2
Contingency fund	30.1
Administrative expenses:	
AID	4.5
State	1.5
Prototype desalting plant	—
Subtotal development assistance	2,397.2
INDOCHINA POSTWAR RECONSTRUCTION	
Indochina postwar reconstruction	—
MILITARY ASSISTANCE	
Military assistance	791.5
Regional naval training	—
International military education and training	—
SECURITY SUPPORTING ASSISTANCE	
Security supporting assistance	469.3
Subtotal, military and security supporting assistance	1,260.8
Overseas Private Investment Corporation, reserves	151.1
INTER-AMERICAN FOUNDATION	
Inter-American Foundation (limitation on obligations)	3.4
Total, title I, Foreign Assistance Act activities	3,776.5
Title II—Foreign Military Credit Sales	747.7
Total, title I and title II	4,524.2

HOW FOREIGN AID HURTS INDIA

To the Editor: In reference to Bernard Weinraub's July 25 news story "India Expresses Desire to Broaden Relations with U.S." I would like to state that better Indo-U.S. relations can only be built on a "zero aid" position.

Foreign aid—that is, government-to-government loans on low interest rates and long maturity periods—neither promotes economic growth nor betters political relations. In fact, it worsens both.

The overwhelming majority of the Indian people (and, I learn, the American people as well) are against foreign aid. At best, only a small fraction of the top bureaucracy in both countries want foreign aid. In India, foreign aid sustains sometimes directly and most often indirectly the high conspicuous consumption of a small élite, and consequently the investment pattern based on aid availability is distorted to bolster such consumption.

The availability of money and grain on easy terms makes this élite postpone hard decisions on essential reforms such as economy in government expenditure, land reform and tax restructure. My study shows that, consequently, a dollar of foreign aid instead of supplementing domestic saving actually depresses it by more than a dollar.

What India badly needs is immediate self-reliance—that is, to tailor its import bill to its export earnings. Long-term credit on the international capital market is also permissible because foreign capital obtained this way is disciplined to optimal uses by the market interest rate that the Indian economy would have then to pay. To qualify for such loans, India will have to improve its "credit-rating," which will create additional pressures at home for serious reforms.

Finally, no one in India feels that foreign aid is motivated in the U.S. or the Soviet Union by the "largeness of the heart" or that it entails a sacrifice for the donor country. An index of this feeling is the fact that Mrs. Gandhi ran the 1972 provincial elections on the main, appealing plank of *purna arthik swaraj*, i.e., self-reliance. To deviate from this election promise is good for nobody—Indians or Americans.

SUBRAMANIAN SWAMY.

CAMBRIDGE, MASS., *July 25, 1973.*

INDIA OFFERS SETTLEMENT OF DEBTS TO UNITED STATES

(By Barry Schweid)

The Indian government has proposed—and the United States tentatively accepted—settling its $3 billion debt for $100 million in cash and $900 million to be spent on U.S. operations in India and aid to neighboring countries.

Under terms of the proposal carried here from New Delhi by Ambassador Daniel P. Moynihan, the remaining $2 billion debt would be used to underwrite agricultural development, rural electricity, housing and other Indian projects.

All but the $100 million that India would give the United States in cash could remain in native currency—the rupee—under the proposal.

The debt has built up over the years from American grain supplied during the famine years of the 1960s under the Food for Peace program, and completed U.S. aid loans to India. Although the debt is equivalent to $3 billion, it is actually owed to America by India in terms of rupees, not U.S. dollars.

Moynihan is in Washington to consult with Henry A. Kissinger, the Secretary of State designate and other top officials. He still is considering an offer of a top post in the department, but appears inclined to pass it up before returning to New Delhi next weekend.

The 46-year-old Democrat has been ambassador only seven months. He is reluctant to drop the delicate job of repairing relations between the two countries, strained especially during the 1971 Indian war with Pakistan when Indians generally claimed that Washintgon was tilting toward their enemy.

The prospective compromise on the rupee account is essentially a political agreement, one that could help overcome Indian bitterness over the fact that Washington owns a handsome chunk of the Indian economy. The rupees have piled up in the Reserve Bank of India, drawing interest, despite vigorous U.S. efforts to spend them partly by such means as financing visits to India by American officials.

The $100 million would be paid over the next 10 years. Part of the $900 million in rupees would be used to finance U.S. aid programs to Nepal and other small countries on the subcontinent as well as to keep up the U.S. embassy and other American offices.

[From the Washington Post, Sept. 16, 1973]

UNITED STATES TO END AID PROGRAM IN INDIA

(By Lewis M. Simons)

NEW DELHI, July 15.—In the next couple of days, as soon as Prime Minister Indira Gandhi gets over a case of flu, U.S. Ambassador Daniel Patrick Moynihan will call on her and close out an era.

The ambassador will inform the prime minister that the much-maligned U.S. aid program to India is officially ended, at her government's insistence, after 22 years and an expenditure of $10 billion.

Moynihan will also present Mrs. Gandhi with a proposal for disposing of $840 million in Indian rupees held by the United States as a result of Indian payments for American grain supplied during the famine years of the 1960s under the Food for Peace program.

Finally, Moynihan will turn over to the prime minister a $6 million complex of luxury buildings occupied by the U.S. Agency for International Development (AID) in New Delhi. The complex was completed just two years ago.

So far as the Indians are concerned, the most important of the three components of the package will be Moynihan's proposition regarding the U.S. rupee holdings.

These reserve rupees are held in the Reserve Bank of India and they represent a drain on the Indian economy because of the enormous interest the account commands—interest that is piling up faster than the rupees themselves can possibly be spent.

The ambassador, who recently returned from consultations with President Nixon, refuses to reveal details of the plan until he has seen Mrs. Gandhi. He said only that the proposal falls "somewhere between zero and infinity." In other words, it will not insist that the mammoth account remain in the Indian bank, nor will it write off the entire matter, as the Indians would like.

Sources familiar with the proposal say it is a good one, from India's viewpoint, and that Mrs. Gandhi is likely to accept it. Her only reason for rejecting it, the sources speculate, would be political, not economic.

The prime minister and members of her government periodically trot out the "rupee problem" when they want to accuse the United States of worming its way into the Indian economy. But the United States may not spend any of its rupee holdings without India's express consent.

Moynihan hopes his plan will be the first important step toward putting Indian-American relations on a normal nation-to-nation basis.

As much as ideological variants and military alliances, the donor-debtor relationship has helped sour India on the United States and vice versa.

The prime minister's attitude makes clear that there is no point to the old kind of relationship for either side. Knowing this, Moynihan is eager to clear the decks before his stewardship moves into full gear.

He views the transfer of the U.S. AID complex of buildings to the government of India as symbolizing an end to one era and the start of another.

The collection of white brick buildings sticks up from the desert on the south edge of New Delhi like a sore thumb. And like a sore thumb, it has been an irritant ever since it was built.

The south block complex, as it is known to AID staff members, was living proof that the United States owned more of India's rupees than was good for either country.

The decision to build the complex, with food for peace rupees, was made in 1969, when AID had 260 Americans working in India and the United States was spending what it considered "funny money" on anything it could think of, just to get rid of some of it.

As one AID insider put it, "The way we were buying and spending in those days

would make your hair curl. Anything anybody wanted was okay."

The south block concept fit in perfectly with that kind of mentality. After all, the reasoning went, India is a hard place for Americans to live in. The weather is miserably hot at least half of the year, and all year-round in some parts; You cannot drink the water without boiling it; you cannot buy a steak; outside the big cities there's no place to swim, etc., etc. In short, wouldn't it be nice to have a place where we could get away from India, even for just a little while.

The south block is just such a place, "An ostentatious American ghetto, but the best damned oasis in the Indian desert," as one AID staffer put it. The complex consists of a clustered six-story building containing 30 roomy two- and three-bedroom apartments; a hotel with 18 double rooms as well as a dining room, cocktail lounge, reception room, library, four-lane bowling alley and swimming pool. The whole thing is swathed in tinted glass, lined with wall-to-wall carpeting, cooled with central air conditioning, sweetened with piped-in stereo music and lubricated with pure drinking water right from the taps.

In addition to these living and playing facilities, the complex has a sprawling, low-slung office block, a giant warehouse and a covered garage. These buildings have already been turned over to India which has installed members of its science and technology ministry in them.

The rest of the buildings will be turned over by the end of September. Such a transfer was envisaged in 1969. The agreement signed by AID and the Indian government then said India would receive the complex "when no longer required for the support of the United States assistance program in India."

Barely a year after the construction ended, Mrs. Gandhi said India had had enough of U.S. AID and the staff was quickly run down to its present 12 Americans.

A major unknown is how the Indian government is going to cope with the huge cost and expertise needed to run the modern complex. Electricity alone costs $67,000 a year. Total annual operating costs are $160,000.

An American engineer who just completed an overall inspection of the plumbing and water purification plant told AID staffers he expected the whole system would cease functioning six months after the Indians take over.

Cyril Peters, an Indian national who has been manager of the complex since its completion, says it will take even less time.

"The government won't be able to run it," said Peters. "I'd hate to see it three months after they move in. Under my management, everyone does whatever is required of him. The government will have to worry about caste. Higher caste people won't help with low-level jobs. It will be a mess."

The end of the south block complex does not mean that the American community in New Delhi will no longer have a refuge from India.

There is still the American Community Support Association, where Americans can taste such joys of home as hamburgers, hot dogs, American beer, cokes and soft ice cream and relax in the swimming pool and on tne baseball diamond.

The handful of AID staffers and their families who will remain in New Delhi to oversee outstanding loans, the large school lunch program and a few other extant projects are being transferred to rented houses or embassy compound apartments.

Ironically, just as the south block is being given up, the U.S. embassy finds itself needing at least 20 new apartments for staff members. A 12-unit building was recently completed and plans for others are on the drawing boards.

[From the Washington Star-News, July 25, 1973]

FOREIGN AID: THE POLITICS OF RESENTMENT

(By Smith Hempstone)

Of all the billions of dollars of the American taxpayers' money which profligate administrations have sown around the world in the past quarter-century, none has reaped such a bitter harvest as the $10 billion pumped into India since 1950.

It always was naive to suppose that those nations which the United States so generously aided would be grateful for that assistance: Dependency is seldom a happy relationship. And yet in an era in which ironies abound, it is somehow doubly ironic that past American generosity should poison present relations between Washington and New Delhi.

Just the other day, American Ambassador to India Daniel Patrick Moynihan met with Prime Minister Indira Gandhi to announce the termination of the U.S. aid program and to find a way to dispose of a mountain of U.S.-owned rupees worth $40 million which Washington cannot possibly spend and the existence of which affronts Indian sensibilities. The rupees are a debt incurred by India for the purchase of surplus food in famine years at cut-rate, long-term prices.

Americans rightly find it hard to turn away from people dying of hunger. Yet, it is arguable that the provision of food to avert famine did India no favor: It simply made it possible for millions of people the land could not support to survive and procreate children who, in their turn, are doomed to lives of hunger and want.

Indeed, the churlish Indian response to United States assistance calls into question the whole concept of foreign aid. And high time, too.

The great success of the Marshall Plan, under which Europe rose phoenix-like from the ashes of World War II, fostered the simplistic notion that, given enough money, technical assistance and goodwill, poverty could be banished from the earth and the most backward nations introduced to the glories of industrialism and consumerism.

The point the aideologists missed—or chose to ignore—was that, in the case of Western Europe, we were dealing with nations which had already undergone the historical experience of industrialization. They had the skills, the institutions and the *desire* to become again what they once had been. The foundations, the preconditions, were there; in Western Europe, the job was one of reconstruction, not construction, and the difference is immense. In the Third World, we were trying to build bricks without straw, and to lay them on sand.

The point is that we know virtually nothing about the determinants of development. Theories abound, but there are no provable absolutes.

If you will look at a map of the world, you will see that, in general, the developed countries lie well north of the Tropic of Cancer (the U.S., Canada, Europe, the Soviet Union and Japan) or south of the Tropic of Capricorn (Chile, Argentina, Brazil, South Africa and Australia). In between these parallels lie the barefoot nations of Africa, Asia and Latin America.

Some theorists postulate that Protestantism and industralization are linked, that the Moslem-Catholic prohibition against usury made impossible the accumulation of capital necessary for development. Others suggest that there is a linkage between climate and development. Still others are of the opinion that diet is the determining factor, that meat-eaters ultimately prevail over grain-eaters, and grain-eaters over rice-eaters.

There is always the danger of confusing cause with effect, and the probability is that there is no single reason why one nation or group of nations is developed and others are not. Religion, climate, diet, national attitudes and social organization probably all play a role.

The point is that only a people, a nation, can determine what it wants to be. Nobody else can effectively make that determination for it. Many underdeveloped nations want the fruits of industrialization: automobiles, sewing machines, transistor radios, Coca-Cola. But, for reasons which we do not fully understand, they are unable or unwilling to create and sustain the preconditions for their own industrialization.

The concern has been more with appearances than with realities. Let a nation attain independence and the first things its rulers want are a steel mill, a national airline and a mammoth sports stadium. Never mind that its real needs are a workable population-control policy, an effective agricultural extension program and a system of simple vocational schools: These are not egomassaging prestige projects.

And when resources in the form or money and technicians are received from abroad, this obviates the need for their generation at home, to the detriment of local pride, initiative and the development of responsive and responsible institutions.

In short, nobody appreciates something for nothing and it's high time we got out of the foreign aid business, except on a highly selective basis.

[From the Wall Street Journal, Oct. 3, 1972]

THE CASE AGAINST FOREIGN AID

(By Peter T. Bauer)

It can be confidently predicted that whatever the outcome of the electrons in November, foreign aid will once again be a controversial item on the agenda of Congress.

And it can also be predicted confidently that once again it will be alleged that official development assistance—that is, government-to-government grants or soft loans—is indispensable for the progress of poor countries.

Aid is given regardless of the conduct of the recipients, or of its results. It is virtually the only form of government expenditure which goes unquestioned, unlike defense, farm price supports or school lunch programs. This is remarkable.

Aid is plainly not necessary for development, as is shown by the progress of many poor countries without aid. Moreover, it is often damaging, because although it is admittedly an inflow of resources, it sets up repercussions which can outweigh the benefits.

Aid advocates often allege that official aid is indispensable for development. This offensively patronizes aid recipients by saying that they desperately want development but cannot achieve it without handouts—doles from us. In fact, very many poor countries have progressed without them. Malaya was transformed by the rise of the rubber industry, which received no external subsidies, from a sparsely populated country of hamlets in the 1890s to a thriving country by the 1930s where a much larger population lived longer at much higher standards.

AFRICA AND HONG KONG

To move from Asia to Africa, the Gold Coast (Ghana since 1957) was transformed between the 1880s and the 1950s without foreign aid. In 1880 there were no cocoa trees there; by 1950 there were huge exports of cocoa, all from African-owned farms. Again, in 1840 Hong Kong was a barren rock. By now four million people live in that major manufacturing center whose competition is most embarrassing to Western industries. Hong Kong also developed without external gifts. And so did the now developed countries, all of which had begun as poor.

Official aid is thus not necessary for development. Nor is it sufficient. The Navajo Indian nation has remained wretchedly poor in

spite of decades of huge American official aid. If a society cannot develop without external gifts, it will not develop with them. What holds back many less developed countries is the people who live there.

Development depends on people's capacities, motivations and social and political institutions. Where these basic determinants are favorable, material progress will usually occur. Materially ambitious, resourceful, industrious, far-sighted and thrifty people will create or obtain capital, and also use it productively.

There is an inescapable dilemma in the argument that aid is necessary for development. If the required conditions other than capital are present, capital will be generated locally or supplied commercially from abroad, to government or to business, so that aid is unnecessary for development. If the other conditions are not present, aid will be ineffective and thus useless.

It is often said that the culture and the social and political institutions of the recipients should not be disturbed. But what if these are incompatible with substantial material progress, as are many beliefs, customs and institutions, such as the deeply held belief in the sanctity of animal life in South Asia? Material progress requires modernization of the mind, which is inhibited by many institutions in less developed countries and also by official policies pursued there.

Progress does not depend on handouts, but on capacities, mores and institutions. This still leaves open the question whether aid is more likely to promote or to retard progress, which cannot be shown so conclusively. I believe that in practice it is more likely to retard it. Here are some of the many reasons why.

Aid reinforces the disastrous tendency to make everything a matter of politics in less developed countries. The handouts increase the resources and power of governments compared to the rest of society, a result reinforced by the preferential treatment of governments which try to establish state-controlled economies and of countries with balance of payments problems. Politicization of life diverts energy and ambition from economic activity. Moreover it provokes and exacerbates political tension, because it becomes supremely important, often a matter of life and death, who has the government, as is clear from the recent history of Indonesia, Pakistan, East Africa and Nigeria.

Aid often supports most damaging policies. Many recipient governments restrict the activities of minorities, of Chinese in Indonesia. Asians in East and Central Africa, Indians in Burma, Europeans everywhere. The removal of thousands of Asians from East Africa (the most familiar of many examples) has reduced incomes and widened income differences between these countries and the West. These measures are often followed by the expulsion or even destruction of thousands or tens of thousands of people.

ENCOURAGING THE PARADOXICAL

Aid in many ways encourages the paradoxical policy of recipients to restrict the inflow and deployment of private capital. The Indian government, an aid recipient for many years, sets up expensive state oil refineries when the oil companies in India have unused capacity which they are not allowed to employ.

Foreign aid promotes the adoption of unsuitable external models. The establishment of uneconomic heavy industries and national airlines is familiar. More important is the proliferation of Western-type universities, whose graduates cannot find employment, and of Western-style trade unions which are only vehicles for the self-advancement of politicians.

Aid obscures the fact that progress cannot be had for nothing, that the peoples of advanced countries have themselves had to develop the required conditions. It reinforces a widespread attitude that opportunities and resources for the advance of one's self and one's family must be provided by someone else, which promotes or reinforces torpor, fatalism or even beggary and blackmail, but not self-improvement. Preoccupation with aid also diverts the government's attention from the basic causes of poverty and from the possibilities of acting of them.

These are just five ways in which an inflow of resources can damage development. And the economic productivity of aid resources is generally likely to be low and insufficient to outweigh the adverse repercussions. Aid cannot be so closely adjusted to local conditions as can resources supplied commercially. Moreover, governments are understandably apt to use resources donated from abroad on wasteful show projects.

All this is not to say that aid cannot promote development. Whether it in fact does so or not depends on the specific circumstances of each case. But the examples above make it clear that it is unwarranted to assume that because aid represents an inflow of resources, it must promote development. In fact, aid is at least as likely to retard development as to promote it.

If it is only money that were missing, it could be secured commercially from abroad. Aid means at most that some capital is cheaper. But the capital is likely to be less productive than if it were supplied commercially from abroad to government or to business, and as we have seen, aid is also apt to set up far reaching adverse repercussions. There can, therefore, be no general presumption that in practice aid is more likely to promote development than to retard it. In fact, these various considerations suggest that as it has operated and is likely to operate, any general presumption would be the other way round. Of course, even if aid does promote development, this still leaves open the question why people in the donor countries should be taxed for this purpose.

It is often urged that the more aid is given the better, without examining its results that, somehow effectiveness is measured by cost, which no one in his senses would apply to his own life.

Aid certainly removes resources from the donors. But it does not follow tnat it promotes development. To make the rich poor, does not make the poor rich.

Once the case for aid is taken for granted, then either progress or its absence can be advanced for more aid; progress as evidence of its success, and lack of progress as evidence that more is needed. Whatever happens is an argument for more aid. When a case is taken for granted, evidence becomes irrelevant.

Why is the argument that aid is necessary so widely accepted if it is unfounded? This isn't strictly relevant: why people hold certain beliefs has nothing to do with their validity. However, for what it is worth let me give you my explanation.

Many advocates of aid are well intentioned, but not well informed. But by and large the aid crusade is a gigantic confidence trick. A well meaning public has been conned by a motley coalition which has succeeded in part by playing on feelings of guilt, which however unfounded are nevertheless widespread. I think this coalition includes international agencies and government departments anxious to increase their activities and power; professional humanitarians with similar ambitions; disillusioned, bored, power-and-money-hungry academics; the churches which face spiritual collapse and seek a role as welfare agencies; temperamental do-gooders, frustrated by events at home; politicians in search of publicity; exporters in search of easy markets, and governments embarrassed by commodity surpluses. And there are also many people who welcome any argument or policy which in some way or other weakens the position of Western socley, which for various political and emotional reasons they have come to dislike.

Where do we go from here? What should we do about foreign aid? I think it would be best to finish this system of handouts which is bad for both the patrons and for the patronized, and which, by the way, is relatively recent and was started only some 20 years ago.

However, this is unlikely to come about, because of the emotional, political, intellectual, financial and administrative interests behind it. Moreover, the immense sums already spent on aid themselves operate against its termination: the greater are the sacrifices, the harder it is to question the principles in the name of which they have been exacted.

Given the fact that aid will continue, I would wish to see the method and criteria of allocation changed drastically. Aid could be allocated in such a manner that it would favor governments which within their human, administrative and financial resources try to perform the essential and difficult tasks of government and at the same time refrain from close control of the economy. These tasks include the successful conduct of external affairs; the maintenance of law and order; the effective management of the monetary and fiscal system; the promotion of a suitable institutional framework for the activities of individuals; the provision of basic health and education services and of basic communications; and also agricultural extension work. These are important and essential functions which must devolve on the government. This is so for two reasons. First, because part of the institutional structure within which the private sector functions does not emerge from the operation of market forces and so must be established by law. Second, because some of these activities yield services which, although there may be a demand for them, cannot be bought or sold in the market.

This list of tasks largely exhausts the potentialities of state action in the promotion of general living standards. These tasks are extensive and complex. Their adequate performance would fully stretch the resources of all governments in poor countries. Yet governments frequently neglect even the most elementary of these functions while attempting close control of the economies of their countries, or even, occasionally, contemplating, coercive transformation of societies. They seem anxious to plan and unable to govern.

Much more thought could also be given to prevent the inflow of aid from biasing the development of recipient countries in directions based on inappropriate external prototypes. Preference could be given to governments interested more in improving the roads and extending external contacts than in opening Western-type universities or in creating heavy engineering works.

GOVERNING VERSUS PLANNING

The substantial revision of the criteria of allocation of aid which I suggest does not in the least imply underestimation of the tasks of government, but rather the reverse. The adoption of such criteria would favor governments which try to govern rather than to plan. By the same token, aid would be withheld from governments which pursue policies which plainly retard the material progress of their countries. And many of these policies, as for instance the maltreatment of economically successful minorities, often exacerbate the problems and difficulties both of other aid recipients and also of the donors.

The adoption of such criteria would promote relatively liberal economic systems in the recipient countries, minimize coercion and favor material progress, especially an

improvement of living standards. It would also reduce political tension in the recipient countries.

This proposal assumes, of course, that the purpose of aid is to improve material conditions in recipient countries. But the proposal will be altogether unacceptable if the actual purpose of aid differs from the ostensible objective of improving general living standards in the recipient countries. It will be unacceptable if the primary purpose is the pursuit of unacknowledged political policies, such as the promotion of closely controlled economies and societies, or the increase in the resources and power of the international organizations.

Thus, after a couple of good crop years those countries credited their increased yields to new technology rather than to good rainfall. By 1970 Indonesia, the Philippines, Pakistan, India and others were talking confidently about soon being self-sufficient in food. The chairman of the Nobel Peace Prize committee, in announcing that the 1970 prize was going to Dr. Norman Borlaug, developer of the "wonder" wheat, summed up the euphoria by saying that, because of the "green revolution," "we do not any longer have to be pessimistic about the economic future of the developing countries."

How could the world be so misled? One reason was the flourishing public relations work of AID and the foundations. Another reason can be found in a book written in the early 1950s which noted that "when a white-coated scientist, looking up from his microscope, makes a pronouncement for the public, he may not be understood but he is certain to be believed. No one doubts a scientist." The book's title, "Science is a Sacred Cow," is appropriate when one remembers that the "green revolution" was promoted by the scientific branch of the development community.

For instance, Dr. Borlaug said, "You have to be brutally frank with some governments; you have to push them into using (the new technology) . . . it doesn't do any good to get 10 or 15 per cent yield increases, they won't listen to you. You have to throw the long bomb. You have to make a 100 or 200 per cent gain to change their old worn-out practices." Dr. D. S. Athwahl, Associate Director of the foundation-financed International Rice Research Institute (IRRI), where the "miracle" rice was developed, says, "What we are saying is either you apply the new technology or you starve."

I remember well a photograph of President Johnson visiting IRRI, a science showcase in the Far East, and listening spellbound to the gesticulating director, Dr. Robert F. Chandler, in front of a large billboard which blazoned the message, "Newly Developed Rice Selections . . . Produce Up To 400% More Rice, Make Rice Growing Profitable."

The American Association for the Advancement of Science advertises one of its publications by saying, "New methods and techniques will make it possible to meet the food needs of the world's rapidly increasing population throughout the 21st Century." It is a preposterous promise, for at current rates the world's population will have grown from today's 3.5 billion to 37 billion by the end of the next century.

[From the Washington Post, June 3, 1973]

FOREIGN AID WITHOUT AID

(By William C. Paddock)

The American bald eagle is a remarkable bird. For 83 days the parents feed their young. Then, realizing that the eaglets will never fly without drastic action, the parents fly overhead with a fish, land nearby in sight—but out of reach—of the eaglets and eat the fish themselves. The eaglets are finally starved into leaving the safety of the nest to go out and fish for themselves.

It is a practice we would do well to keep in mind in pondering our foreign economic aid program, run by the Agency for International Development, which expires this month unless Congress, as it has in the past, grudgingly renews it.

For more than 25 years, the American people have been carrying out a sometimes charitable and sometimes self-serving crusade against hunger and poverty in the developing world. The crusade employs thousands of Americans overseas and has cost us more than $150 billion. While the majority of those who have studied this crusade are hard put to find concrete proof that the money has been well spent, most internationally minded Americans still advocate a continued flow of such aid. But the time has come to let the developing world fish for itself.

A PREPOSTEROUS PROMISE

For more than 25 years the hungry nations of Asia, Africa and Latin America have heard of the miracles that American technical knowhow, Yankee ingenuity and U.S. dollars can produce in a backward, hungry, tradition-bound nation. It is not surprising that these hungry nations have come to place a degree of faith for solving their problems on U.S. help.

No better example of this can be found than in the "green revolution," a name coined by a former AID head. The "wonder" wheat and "miracle" rice developed by the Rockefeller Foundation were "seeds of change" which gave Congress hope that the war on hunger not only could be won but was truly being won. The developing nations believed these florid statements.

BREATHTAKING HOPE

The truth is that, while the new wheat and rice varieties are excellent high yielders under certain specialized conditions (controlled irrigation, high fertilization), they have done little to overcome the biological limits of the average farm. The hungry nations of Asia, Africa and Latin America are hungry because they have a poor piece of agricultural real estate, and no one should delude them into believing that some sort of technological wizardry can nullify the consequences of too many people on too little arable land.

But if AID officials and their supporters were to admit this to Congress, they would destroy a major argument for more money. For instance, in the 1973 congressional presentation of its program. AID said, "Significant and even exciting technological gains have been made in important food crops . . . Keeping up the pace of this progress will be a difficult though *far from impossible task*" (italics mine).

The hope held out to Congress is breathtaking. For example, research on agricultural problems in Latin America, AID says, "has resulted, where the improved management practices have been adopted, in yields of 200 bushels per acre of corn where 80-bushel crops were the usual production. The long time effect of this research should result in yields increases on the nearly 300 million acres of land cultivated in Latin America . . . research in arid and subhumid lands in Asia has demonstrated that, in India and Pakistan alone, yields on the existing of 100 million acres of irrigated land can be more than doubled by the application of modern irrigation practices . . ."

Where is the congressman who would vote against such a program? And if Congress takes hope, think what visions of sugarplum fairies dance before the eyes of the hungry nations. Why should they not feel that AID's technology will eliminate their problems, or at least materially reduce them?

THE ONLY HOPE

Yet if one looks at some of the characteristics which developing nations hold in common, it is clear the only hope to solve their food problems lies in extreme action of such gargantuan dimensions that they dwarf any help our dollars or technology can offer: 85 per cent of their people depend on agriculture for a living, though 25 per cent of the labor force is either unemployed or underemployed, they grow a narrow range of crops which are excessively susceptible to both pests and market fluctuations; most of their land is broken, mountainous, swampy or desert, with water the most critical factor affecting production. Malnutrition is rampant.

With enough capital some of these problems could be remedied, but this none of the hungry countries have, and few have much credit left. Of the $59 billion they have borrowed from the industrializing world, $33 billion falls due in the five-year period 1970–75.

Yet we hear of much progress in these nations, of how the poorest countries in the world (with a per-capita gross national product of less than $200 and containing 67 per cent of the developing nation's population) have been growing economically at nearly 4 per cent a year for 10 years, a rate faster than their population. This sounds fine, but in general it has meant that their rich have gotten richer while their poor have either remained the same or are, indeed, poorer. More people, not fewer, are worse off today than 10 years ago.

"When you rip aside the confusing figures on growth rates," says Pakistan economist Mahbub ul Haq, "you find that for about two-thirds of humanity the increase in per capita income has been less than one dollar a year for the last 20 years."

THE POPULATION CRUNCH

American Presidents have told us AID is necessary because "the wealthy nations cannot survive as islands of abundance in a world of hunger, sickness and despair." This is utter nonsense, for we are doing so now, like it or not, and we are going to continue to do so, like it or not.

Every day the gap widens and at an accelerating pace. In 1960 the per capita GNP gap between the rich and poor countries was $2,000; today it is $3,000. World Bank President Robert S. McNamara says, "Projected to the end of the century . . . the people of the developed countries will be enjoying per capita incomes, in 1972 prices, of more than $8,000 a year, while the masses of the poor . . . will on average receive less than $200 per capita, and some 800 million of these will receive less than $100. . . ."

While some countries have doubled and tripled the size of their school systems during the past 10 years, each year there are more illiterates. The trouble, of course, is that even before they are started, development efforts are defeated by the steady, uncontrolled growth in population. Development experts once thought the millennium had arrived when India produced a record 95 million tons of food grains in 1967–68. Today, however, the experts refer to the projected 1972–73 Indian crop of 100 million tons as a "critically low figure." The reason: This year's crop must feed 70 million more Indians than it did in 1967.

Mexico often cited as one of the world's best agricultural success stories. It was there that Dr. Borlaug of the Rockefeller Foundation developed his "wonder" wheat. Congressional committees and others have often heard that since the Rockefeller Foundation scientists began working there, Mexico no longer has to import wheat and corn. This supposed self-sufficiency, unfortunately, has been greatly exaggerated. Mexican price supports or cost of production or both have priced corn and wheat out of reach of a large percentage of Mexicans. Malnutrition is a

major problem in Mexico—clear evidence that Mexico's agriculture does not produce the food her people need.

Speaking of this, a former U.S. ambassador to Mexico once told me, "We can't convince the Mexican government that a population problem exists; as long as agricultural production is growing as fast as the population, they don't think there is anything to be concerned about."

Since World War II, Mexico, like most of the developing world, has been able to increase its agricultural production primarily by putting new land into production, not through new technology. But now, like the rest of the hungry world, it is harder and harder to find new land to develop. If its population continues to grow at the present rate, the next 40 years will see Mexico's population mushroom from 50 million to 200 million, a number beyond the capabilities of her limited farm land to feed.

WHAT IS SELF-HELP?

Throughout the history of our aid program, Congress has been told that all the United States wants to do is help those people who will help themselves. Thus President Truman said our aim was to "help the free peoples of the world through their own efforts," and President Johnson said, "The key to victory is self-help." Today's AID administrator, John Hannah, says, "We recognize that the developing countries are responsible for their own development. . . ."

Such statements seem clear when made, but what is "self-help"? The concept offers no guidelines for the expenditure of our AID money because no country intentionally tries self-harm. They are all making an effort to improve their lot. And "self-help" is just as confusing to the recipient nation. A friend in the Dominican Republic once told me that his concept of "self-help" was that of a U.S. supermarket where a developing nation strolls along the AID shelves and helps itself to what it wants: a power plant here, a road there, and next an irrigation canal.

The United States has made a noble effort to help the developing world solve its problems. In doing so, however, we have given a false hope that we really can develop these regions—if the world would only listen to us and Congress would only be more generous with dollars. The resulting confidence has let the hungry nations concentrate on programs often completely unrelated to their basic problem: the population-food crunch.

Virtually every knowledgeable authority agrees that drastic action must be taken if the crunch is not to become catastrophic. "To delay progress toward full self-regulation of population size is to play 'Russian roulette' with the future of man," says a National Academy of Sciences report. Yet nowhere has the necessary extreme action been undertaken, nor will it be until the developing world realizes that there is nothing the industrialized nations can do, in the form of foreign aid, about the population problem.

Cruel though the statement might sound, India would be a more viable nation today if in 1965 the United States had not shipped a fifth of its wheat crop to that sub-continent, thereby averting a famine and saving perhaps 30 million or more Indian lives (President Johnson put the figure at 60 million). The catastrophic shock of so many deaths in 1965–66 probably would have shaken India's political structure to the core and slowed down or stopped entirely its nationalist aspirations, such as needless expenditures on flag-carrying airlines and military operations against neighbors. Its agriculture would surely be receiving a greater percentage of the national budget, and we could expect the citizens to be more responsive to government efforts to control births (the Indian government might not have to report, as it did this year, that "Thus far, the rate or population growth has shown no declining tendency"). Nor would we have seen India relax into euphoric talk about food self-sufficiency, as it did in 1971 after having a couple of good monsoons—which led to further dallying with its problems.

AID WITHOUT AID

One reason why no drastic action is being taken in the world against the population-food crunch is the false hope that foreign aid provides. So long as there is such false hope, governments will not initiate the action most needed. The time has come then, for aid without AID.

The hungry nations must be helped by not helping them, by letting them know they must solve their own problems and that the only way they can do this is with their own energies and motivation. Most of the developing world knows what needs to be done. We must let them do it.

No new scientific gismo needs to be invented to control runaway population growth. Birth control techniques already exist. What does not exist is the motivation to use them. If the leaders of the hungry nations—Mrs. Gandhi, Gen. Suharto, President Marcos and others—could be convinced that so long as present trends continue famine is inevitable, they may well stop following their politically "safe" but dawdling courses. They would have to stop spending so much money on such things as elaborate road systems, military establishments and petrochemical industries that not only produce needed fertilizer but a hundred other less crucial "national" products.

The hungry nations of Africa, Asia and Latin America spend $26 billion annually on armaments—three times what they receive in official development assistance. If this $26 billion, or a large part of it, were spent on tube wells, irrigation ditches, fertilizer and agricultural research, it might become possible to head toward a true "green revolution." If, simultaneously, the nations' communications industries focused on teaching the perils of a six-child (and even a three-child) family, and if economic rewards went to those who practiced what the nation preached, a significant birth-rate drop might be possible. Then, indeed, famine would not be inevitable.

[From the New York Times, June 3, 1973]

INDIA TO IMPORT MORE GRAIN AS HEDGE AGAINST DROUGHT

NEW DELHI, June 2.—India has decided to import more grain to build stocks and to combat severe drought in parts of the country, the Minister of State for Food and Agriculture said yesterday.

The Minister, Annasaheb Shinde, said at a news conference that he could not yet announce how much grain would be imported, and that this would depend upon the progress of the Government's plan to build up stocks and on the effect of the monsoon rains, due in Western India in less than two weeks.

Mr. Shinde said that Government efforts to build up stocks were running behind schedule. They had been delayed, he said, because some farmers were holding their grain in the hope that the Government would increase the price. Mr. Shinde said that the Government still intended to nationalize the wholesale rice trade later this year, as it had nationalized wheat on April 1.

[From the U.S. News & World Report]

Hunger, mainly resulting from drought, is rising in Africa, India, China. As things look now, the coming year could be one of the century's hungriest.

In India, as the first touches of monsoon rain reach the hills, drought and famine are threatening at least 80 million people with hunger and starvation before October's harvest. So far, deaths are minimal. But worse is to come.

Bangladesh, miserable after civil war, has promises of enough grain from U.S. alone to supply 6 million people for a year. More is needed.

Mainland China, with one bad harvest last year, faces another. Drought or floods mean food shortages, hunger, and increasing unrest ahead.

West Africa is struggling through the worst of five to seven years of drought. Six former French colonies are hardest hit—Chad, Mali, Mauritania, Niger, Upper Volta, Senegal. Millions of cattle, unknown numbers of people among the 10 million threatened have already died.

U.S., once beset by grain surpluses, now has not only grain-short Russia but much of the world lining up to get what grain the Americans can spare.

AMENDMENTS NOS. 569, 570, 571, AND 572

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

Mr. KENNEDY submitted four amendments intended to be proposed by him to the bill (S. 2335) to amend the Foreign Assistance Act of 1961, and for other purposes.

AMENDMENT NO. 573

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

Mr. HUMPHREY (for himself and Mr. KENNEDY) submitted an amendment intended to be proposed by them jointly to the bill (S. 2335), supra.

AMENDMENT NO. 574

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

Mr. PERCY. Mr. President, it is well known that in many of the lesser developed countries, traditional practice, cultural mores and inadequate resources tend to block women and girls from access to educational and economic opportunities.

In developed countries as well, including the United States, women and girls suffer similar—if less severe—discrimination. I am very conscious of this, and I continue to support every reasonable effort to give women and girls full equality in our society.

The Committee on Foreign Relations has been especially concerned with the problems of women in the aid-recipient countries. In the committee report on this year's Foreign Assistance bill, S. 2335, the following language appears:

Recognizing that the status of women within each society is one of the indicators of the level of national development, U.S. bilateral aid should assist in the integration of women into the national economy.

This is an important concept and a significant statement which I now wish to bring into law by means of an amendment to the Foreign Assistance bill.

The amendment I submit specifies that the major provisions of the act shall be administered so as to give particular attention to programs, projects and activities which tend to integrate women into the national economies of foreign countries, thus improving their status and assisting the total development effort.

At the same time as we seek to achieve the equal rights of women in our own country, let us adopt this amendment to promote the achievement of equal rights for women in the aid-recipient countries. I urge adoption of the amendment.

AMENDMENT NO. 576

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

Mr. HRUSKA (for himself and Mr. McCLELLAN) submitted an amendment intended to be proposed by them jointly to the bill (S. 2335), supra.

AMENDMENT NO. 577

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

Mr. ROTH submitted an amendment intended to be proposed by him to the bill (S. 2335), supra.

AMENDMENT NO. 578

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

Mr. CHILES submitted an amendment intended to be proposed by him to the bill (S. 2335), supra.

AMENDMENT NO. 579

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

Mr. EAGLETON submitted an amendment intended to be proposed by him to the bill (S. 2335), supra.

FURTHER CONTINUING APPROPRIATIONS, 1974—AMENDMENT

AMENDMENT NO. 568

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

Mr. BENTSEN. Mr. President, I am today submitting an amendment to the continuing resolution for fiscal year 1974. I may well introduce the same amendment when the Labor-Health, Education, and Welfare appropriations bill is reported to the floor.

The amendment would assure that no local school district receives less funds under title I–A of the Elementary and Secondary Education Act of 1965 than it received in fiscal 1973. It would also assure that school districts which had been allocated funds at increased levels as a result of the previous continuing resolution would be able to maintain their rate of operation at these levels.

Mr. President, the House last week unwisely adopted an amendment by Congressman QUIE which would require that no school district receive less than 85 percent of the amount made available to it for title I–A in 1973. On the surface, this seems both wise and fair, since many school districts suffered severe cuts in funds as a result of late notification by the Office of Education that 1970 census figures would be used in determining allocations. The Quie amendment, then, was a kind of modified "hold harmless" for local school districts.

In fact, the results of the Quie amendment are precisely the opposite. While it is true that some districts will gain funds, they will do so at the expense of others within the same State. The Quie amendment, whether intentionally or not, struck out the "hold harmless" provisions for each State. To bring some of the school districts, then, up to the level of 85 percent of last year's funds, the money will have to be taken from other districts in the State. The result is that 32 States would lose title I–A money.

In addition, most serious consequences could happen for many school districts well into the school year after they have already hired their personnel and made their plans on the basis of the earlier continuing resolution. In particular, some urban districts would suffer unconscionable cuts in mid-year: in my own State, for example, Houston would go from an expected level of $8 million to a level of $4 million; Dallas, from $5.5 million to $3.5 million; San Antonio would suffer a loss of $700,000; and Lubbock a loss of $300,000.

I want to emphasize that these are not losses resulting from any new formula in the Elementary and Secondary Education Act; they are losses incurred because of an arbitrary formula attached to a continuing resolution. I wonder if that is the way we want to do business around here. The schools are confused enough because we do not give them adequate leadtime to plan; do we now, want to cut school district funds in mid-year? I do not believe so.

One of the ironies is that Congressman QUIE's own State of Minnesota would lose $3.5 million if his formula is carried into law.

I believe there is but one equitable solution: First, to protect the many school districts which received cuts after their budgets were formulated, we should have a "hold harmless" provision for all districts; and second, to protect school districts who would have received increases under the earlier continuing resolution, we should provide that they can keep the increases they had counted on in making up their budgets.

Under normal circumstances, I would not be supporting these comprehensive "hold harmless" provisions, but the circumstances here demand it. The Office of Education waited almost a year beyond their deadline in telling local school districts how much they could expect. And the districts which received large increases certainly cannot be expected to surrender those increases at this point in the school year.

Mr. President, this is not a Southern solution; it is not a Northern solution. It is an attempt to make equity out of a very complicated situation. The fact that 32 States would lose under the Quie amendment makes it necessary that we act.

The Labor and Public Welfare Committee will soon be considering changes in the authorizing legislation for the Elementary and Secondary Education Act. Let us give them time to establish an equitable formula for distributing title I–A funds. But in the meantime, let us not punish the schools for our delays and for bureaucratic ineptitude. My amendment assures that all States would receive increases under title I–A. Its projected cost of $117 million can be absorbed without increasing the authorization levels, since approximately $200 million of the amounts already authorized for this program have been withheld from allocation.

At this point, I ask unanimous consent to have printed in the RECORD my amendment as well as a table illustrating the dollar figures involved in the various States.

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

AMENDMENT NO. 568

At the appropriate place in the bill, insert the following:

"Provided further, That the aggregate amount made available under Title I–A of the Elementary and Secondary Education Act to any local educational agency which has been allocated amounts prior to September 30, 1973, pursuant to this Act in excess of the rate for operations in fiscal year 1973 shall not be less than the amount necessary to maintain the rate for which allocations were made pursuant to this Act, prior to September 30, 1973, and

Provided further, That each local educational agency which has been allocated funds under Title I–A of the Elementary and Secondary Education Act, prior to September 30, 1973, pursuant to this Act at a rate for operations less than the rate for operations in fiscal year 1973, shall be allocated, consistent with the amounts previously provided by the Act, no less than the amount necessary to maintain the rate for operation for which allocations were made to each such agency in fiscal year 1973."

STATE TITLE I–A DISTRIBUTIONS UNDER ELEMENTARY AND SECONDARY EDUCATION ACT

State	Funds State actually received under previous continuing resolution	Funds State would receive under House (Quie) amendment	Funds States would receive under proposed Bentsen amendment
Alabama	$40,257,134	$29,366,791	$43,210,975
Alaska	2,054,974	2,682,258	2,402,337
Arizona	8,648,415	7,979,433	8,813,237
Arkansas	24,214,456	17,819,075	25,508,632
California	122,028,439	132,282,520	123,652,910
Colorado	10,100,532	10,662,905	10,967,183
Connecticut	11,813,005	14,075,019	12,008,729
Delaware	2,242,296	2,369,640	2,390,764
Florida	26,445,029	21,409,583	28,561,420
Georgia	39,947,788	34,487,740	47,141,112
Hawaii	3,250,669	4,056,617	3,695,770
Idaho	2,730,118	2,394,164	3,074,456
Illinois	63,243,090	73,322,080	70,034,743
Indiana	16,999,801	16,346,660	19,818,199
Iowa	15,464,659	12,411,412	18,152,063
Kansas	10,427,273	7,775,316	11,892,855
Kentucky	37,131,906	27,380,870	40,602,855
Louisiana	34,683,512	26,624,116	37,717,744
Maine	5,607,754	5,238,765	5,970,215
Maryland	19,423,141	20,745,445	21,236,393
Massachusetts	23,858,101	28,293,810	25,029,604
Michigan	47,708,517	53,125,904	51,823,683
Minnesota	21,120,043	17,762,582	25,401,570
Mississippi	42,074,152	30,534,235	43,843,727
Missouri	25,579,100	19,862,207	29,640,152
Montana	3,013,338	2,435,711	3,356,151
Nebraska	7,523,056	6,100,400	8,705,644
Nevada	883,771	1,198,736	1,020,583
New Hampshire	1,908,409	2,123,746	2,083,240
New Jersey	44,860,594	51,451,480	45,578,211
New Mexico	9,629,504	7,094,925	9,873,658
New York	193,459,929	229,434,700	203,925,109
North Carolina	56,260,988	43,823,164	61,602,215
North Dakota	4,271,181	3,486,077	4,197,159
Ohio	41,269,978	41,720,277	45,542,799
Oklahoma	18,199,914	14,151,859	19,877,837
Oregon	9,382,231	9,086,136	9,544,254
Pennsylvania	67,113,702	63,512,670	73,129,802
Rhode Island	5,289,238	5,122,679	5,225,132
South Carolina	34,313,120	25,375,246	36,324,635
South Dakota	6,266,048	4,649,968	7,226,011
Tennessee	36,288,395	26,582,212	39,707,208
Texas	69,566,731	57,524,391	79,650,190
Utah	3,593,198	4,233,235	3,937,393
Vermont	2,107,682	2,846,465	2,287,131
Virginia	33,803,541	26,794,288	40,048,875
Washington	12,255,022	15,206,163	13,512,651
West Virginia	20,524,496	14,721,841	21,129,570
Wisconsin	16,546,374	16,008,791	19,345,516
Wyoming	1,235,793	1,019,105	1,367,999
District of Columbia	8,187,278	11,469,287	10,042,675

RESPIRATORY DISEASE BENEFITS ACT—AMENDMENT

AMENDMENT NO. 575

(Ordered to be printed and referred to the Committee on Labor and Public Welfare.)

Mr. MONTOYA. Mr. President, I submit today an amendment to Senator

ease Benefits Act.

Members of the Senate will recall the laudable goal of S. 1029:

To provide to those workers suffering from occupationally induced respiratory diseases the same benefits now received by the victims of black lung and their survivors.

My amendment furthers the scope of Senator TAFT's bill, while remaining faithful to its intent, by including underground uranium miners will be covered those eligible for benefits. Under section 102(e)(11) of S. 1029, as introduced, underground uranium miners are eligible for benefits already, but only if the Secretary of Labor or the Secretary of Health, Education and Welfare chooses to include them within the act's purview. My amendment assures that underground uranium miners will be covered irrespective of any action by any Cabinet officer. It does this by: a. establishing a new subsection defining underground uranium mines as a "health hazard industry," and b. by adding to the bill a second rebuttable presumption tailored to the special needs of the uranium miners.

The objects of my concern in introducing this amendment are the 15,000 to 20,000 miners who have worked in underground uranium mines. Laboring in the presence of radon daughters' gas, a radioactive agent which is a known carcinogen, some 1,000 to 2,000 of these miners will contact and succumb to lung cancer. These figures confront us with a fatality rate which is 7 to 30 times the normal rate of death from lung cancer. In a population equal in size to that of the uranium miners, there should be only 150 deaths to lung cancer.

The danger to which uranium miners are exposed are well known. A paper presented in June, 1968, at an annual meeting of the Health Physics Society pointed out that:

> Among white underground uranium miners, death from malignant neoplasms of the respiratory system occurred much more commonly 10 or more years after onset of underground uranium mining (48 versus 5.4 expected), with a significant excess also occurring between 5 and 10 years (12 versus 3.2 expected).

Surely to classify the underground mine as a health hazard industry and to include underground uranium miners among those eligible for black lung type benefits is a reasonable step.

It will be noted that my amendment requires a would-be beneficiary to have worked at least 6 months in a mine and to have contacted lung cancer not earlier than 5 years after he began his employment. These requirements were recommended to me by Dr. Victor Archer of the National Institute of Occupational Safety and Health. Dr. Archer is recognized as one of the country's experts in the field of diseases of uranium workers and miners. Dr. Archer explained that almost any exposure to radon daughters' gas, the carcinogenic element found in uranium mine environments, may induce cancer. He points out that it is unreasonable in such a situation to force a man to work 10 years or more before he can be considered to have contacted an occupationally related disease.

The requirement that the miner not contact the disease earlier than 5 years after beginning work is based on the fact that it takes 5 years for a cancer to develop into a detectable state. If a miner develops lung cancer only 3½ years after beginning work in a mine, it may be assumed that he had the disease before he began work. Senator TAFT's bill requires a worker to spend 10 years on the job before it may be assumed, without distinct proof, that he contacted an occupationally related disease. As has been stated, that provision is entirely inappropriate to uranium workers.

Mr. President, before closing I would like to point out that steps have been taken in recent years to upgrade the environment of the uranium mine. It is true that at one time miners were exposed to high levels of radon daughters' gas. By now, however, new requirements have been established to insure that miners are not exposed to excessive radiation. This is significant because it means that we are dealing, in considering my amendment, with a class of beneficiaries which is fixed in number. I hope that the new safety requirements will prevent future uranium miners from developing cancer.

I ask unanimous consent that the text of my 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. 575

On page 5, line 24, insert "(other than a place of work described in paragraph (11))".

On page 6, line 4, strike out "or".

On page 6, between lines 4 and 5, insert the following:

"(11) lung cancer, a place of work in an underground uranium mine in which such worker is or was employed for a period of not less than 6 months; or".

On page 6, line 5, strike out "(11)" and insert in lieu thereof "(12)".

On page 9, immediately after the period on line 19, insert the following new sentence: "For the purpose of this section, if a worker who is suffering from lung cancer which first developed not earlier than 5 years after the date such worker was first employed in a place of work described in section 102(e)(11), there shall (if such worker worked in such a place of work for not less than 6 months) be a rebuttable presumption that such lung cancer arose out of his employment in such place of work."

NOTICE OF HEARING ON INDIAN BILLS

Mr. JACKSON. Mr. President, I wish to announce to the Senate that the Subcommittee on Indian Affairs will hold a hearing on several miscellaneous Indian bills on October 17, 1973. The bills are:

S. 1411, to authorize the Sisseton and Wahpeton Sioux Tribe of the Lake Traverse Reservation to consolidate its landholdings in North Dakota and South Dakota;

S. 1412, to declare that certain federally owned lands are held by the United States in trust for the Sisseton-Wahpeton Sioux Tribe of the Lake Traverse Indian Reservation in North and South Dakota;

S. 1222, to declare that all right, title, and interest of the United States in 2,640 acres, more or less, are hereby held by the United States in trust for the Piaute-Shoshone Tribe of the Fallon Indian Reservation, Nev.;

S. 481, to declare that certain mineral interests are held by the United States in trust for the Chippewa Creek Tribe of the Rocky Boy's Reservation, Mont.;

S. 2105, to amend Public Law 90–335 (82 Stat. 174) relating to the purchase, sale, and exchange of certain lands on the Spokane Indian Reservation;

S. 634, to declare that certain federally owned lands shall be held by the United States in trust for the Kootenai Tribe of Idaho;

S. 1102, to declare that certain federally owned land is held by the United States in trust for the Keweenaw Bay Indian Community and to make such lands part of the reservation involved;

S. 1854, to authorize funds to compensate the Cherokee Nation, a tribe of Indians of Oklahoma, for the loss of 545,175.14 acres of land; and

S. 1856, to determine the rights and interests of the Choctaw Nation, the Chickasaw Nation, and the Cherokee Nation in and to the bed of the Arkansas River below the Canadian Fork and to the eastern boundary of Oklahoma.

The hearing is open to the public and will commence at 9 a.m. in room 3110, Dirksen Senate Office Building.

NOTICE CONCERNING NOMINATION BEFORE THE COMMITTEE ON THE JUDICIARY

Mr. EASTLAND. Mr. President, the following nomination has been referred to and is now pending before the Committee on the Judiciary:

J. Raymond Bell, of New York, to be a Member of the Foreign Claims Settlement Commission of the United States for a term of 3 years from October 22, 1971, vice Theodore Jaffe, term expired.

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in this nomination to file with the committee, in writing, on or before Monday, October 8, 1973, any representations or objections they may wish to present concerning the above nomination, with a further statement whether it is their intention to appear at any hearing which may be scheduled.

ANNOUNCEMENT OF OPEN HEARINGS BY SUBCOMMITTEE ON PARKS AND RECREATION

Mr. BIBLE. Mr. President, I wish to announce for the information of the Senate and the public that open hearings have been scheduled by the Subcommittee on Parks and Recreation at 10 a.m. on October 5, 1973, in room 3110, Dirksen Senate Office Building on the following bills:

S. 210, to authorize the establishment of the Boston National Historical Park in the Commonwealth of Massachusetts.

S. 262, to provide for the establishment of the Tuskegee Institute National Historical Park, and for other purposes.

S. 417, to amend the act of June 28,

1948, to provide for the addition of certain property in Philadelphia, Pa., to Independence National Historical Park.

S. 584, to amend the act entitled "An act to provide for the establishment of the Indiana Dunes National Seashore, and for other purposes," approved November 5, 1966.

NOTICE OF HEARINGS ON THE ECONOMIC STABILIZATION PROGRAM

Mr. MATHIAS. Mr. President, as ranking minority member of the Subcommittee on Separation of Powers of the Committee on the Judiciary, I wish to announce, on behalf of myself and the distinguished chairman, Mr. ERVIN, that the subcommittee will hold 2 days of hearings to investigate procedural issues connected with the economic stabilization program of the Cost of Living Council.

The hearings will be held on October 9 and 10, at 10 a.m., in room 6226, Dirksen Senate Office Building.

The subcommittee will welcome statements for inclusion in the record of hearings.

ADDITIONAL STATEMENTS

THE 15TH ANNIVERSARY OF NASA

Mr. ALLEN. Mr. President, completion of the Skylab II mission last week coincided with the 15th anniversary of the establishment, during the administration of President Eisenhower, of the National Aeronautics and Space Administration. That agency was created on October 1, 1958, with a policy that "activities in space should be devoted to peaceful purposes for the benefit of all mankind."

As part of the NASA organization, the George C. Marshall Space Flight Center was established at Huntsville, Ala., under the guidance and direction of Dr. Werner von Braun. Dr. Von Braun served as Director during the first 10 years, and he and his coworkers at MSFC played leading roles in gaining supremacy in space for the United States. Dr. Eberhard Rees served as Director of MSFC for 2 years following Dr. Von Braun's retirement, and early this year Dr. Rocco A. Petrone took over the helm of the Alabama-based space center.

The past 15 years have been crammed with history-making events in space exploration. As part of the observance of the founding of NASA, the Marshall Star, the employee publication for Marshall Space Flight Center, published a special section entitled "1958–73: NASA Activities Dedicated, 'For the Benefit of All Mankind.'" This article, written by Ed Medal, appeared in the September 26, 1973, issue of the Star. It gives a brief history of NASA achievements, including the many benefits which Earth-bound man enjoys as an outfall from space research and development programs. I ask unanimous consent that this article be printed in the RECORD for the enjoyment of all on this special occasion.

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

YEARS: 1958–73: NASA ACTIVITIES DEDICATED "FOR THE BENEFIT OF ALL MANKIND"

(By Ed Medal)

On October 1, 1958 the National Aeronautics and Space Administration was established with the policy "that activities in space should be devoted to peaceful purposes for the benefit of all mankind."

When NASA marks its 15th birthday Monday, the U.S. will have orbiting the Earth every 90 minutes the 100-ton Skylab space station. Its solar astronomy, Earth resources, medical and other scientific and technical investigations are providing new knowledge for the improvement of life on Earth.

Skylab's investigations and experiments, in no small way, are helping in the development of new methods of learning about the Earth's environment and resources and are providing new ways of evaluating programs directed at preserving those resources throughout the world.

Skylab truly is "for the benefit of all mankind."

The success of Skylab is indicative of NASA's first 15 years. The knowledge gained from NASA programs would fill a library and certainly is too great to detail here. A summary of major programs and some of the milestones reached follows.

MANNED SPACE FLIGHT

The first United States' manned space flight program, Project Mercury, was initiated just seven days after NASA was established. Two and one-half years later Alan Shepard became the first American in space. Aboard his spacecraft, Freedom 7, Shepard flew a suborbital flight of 15 minutes, successfully landing in the Atlantic Ocean 302 miles downrange from Cape Canaveral.

On February 20, 1962, John Glenn became the first of four Mercury astronauts to be placed in Earth orbit, accomplishing the major goal of the program. The succeeding missions by M. Scott Carpenter and Walter M. Schirra, Jr. later that year and the final orbital flight by L. Gordon Cooper, Jr. in May 1963 demonstrated that man could not only survive in weightlessness but also could operate efficiently as a pilot-engineer-experimenter for as long as 34 hours.

Following Mercury, the Gemini Program was established to advance the capabilities of man to explore space for up to two weeks duration and to perfect operational techniques of rendezvousing and docking vehicles in space—a requirement of the Apollo lunar landing missions. From March 1965 to November 1966, 10 manned Earth orbital Gemini flights were flown for missions of from 5 hours to 14 days.

In the late sixties and early seventies, the Apollo lunar landing program dominated the space scene. In December 1968, with the flight of Apollo 8. Man first circled the Moon and returned safely to Earth. The stage was then set for the landing of a man on the lunar surface.

It was on July 20, 1969 at 3:18 p.m. when Neil Armstrong reported "The Eagle has landed." Thus, man's greatest conquest of space to date had been accomplished. As Armstrong lowered himself to the surface of the moon the whole world was listening as he said: "One small step for a man, One giant leap for mankind."

Twelve more astronauts were eventually to explore the Moon by December 1972 when the flight of Apollo 17 officially ended the lunar landing program. But the five scientific stations established on the Moon continue to relay information to Earth and it will take years to completely analyze the hundreds of pounds of lunar material returned to Earth.

SPACE SCIENCES

Through the use of unmanned spacecraft, the exploration of space has provided man with a better understanding of his own planet and an opportunity to see other planets, stars and galaxies unhindered by the Earth's obscuring atmosphere.

Earth-orbiting satellites have discovered and mapped in detail the highly complex magnetosphere surrounded Earth and the effect of solar radiation on Earth's ionosphere and atmosphere. Other spacecraft have studied ultraviolet, infrared, X-ray and gamma-ray radiation to learn more about stars and galaxies and little-understood pulsars, quasars and black holes.

In NASA's first 15 years, some 300 satellites have been sent into Earth orbit and interplanetary space.

APPLICATIONS

In the area of direct benefits to mankind as a result of space activity, the groundwork was done in the early sixties with passive and active communications satellites and early meteorological spacecraft.

The Echo balloon satellites, launched in 1960 and 1964, were some of the early stepping stones to the billion dollar global commercial communications satellite industry. They were followed by the Telstar and NASA's Relay satellites in 1962 and 1964.

The first meteorological satellite, TIROS–1, was launched in 1960, followed by a rapid succession of similar spacecraft in following years. These resulted in the establishment in 1966 of the first operational meteorological satellite system. Weather satellites have observed every major storm or hurricane since the launching of the first TIROS.

In 1972, the first Earth Resources Technology Satellite, ERTS–1, was launched and continues to return information of great importance in managing the Earth's resources and observing its environment. More information in this area is forthcoming from the Skylab missions.

AERONAUTICS

NASA continued the long and successful record of its predecessor agency, the National Advisory Committee for Aeronautics, in preserving the role of the U.S. as a leader in civil and military aeronautical technology.

The joint NASA/USAF/USN X–15 rocket powered airplane made its first flight in June 1959. The world's only manned aircraft capable of hypersonic flight, the X–15 flew to a peak altitude of 354,200 feet (67 plus miles) and a top speed of 4,520 miles per hour (Mach 6.7).

NASA's experimental Quiet Engine Program, started in 1969, has demonstrated jet engine noise levels significantly below the Federal Aviation Regulation requirement. Aircraft noise is currently constraining growth of civil aviation. The NASA quiet engine technology development program aims at making aircraft quieter and thus more acceptable to the community environment.

TECHNOLOGY UTILIZATION

The legislation establishing NASA gave the space agency the mission of making certain that any new technology developed by the agency would be made readily available to all potential users in the U.S. and worldwide. NASA's Technology Utilization Office has been assigned this task.

The office currently operates six Regional Dissemination Centers or technological data banks located around the country. The dissemination centers contain more than one million individual publications dealing with technology derived from space programs. These publications cover a wide range of disciplines. The materials represent new developments and inventions resulting from more than $45 billion worth of contracts with more than 400,000 separate companies during NASA's first 15 years.

Perhaps nowhere has NASA technology been put to more use than in the field of medicine. This is due to space age advances in miniaturization and sophisticated elec-

tronics circuitry. Some notable examples of these benefits are:

Eye-operated switches, devices operated by breath controls and ultra-sensitive pressure devices incorporated in a specially-equipped Huntsville Hospital room designed to aid quadriplegics. A patient unable to use either his hands or feet may one day be able to control the total environment of his room using the above mentioned devices.

A compact, fully automatic gas analyzer which measures the composition of air breathed in and exhaled from the lungs. In hospital intensive care units, the instrument can be used to monitor the breathing of acutely ill patients. In surgeries, the anesthesiologist can monitor the patient's progress, checking inhaled and exhaled concentrations of anesthetic gas.

Some of the other "spinoffs" presently in daily use outside the aerospace field are:

NASTRAN, a computer program designed by NASA to analyze the behavior of structures under stress. This program is being used by hundreds of industrial firms, universities, laboratories and government agencies to solve their structural engineering problems.

Another device benefitting average citizens is the "heat pipe" concept, developed jointly by NASA and the Atomic Energy Commission. The heat pipe has been applied domestically in recovering and recirculating heat from chimney flues, increasing the efficiency and economy of many types of home heating plants approximately 10 per cent.

INTERNATIONAL PROGRAMS

The first international cooperative satellite was launched in 1962. Called Ariel I and developed jointly with the United Kingdom, it carried scientific ionosphere experiments.

In the following years, NASA has conducted 18 cooperative satellite and probe joint projects with Canada, France, Germany, Italy, the United Kingdom and the ten-nation European Space Research Organization (ESRO).

Since orbiting the first foreign experiment on Explorer 20 in 1964, NASA has flown 25 international experiments on its satellites and spacecraft. Since its early development of communications satellites, NASA has successfully orbited 12 such spacecraft which form the Intelsat system of global communications.

From small beginnings, NASA's international programs have developed to the present stage, where 94 countries and international organizations are cooperating with NASA in some form. NASA, in turn, has entered into more than 500 agreements for international space projects.

Among other developments, more than 350 foreign scientists have been involved in the analysis of lunar surface samples.

These are but a few of NASA's accomplishments during the first 15 years of the agency. A vigorous program continues as the agency reaches the middle point of its second decade.

ADDRESS BY VICE PRESIDENT AGNEW

Mr. TOWER. Mr. President, I read with great interest the speech given by the Vice President at the convention of the National Federation of Republican Women in Los Angeles on Saturday.

I highly recommend both the prepared text and the transcript of our distinguished Vice President's extemporaneous remarks, as reported in the Sunday Washington Post, to the attention of my colleagues, and ask unanimous consent that they be printed in the RECORD.

There being no objection, the prepared text and transcript were ordered to be printed in the RECORD, as follows:

ADDRESS BY THE VICE PRESIDENT OF THE UNITED STATES

It's a great pleasure to be here with all of you this morning at your 17th Biennial Convention. This is the first time I have been able to speak to your Federation, and your very warm and gracious welcome makes me wish circumstances had permitted me to come earlier. And I can assure you, contrary to all the rumor and speculation gushing out of Washington these days, that this address before your group, my Republican friends, will *not* be my last.

It's enormously encouraging to know that you have been meeting here for the past five days to plan, study and gear up for the year ahead and the all-important elections we face. The Republican Party has a great future and certainly the excitement here today is an indication that we are witnessing the brilliant premiere of a New Republican Majority in American politics.

Your Federation will play a leading role in this developing chapter in our Party's history. You represent 500,000 Republican women—the largest, most vibrant women's political volunteer organization in the world. And in reviewing the tremendous performance you gave last year—a contribution of more than $2 million in campaign funds and, even more important, over 16 million hours of personal devotion—I am certain you will deliver another star performance in 1974.

You know, some male politicians these days are a little nervous about speaking before women's groups. They figure it's somewhat like a chauvinistic Christian being thrown into an arena of liberated lions, or Bobby Riggs being thrown to Billie Jean King. But somehow I'm not quite so fearful I sense that women in the Republican arena have not had to become savage in the search for representation, recognition and respect within our Party. You've earned your position of leadership and you've received it. You didn't have to force your way into the Convention of 1972 by means of a narrow, rigid quota system. The doors had long been open wide, and you were already present in great numbers.

I noticed last week that our Democrat counterparts are still fighting over the undemocratic quota system that nearly destroyed their Party in 1972. They may never learn what we Republicans have always known—that men and women want to be treated as individuals rather than as members of sexual, ethnic and religious groups.

The quota-minded in this country include women just because they are women. Similarly, they urge the hiring of a person for a job or the election of a person as a convention delegate simply because that person belongs to a specific religious or racial group.

These attitudes may find a home in some echelons of the Democratic Party, but Republicans will always reject them as demeaning, discriminatory and inconsistent with our traditions. The fact that so many of you play such important roles in the affairs of our Party is proof that we Republicans don't need quotas. Maybe it's proof also that you are harder working and better politicians than your Democrat counterparts.

Today, greater numbers of women are actively engaged throughout our Party than at any time in our history. From the precinct level up to the national level, you supply the lifeblood of our organization as well as much of the leadership. I need mention only a few—talented and dedicated women such as Connie Armitage, Janet Johnston and the newly-elected officers of your Federation.

Republican women are present today in greater number than before in Government as well. Anne Armstrong and Helen Bentley, who joined you at this Convention, are two outstanding representatives of a Republican Administration that includes four times as many women as any other Administration in history.

President Nixon has always recognized the ability and dedication that women have to offer, especially in the field of politics. He once put it this way:

"Women basically find it much harder to lose than do men . . . Once they or those they admire and love are committed to battle, they enter into the contest with all their hearts and souls. They work harder and fight harder than men. Their commitment is generally more total and their loyalties more lasting."

I don't think there could be any finer proof of the truth of that statement than the fact all of you here at this Convention and the thousands more you represent are standing behind your Party now in its time of greatest need.

We are in a period in which our loyalty to Party and to principle is being sternly tested. And that has a good side as well as a troubled side. For it is only times such as this that test our loyalty and conviction. You have proven that you have both loyalty and conviction. Indeed, you are proving that you are at your best when the challenge is greatest.

The term "party loyalty" is open to varied definition. We have heard some associate loyalty with nothing more than a blind, self-righteous zeal that encourages one to commit any act, no matter how wrong, in order to serve a cause. But that isn't a reasonable assessment of loyalty. Loyalty in its truest sense is a rational commitment to certain principles and service to those principles in ways that seek to dignify and advance them. That is loyalty in its truest, finest sense and that is the loyalty that you and millions of other dedicated Respublicans have always shown toward this Party.

While you fight hard for the Republican cause, you fight fairly and you abide by the rules and ethics of the political process. You have enough faith in the soundness of the Republican philosophy to know that, with enough work and good candidates, the Republican Party can succeed in the healthy, open competition our two-party system provides. It's people like you that make that system work.

Unfortunately, however, there will always be some individuals who do not abide by the rules and ethics of fair play. A lack of faith either in their cause or in the system itself, drives them to the use of improper or illegal methods. This, of course, was the tragedy of Watergate. Certain individuals, exercising poor judgment and acting unethically, tried to circumvent the laws and accepted standards of conduct in order to serve their cause. The irony, of course, is that in doing so, they damaged their cause all out of proportion to the small advantage they sought. By betraying principle, they did far graver damage than the opposition could ever have done.

But it would be a mistake to assume that what they did is typical of political campaigns. They were only a small minority compared to the millions like you who worked within the framework of law and proper conduct.

It would also be a mistake to assume that because some misguided individuals abused the political process, that the process itself is a farce. Certainly, there are weaknesses within it that need to be corrected, especially in the area of campaign funding. But the process itself is still valid because it results in the victory of those candidates and viewpoints that are most representative of the majority of Americans. That, as you know, fellow Republicans, was the result last November when our President won his overwhelming mandate.

The President was given that mandate because he cherishes those values and principles that America has always stood for and that Americans today just as strongly believe

in. And no aspect of those values and principles is more central to the well-being of our society than is our system of justice.

The structure of that system is both reflective and symbolic of the total structure of our society. The basic philosophical concept upon which our Nation was built was faith in the individual human being. The fundamental principles of our Constitution work to insure that the individual citizen is as free as possible—so long as he acts responsibly and does not interfere with the rights of others. The civil rights of the individual are of paramount concern, for only if man is allowed to exercise those rights can he remain free. If the rights of one person are violated, the rights of all are lessened. It is the primary function of our system of justice to insure that those rights are protected.

But today that system of justice, the cornerstone of our free society, is under attack. And perhaps no instance better illustrates the seriousness and ferocity of the assault than the current flagrant violation of the traditional and constitutionally guaranteed secrecy of Grand Jury proceedings.

During the past few months we have witnessed a cavalier attitude toward such violations of the essential principle of secrecy in investigations related to Grand Jury proceedings. Leaks have sprung in unprecedented quantities, and the resultant publication of distortions and half-truths has led to a cruel form of kangaroo trial in the media, the accusatory stories maliciously supplied by anonymous sources.

Justice Felix Frankfurter once wrote:

"The history of liberty has largely been the history of observance of procedural safeguards."

And no safeguard is more important to the preservation of liberty than the safeguard of secrecy that has traditionally protected the evidence developed for presentation to the American Grand Jury.

The reason for this secrecy is a simple one, although perhaps not quite sufficiently understood by many Americans.

First, the safeguards of secrecy which should surround the proceedings of the Grand Jury are essential to the rights of the individual. For the Grand Jury is presented only with the prosecutor's view of a given case. The defendant cannot challenge the admissibility of evidence or credibility of witnesses by cross examination; he cannot produce evidence in his own behalf. The purpose of the Grand Jury procedure, in other words, is to produce a formal accusation, if that should be merited.

Second, the findings of a Grand Jury—and it is extremely important that this be understood—those findings, called the indictment, are in no way equivalent to a conviction. If indictment were equivalent to conviction, there would be no need within our legal system for a trial. For it is in the trial proceedings that cross-examination, challenge, and the full facts of the case can be heard and evaluated. As observers of the legal process will tell you, a great number of indictments result in the full clearing of the person indicted.

Therefore, under our system although the formal proceedings of the trial should be open, the proceedings of the Grand Jury must be kept secret.

But a severe distortion of that system arises when evidence to be presented to the Grand Jury is surreptitiously made available to the media, and through the media to the public. This can destroy one of the most fundamental concepts of our system of justice—the presumption of innocence. That presumption has led to the development of the most careful and systematic body of legal procedures which are preserved for the use of the accused, to make certain that he has every protection under our Constitution and common law. And that presumption of innocence applies across the board—to every American, whether businessman, factory worker, or Vice President.

That is the legacy of the Founding Fathers—passed on from the English common law—the cardinal rule of our system of justice—that every American is innocent until it is formally proven otherwise.

It is a great principle, a principle that generations of Americans have fought to preserve.

It should be clear that what is at stake is not merely the rights of a single individual, but the fundamental judicial principles of this country. These principles are designed to prevent a person from being wrongly convicted, as well as to protect a person from more intangible forms of abuse, such as the destruction of a chosen career of public service. The endless "leaks" must inevitably violate not only the rights of an individual but the right of every American.

Given the current climate of wild overreaction, it will not be an easy fight. But those of us who believe fervently in the values and institutions that form the very core of our system must continue to repel every assault against them.

Let us continue to stand firmly for the basic principles and rights embodied in our Constitution. Preserving what is right about America is our challenge, my fellow Republicans. I know that we will prove equal to it.

[From the Washington Post, Sept. 30, 1973]

AGNEW HITS JUSTICE DEPARTMENT IN HIS REMARKS: "I'M A BIG TROPHY"

(Following is a transcript of Vice President Agnew's extemporaneous remarks yesterday before the Los Angeles convention of the National Federation of Republican Women:)

In the past several months I've been living in purgatory. I have found myself the recipient of undefined, unclear, unattributed accusations that have surfaced in the largest and most widely circulated organs of our communications media.

I want to say at this point clearly and unequivocally: I am innocent of the charges against me.

I have not used my office, nor abused my public trust as county executive, as governor, or as Vice President to enrich myself at the expense of my fellow Americans. In August of this year when I first became aware that I was being investigated for a serious crime, and I might mention to you that although rumors had been drifting out of Baltimore for some months before that, up until the time my attorney was handed that letter on Aug. 5 or 6 in Baltimore, I had no idea that I was the target of an investigation.

I want you to know that when I got that letter I learned an hour or two later that The Wall Street Journal was in possession of that letter before I was. And I want you to know that irrespective of the claims of certain individuals in the Department of Justice, it was not through my fault that this became a nonsecret procedure, but through deliberately contrived actions of individuals in the prosecutorial system of the United States, and I regard that as outrageous and malicious.

RIDICULOUS REPLY

Even today at this point in this widely publicized investigation, no one would know that I am under any kind of investigation if the secrecy of grand jury investigations and the prosecutorial probes that precede them were kept inviolate. Certainly it is not and was not to my advantage to spread this kind of information across the pages of the news media. What a ridiculous counterreply to my statement is the statement that comes out of the prosecutor's office that I have been responsible for this publicity.

I say this to you: conduct of high individuals in the Department of Justice, particularly the conduct of the chief of the criminal investigation division of that department, is unprofessional and malicious and outrageous, if I am to believe what has been printed in the news magazines and said on the television networks of this country and I have had no denial that that is the case.

It is my intention to use the courts of this country in an attempt to gain permission to examine under oath these people who are trying to destroy me politically through the abuse of the criminal justice system of the United States.

If the court gives my attorneys the right to take those depositions and if we find in fact that in Baltimore or in Washington individuals employed by the Department of Justice have abused their sacred trust and forsaken their professional standards, then I will ask the President of the United States to summarily discharge those individuals.

Now people will say to me: "Why should a Republican Department of Justice and Republican prosecutors attempt to get you?" Well I don't know all the answers, but I will say this, that individuals in the upper professional echelons of the Department of Justice have been severely stung by their ineptness in the prosecution of the Watergate case. They have been severely stung that the President and the Attorney General have found it necessary to appoint a special prosecutor and they are trying to recoup their reputation at my expense. I'm a big trophy.

And one of those individuals has made some very severe mistakes, serious mistakes. In the handling of his job he considers himself a career professional, in a class by himself, but a recent examination of his record will show not only that he failed to get any of the information out about the true dimensions of the Watergate matter but that he also through ineptness and blunder prevented the successful prosecution of high crime figures because of wiretapping error.

Those are the reasons why he needs me to reinstate his reputation as a tough and courageous and hardnosed prosecutor. Well, I'm not going to fall down and be his victim, I assure you.

Don't think for one minute when I say there's leaks in the Department of Justice that it's just my opinion. Civil libertarians across the country are enraged at what is happening. Attorney General Richardson himself after first denying those leaks, came back later, several days or a week later, and admitted members of the news media had informed him that the leaks were in fact coming from the Department of Justice in Washington. I say, if they're there let's do something about it.

I'm not going to get into the facts of the accusations against me coming out of Baltimore except in the most general sense to say that through the cocktail circuit and the rumor mills in Washington threats by certain individuals were communicated to me as recently as April of this year in which those people left no doubt that unless I used my high office to cut off the investigations against them that they intended to implicate me in their sordid misdeeds.

A POISONED WELL

I said no to them, that I would have no part of that. Certainly if anyone knows that I knew these individuals, or anyone connected with them, that I was not going to do that. And it was a result of that—a statement on my part that they could not look to me to abuse the constitutional powers that I have—that they began to seek and obtain from the prosecutors in Baltimore immunity and limited immunity.

Now, in case you don't know what immunity it, is means that someone who has already admitted his guilt to a criminal action can escape the full force of his punishment by turning in somebody higher up. And that's exactly what happened in this case.

I want to say just a word about why I went to the House of Representatives. It

should be, I guess, obvious, that I don't believe I can have a fair hearing either before a grand jury or petit jury in Baltimore. The well has been most successfully poisoned.

And I find the only chance I would have to have a full hearing on the facts was to appeal to the House of Representatives. Thus far, they have decided not to grant me that hearing. But when I see principal news organs of this country criticize my going to the House of Representatives on the basis that I am attempting to hide behind a constitutional shield and suppress the facts, that amazes me, because what I want is not a suppression of the facts, but the fullest possible hearing of them, widely publicized before the people of the American nation, so that everyone knows exactly what is going on in this nation. I'm not trying to hide anything.

NOT RESIGN

I want to make another thing so clear that it cannot be mistaken in the future. Because of these tactics which have been employed against me, because small and fearful men have been frightened into furnishing evidence against me—they have perjured themselves in many cases, it's my understanding—I will not resign if indicted, I will not resign if indicted.

Our Constitution says that every man is entitled to a fair trial and a presumption of innocence. I intend to rely on the spirit as well as the letter of those guarantees. I would forsake the principles of the founding fathers if I abandoned this fight. And I do not intend to abandon it.

Because as I said in my earlier remarks, although I am very directly and personally involved in these accusations, also involved is the traditional framework of the American judicial system and the fairness of the American people and the inviolability of other Americans to perversions of this type in the future. Ladies and gentlemen, thank you for hearing me out. I intend . . . [Lost in applause.]

THE NATIONAL AIRPORT SYSTEM PLAN

Mr. McGEE. Mr. President, my purpose with these brief remarks is to express concern about the apparent short shrift given to the law and to the U.S. Postal Service in the recent formulation of the National Airport System Plan.

That report, as well as the report of the Aviation Advisory Commission, recently was published pursuant to section 12 of Public Law 91–258, the Airport and Airway Development Act of 1970.

Section 12(a) of that act directed the Secretary of Transportation to formulate a National Airport System Plan and, in so doing, to consider the needs of civil aeronautics, of the national defense and "the special needs of the Postal Service." Further on in the same section of law, the Aviation Advisory Commission was established and charged with the formulation of recommendations concerning the long-range needs of aviation, again with reference to the special needs of the Postal Service.

If any attention was paid at all to that requirement of the law it was apparently in the nature of a quick flyover, Mr. President. With regard to the National Airport System Plan, a voluminous 12-volume compilation, "Aviation Daily," carried the following item in its July 23, 1973 edition:

Federal law directing DOT to produce National Airport System Plan specified it was for use of civil aeronautics, defense and 'special needs of Postal Service.' Asked by The Daily for an opinion on the new plan, Postal Service executive said: 'What airport plan? Oh, that thing. We had very little input. We attended a meeting about a year ago and never heard any more about it. I wish somebody would give us a copy.

My perusal of the other document in question, Report of the Aviation Advisory Commission, revealed that the United States Postal Service was represented at a meeting on service to smaller communities, held January 5–7, 1972. But nowhere in the Commission's report is there a hint that the "special needs" of the Postal Service might have been given serious consideration—not even in the section that deals with interagency coordination of civil aviation activities, which recommends a reorganized National Aeronautics and Space Council with representation from a number of other agencies, but not the Postal Service.

CURRENT U.S. POPULATION

Mr PACKWOOD. Mr. President, I would like to report that, according to U.S. Census Bureau approximations, the total population of the United States as of October 1, 1973, is 211,264,882. In spite of widely publicized reductions in our fertility levels, this represents an increase of 120,344 since September 1—that is, in just 1 month. It also represents an increase of 1,461,395 since October 1, 1972.

Over the year, therefore, we have added enough additional people to fill more than two cities the size of San Francisco. And in just 1 short month, we have added as many people as now reside in Galveston and Midland, Tex., combined.

TOM VAIL

Mr. CHURCH. Mr. President, it was with a deep sense of sadness that I learned last week of the death of Tom Vail, chief counsel for the Senate Finance Committee.

Tom was an extraordinary individual in every sense of the word. During his 22 years on Capitol Hill, he was respected as a technician of the highest order in some of the most complicated legislation before the Congress: Social security, medicare, taxation, trade laws, welfare reform, and others.

But the admiration for Tom goes far beyond his professional competence. He was also courteous, fair, and considerate. Above all, Tom Vail was generous with his time and talent, whether a Senator was a member of the Finance Committee or other congressional units.

We in the Senate—as well as our entire Nation—shall sorely miss his counsel and wisdom. Public servants of his caliber and dedication are always difficult to replace. But his excellent example can be a moving inspiration for all in the Senate to emulate in meeting the challenges ahead.

Mr. President, Mrs. Church joins me in extending our condolences and prayers to his wife, Nancy, and their four lovely children.

PROPOSED COLORADO RIVER BASIN SALINITY CONTROL ACT

Mr. DOMENICI. Mr. President, on September 17, 1973, the Upper Colorado River Commission met for its annual meeting in Denver, Colo. At this meeting a resolution was unanimously adopted by the Commission urging the Office of Management and Budget, the Environmental Protection Agency, and the Departments of Agriculture, Interior, and State to expedite their reports on S. 1807. As my colleagues know, S. 1807 is a bill to authorize the Secretary of the Interior to execute a program of salinity control for the Colorado River.

As a cosponsor of this legislative proposal, I would like to join with the Upper Colorado River Commission in urging early consideration of this measure. This program is vitally needed to preserve interstate and international relations as well as to maintain and enhance the quality of water in the lower reaches of the river.

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

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

RESOLUTION BY UPPER COLORADO RIVER COMMISSION RE THE PROPOSED COLORADO RIVER BASIN SALINITY CONTROL ACT

Whereas, on April 27, 1972, at the Federal-State *Conference in the Matter of Pollution of the Interstate Waters of the Colorado River and Its Tributaries* the conferees unanimously recommended that: (a) a salinity policy be adopted for the Colorado River system that would have as its objective the maintenance of salinity concentrations at or below levels presently found in the lower main stem, and (b) in implementing that policy objective the salinity problem must be treated as a basinwide problem that needs to be solved to maintain Lower Basin water salinity at or below present levels while the Upper Basin continues to develop its compact-apportioned waters; and

Whereas, the conferees also recommended that the salinity control program as described by the Department of the Interior in its report entitled "Colorado River Water Quality Improvement Prlogram," dated February 1972 offers the best prospect for implementing the salinity control objective; and

Whereas, by letter of June 9, 1972 to the Secretary of the Interior, the Administrator of the Environmental Protection Agency concurred with the conferees, endorsed the proposed salinity control program, and offered the assistance of his agency to the extent of available resources; and

Whereas, Bills (H.R. 7774, H.R. 7775, S. 1807) based upon the recommendations of the conferees and the report of the Department of the Interior were introduced by 35 Members of the U.S. House of Representatives and 14 Members of the U.S. Senate from the Colorado River Basin States on May 14, 1973, and are pending hearings by the Committee on Interior and Insular Affairs; and

Whereas, the Office of Management and Budget, Environmental Protection Agency, and Departments of Agriculture, Interior, and State, to whom the Bills have been referred for reports, have not submitted reports to the Congressional committees:

Now, therefore, be it resolved, by the Upper Colorado River Commission, convened in annual session at Denver, Colorado on September 17, 1973 that the Office of Management and Budget, the Environmental Protection Agency, and the Departments of

Agriculture, Interior, and State are urged to expedite reports on, and to support, legislation pending in the Congress to authorize the Secretary of the Interior to execute a program of salinity control for the Colorado River in order that said program can proceed expeditiously to implement the salinity control objective unanimously adopted by the Federal-State Conferees in the Matter of Pollution of the Interstate Waters of the Colorado River and Its Tributaries, thus contributing to regional, national, and international interests in Colorado River waters;

Be it further resolved that copies of this resolution be transmitted to the President of the United States, Director of the Office of Management and Budget, Administrator of the Environmental Protection Agency, Secretary of Agriculture, Secretary of the Interior, Secretary of State, each of the Governors and Members of the U.S. House of Representatives and U.S. Senate of the Colorado River Basin States, and to other interested entities.

CERTIFICATE

I, Ival V. Goslin, Executive Director of the Upper Colorado River Commission, do hereby certify that the above Resolution was adopted by the Upper Colorado River Commission at an Annual Meeting held in Denver, Colorado on September 17, 1973.

Witness my hand this 19th day of September, 1973.

IVAL V. GOSLIN, *Executive Director.*

THE CORRECTION AND REHABILITATION OF OFFENDERS

Mr. BURDICK. Mr. President, I would like to call my colleagues' attention to a speech made by Norman A. Carlson, Director, Federal Bureau of Prisons, Department of Justice, before the Alabama Council on Crime and Delinquency at Huntsville, Ala. The speech deals with the problems associated with corrections and rehabilitation of offenders. I consider the remarks an excellent review of some of our programs, and should be of interest to every Senator. I ask unanimous consent that the speech be printed with my remarks in the RECORD.

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

REMARKS OF NORMAN A. CARLSON, DIRECTOR, FEDERAL BUREAU OF PRISONS, DEPARTMENT OF JUSTICE

It is a pleasure to be in Huntsville today to speak on an issue that is vital to the future of corrections—namely how much emphasis we need to place on community alternatives to traditional treatment in correctional institutions.

I think the answer is an obvious one. What we need to do is upgrade all areas of corrections. We need to move ahead with a balanced approach—one which will see institutional and community treatment both developed to the highest degree of effectiveness.

Unfortunately, the whole question of community and institutional corrections emphasis has been clouded by a handful of individuals who are trying to convince the American public that institutions are inherently evil and that the only effective correctional technique is the community approach. Some advocates even maintain that 90 to 95 percent of the confined population can be released without posing a threat to the American public.

In fact, the only thing we can say of corrections with any degree of certainty is that we still know very little about how to deal effectively with offenders. It is ludicrous to pretend otherwise.

What we can honestly say about community treatment is that it is far more humane and a lot less expensive than even the most modern institutions can ever hope to be. But I suggest that we shelve the notion that there exists today some sort of crystal ball with which we can predict with certainty the likelihood of renewed criminal behavior on the part of an offender.

I cannot stand here today and give you either percentages or round figures on the number of offenders who could safely be treated in a community treatment environment. But I know that in the Federal system it wouldn't approach anything like 90 or 95 per cent which some advocates of community treatment maintain. When you get down to the decision-making stage, it can only be handled carefully on a case-by-case basis and even then one is apt occasionally to make dangerous misjudgments about an offender's ability to adjust. A recent case comes to mind in which three of our young offenders were placed on a college study-release program. All of them appeared to be very fine prospects for this kind of community treatment. But, unfortunately, we had to take them off of study release rather suddenly when the FBI told us they were prime suspects in a sophisticated bank robbery. Yet, these young men, on the basis of their personal and criminal histories, institutional adjustment, and participation in programs offered to them, would, no doubt, appear to fall within the 90 to 95 per cent that some individuals say should be released. However, in spite of the careful staff evaluation which preceded their release into a community program, these offenders didn't make it, and I can assure you that there will be others. We need desperately to move ahead with community alternatives to incarceration. But we need to do it with our eyes open, in the responsible manner which the American public demands and, indeed, has every right to expect.

In improving community treatment we must be careful not to put the proverbial cart before the horse. We cannot hope to release large numbers of offenders until there is first a substantial improvement in probation services at all levels.

Probation officers—Federal, State, and local—must, first of all, be appointed on the basis of their qualifications for the work and not because of political patronage or other considerations. Appointment standards should be based on academic achievement and experience and salaries must be at a level which will attract good people. They need also to be given meaningful training and case loads small enough to permit much more individualized attention to offender needs. Short of this, I'm afraid that we will see little improvement in the spiralling crime rate of the 60's. Institutions can do much to help an offender and so can existing programs of community treatment. But without propr supervision of an offender they become virtually meaningless.

Another area which needs a great deal of attention is the diversion of some offenders from our criminal justice system. I believe there are many juveniles and persons with alcohol or drug problems whose needs should be handled outside of the system. Handling them in such a fashion would relieve not only the enormous population pressures on our correctional institutions, but also some of the unnecessary paperwork which now is handled by probation and parole officers.

I think, too, that instead of looking at institutions in a totally negative manner, because of admitted past failures, we should start thinking positively. We need to list the known deficiencies of institutional treatment methods and then do our utmost to overcome them. There are some who will say this is an impossible task. The fact is rapid improvements are being made daily at correctional institutions throughout the country.

For example, in the Federal system, we are designing and building radically new types of institutions in which the stress is on attractive tension-reducing environments, human dignity, and the need for privacy. The steel cells and austere surroundings of the traditional correctional institution are on the way out.

We have taken our correctional officers out of the police type uniforms which were the fashion for many years and have put them into colorful blazers, shirts, and slacks.

We have placed strong emphasis on minority recruitment and retention in an attempt to overcome the proportional imbalance between minority staff and inmates. Since late 1971, 30 per cent of our new appointments have been from minority groups.

All of these improvements would be entirely superficial, however, if there were not also some real changes in the philosophy of many men and women who entered correctional service at a time when there was a great deal less emphasis on positive staff-inmate relationships.

With an eye toward improving these relationships, we have undertaken a large-scale training program which is administered at two staff training centers—one in Atlanta, the other in Dallas—as well as at each individual institution. This training program is designed to reach every employee of the Bureau of Prisons with the message that rehabilitation is an empty gesture unless conducted with a sincere attempt on the part of all staff to treat offenders as fellow human beings in an atmosphere which is supportive instead of repressive.

The Bureau of Prisons calls for balanced development of community and institutional treatment because we recognize that a certain proportion of offenders cannot or will not conduct themselves in a manner which is conducive to remaining in a community environment. Even so, we see a very real need to provide offenders in institutions occasional respite by permitting them to visit with family or friends or to make contact with prospective employers. To this end, I have recently testified before Congress on legislation which would give the Bureau much greater discretion in the granting of furloughs so that inmates may leave the institutions unaccompanied for periods of several days. Our average furlough now is three days, exclusive of travel time, but we feel the law governing these furloughs should be broadened so that they will better serve correctional efforts.

Needless to say, I have touched on only a few of the improvements which we feel are essential if institutional corrections are to achieve a more humane and effective role in changing criminal behavior.

Another development, which we believe has tremendous potential for good is to disperse institution staff so that their offices are actually located in close proximity to inmates. We call this the "functional unit management" system. Quite simply, representatives from diverse institutional departments are given office space in or close to a dormitory or other living area. A typical functional unit might house offices of a unit manager, a caseworker, an educational specialist, a psychologist, correctional officer, a representative of the vocational training department, and so on. Because these men and women no longer work in some remote, isolated area of the institution, they come to know the offenders on a much more personalized basis, and, naturally, it works the other way around, too. We feel that these functional units represent a major step forward in humanizing corrections. They are not dissimilar to the important new efforts by some probation departments to get their probation officers out of the courthouses and into the communities at neighborhood locations.

An additional step forward is the encouragement of community involvement in the correctional progress. We firmly believe that

the old philosophy of isolating offenders—shutting them up out of signt and out of mind—is a significant obstacle to helping the offender come to terms with community life. After all, it was the offender's inability to function in the community that was in great part responsible for his being removed from society. Surely it would make much more sense in the correctional proces for him gradually to come to terms with the community than to remain isolated in some remote spot for months or years. We don't accept the notion that the offender should be cut off from society like some sort of diseased limb and be expected to make a normal readjustment some years down the road once he has paid his debt for his wrongdoing.

There are many other improvements underway in addition to those I have described. Not the least of these are significant strengthening of educational and vocational training, food service, recreational activities and remodeling of some of the larger institutions which, due to economics, will probably be the last ones replaced.

Another area in which we are placing much greater emphasis is that of offenders committed under the Narcotic Addict Rehabilitation Act as well as of other offenders who we feel have significant problems related to narcotics use.

To sum up, we all know that corrections in the past decades has been largely a failure as evidenced by the number of repeat offenders and "revolving door" institutions which have operated throughout the Nation. There are, no doubt, many different explanations for these failures, not the least of which have been public apathy and the resulting lack of financial support.

Today, however, we are fortunate to have much greater insight into the areas that need improvement. The entire correction philosophy is beginning to change slowly to a much more humane, yet practical and realistic, position.

Finances have improved at most levels and I think a good deal of credit must go to the Congress and to the law enforcement assistance administration which annually dispenses millions of dollars to improve State and local corrections.

With the changing philosophy, new public concern, and financial support, I think we have every justification to look forward to a bright future in corrections at all levels.

SOLZHENITSYN'S WARNING

Mr. BUCKLEY. Mr. President, the Nobel Prize-winning Russian novelist Alexander Solzhenitsyn recently wrote a letter in which he eloquently spoke of the West's inability to comprehend the realities of international life today. It is yet another in a series of profoundly illuminating messages from this great writer.

Mr. President, I ask unanimous consent to have this article printed in the RECORD.

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

A SOVIET MARTYR'S ANGUISHED PLEA

(By Alexander Solzhenitsyn)

Moscow.—Shaken by two gigantic world conflicts in quick succession, recent generations have committed an emotional error or misconception. They saw the threat against mankind's peaceful, just and good existence as almost exclusively deriving from war. And thus they strengthened the conception of the contrast of "war or peace."

Many exceedingly vocal and exceedingly one-sided congresses were called together and a world peace council came into being. And those persons who devoted their efforts (some honestly, others playing the role of demagogues) to averting new wars (occasionally favoring one type of war over another) acquired the title of "Fighters for Peace."

But a title of that nature covers considerably more ground than the scope of the task these people assigned themselves. The movement "against war" falls far short of filling the demands of a movement "for peace."

The contrast "peace-war" involves an error of logic. War is a mass phenomenon—compact, noisy, distinct. But it is by no means the only expression of the world-wide wave of violence that never ends. A logically balanced and morally truthful contrast would thus be: peace-violence.

Man's existence is torn and shattered not alone by the violent arms or war but also by the unending, inhuman processes of violence. And if one may say that peace is indivisible—that a small infringement of peace (not merely military) is a violation of peace in its entirety—then violence must be equally indivisible.

A hostage who is seized and an aircraft that is hijacked are just as great examples of threats to peace as is a rifle shot across a border and a bomb thrown on the territory of another state.

But here we immediately run into a selfish effort to contradict the truth. Well-known groups of violent men insist that just those precise forms of violence that they themselves use cannot be considered a threat against peace, but as instruments in the cause of peace.

One example—the terrorism of the past few years. While man is tense and on his guard against wars, he has a tendency to fail to detect other forms of violence. The confusion is complete, and people are not prepared to reject terrorism committed by a single, little, individual. And most astonishing, a world-wide humanitarian organization is incapable of securing a moral condemnation of terrorism!

One could jokingly suggest the following: "When we are attacked, that is terrorism. But when we are the attackers, then it's a partisan freedom movement."

THE MOST THREATENING DANGER

Permanent state violence—which throughout the decades it has reigned has succeeded in taking over all "judicial" forms, codifying thick collections of its violent "laws," draping capes across the shoulders of its "judges"—is the most threatening danger in our world of today, even if it is only barely recognized or understood.

This violence no longer needs to place explosives under something or to toss bombs. Its procedures are carried out in strict silence, seldom disturbed by the final shrieks of he who is being strangled. This type of violence permits itself to take on a respectable appearance.

There is an emotional error involved in the comprehension of what is included in the conception of "peace."

We do not err because it may be difficult to see the truth floating on the surface. But we err because it is pleasant and easy to seek an understanding in exact conformity with our feelings—especially our egoistical feelings. The truth has been around a long time. It has been exhibited, proven and explained. But it draws no attention or sympathy, just as in the case of Orwell's "1984," with its "conspiracy of flattery."

The bestial mass killings of Hue, that have been proven with certainty, drew only momentary attention and were almost immediately forgiven—because the sympathy of society leaned *in that direction* and one did not wish to make a protest. It was, instead, a shame that these accounts leaked out to the free press and for a time (very short) gave rise to embarrassment (very little) among the energetic defenders of this social system.

It is possible to believe that the fluttering little butterfly, Ramsey Clark, even though a former Attorney General, quite simply just could not understand, quite simply could not imagine that the prisoner of war who handed him a piece of paper that is necessary for the carrying out of some clearly defined political aim had previously been put through torture?

(Perhaps all that he failed to realize was the form of the torture: What is a hand crushed by a block and tackle that has been raised and lowered through a roof?) Yet, there was no one in the United States to criticize this Clark; this is not "Watergate." But with the help of the same moralizing facial expressions, it was possible for the English labor leader to sum up his courage and pay a visit to another country (naturally enough, not an African country; that would not have been permitted) and there to issue his own "forgiveness" of the government without having asked the local population.

And when the Norwegians in 1968 proposed—alone—that not all had a right to participate in the Olympic Games, and faces of the majority of the Olympic participants stiffened in an embarrassed moral grimace as they closed their eyes and mumbled something about the lofty interests of athletics and commercialism.

But what kind of wall would they not erect if it was a case of protesting in the other direction? Would, for example, the South African republic be able to hold a black leader imprisoned for four years and subject him to torture, as was the case with General Grigorenko? No, the world's storm of indignation would long since have blown the roof off his prison?

In 1966, an English publication exercising its own unlimited rights of freedom decided tactfully that M. Mikhailov's idea of creating a similar and equally free publication in Yugoslavia was "conceited." And a German publication, looking on from its own idyllic position, decided that Mikhailov's idea had "ripened too soon and was a disservice to liberalization." (After Mikhailov was broken, we can see how far liberalization has spread in Yugoslavia without any use of disservices.)

And recently New Zealand and Australia protested in vain against the French-atomic tests—but why not against the Chinese tests, which are a much more serious matter? Simply because the expenses of maintaining a supervisory vessel are too great and the times for the tests have not been made public in advance? I maintain with no conviction: Not just because of a normal grimace, but very simply because of cowardice. Nobody would come back from an expedition into the Chinese desert or to the Chinese coasts, and they knew this.

It is precisely this that constitutes the hypocrisy of many Western protests: They protest where their lives are not in danger, where they can expect the other side to give way, and where they are not risking being condemned by "leftwingers." (The best thing is of course always to make your protest along with them.)

Until the beginnings of the highly motivated 20th century, one used the term *hypocrisy* when a person used two varying yardsticks of moral judgment. But what do we call it today?

Is it possible that the hypocritical facial expressions of the West can only be seen from a great distance but never detected at close range?

This type of hypocrisy is typical of the American political life of today, for the Senate leaders with their distorted vision, for the sensational "Watergate" scandal.

Without in any way defending either Nixon or the Republican Party, one cannot avoid being astonished by this loud, artificial anger among the Democrats. What had they really expected from a democracy without the slightest binding ethical basis, a democracy with its clash of interests, where nothing ranks above interests, where the battle is

determined by the rules of the Constitution without any ethical roof above it? Has it not been full of mutual swindles and misuse of power from the days of the earliest election fights, with perhaps the sole distinction that then there were no electronics and fortunately nothing could be discovered?

I have throughout my years devoted myself to examining Russian life before it was ruined, and I have been personally impressed by the apparently impossible resemblence between the Russian czarist regime in its final years and, for example, the Republic of the United States of recent years—years, I venture to predict, that also are the final ones before the great chaos. This is not a comparison of material and economic qualities and not a comparison of social structures, but of something more important: a comparison of the politicians' lack of emotional ability to reflect. The entire storm of wrath of the Democrats on the subject of Watergate resembles a parody of the angry, thoughtless storm of the Cadets against Goremykin-Sturmer in 1915–1916.

This is one of the puzzles of irrational history. How could Russia in the final years of the 19th Century, a Russia that was not yet industrially armed and which led a sleepy existence, acquire an impulse and make such a dynamic leap forward that today's Russian research looks on the Western society as something "backward," something from out of the past? It is depressingly amusing to observe how fugitives from society, politicians and youth in the West, 50 or 70 years behind the times, repeat "our" ideas, our performance and our mistakes.

On the other hand, one must agree—as so many, many maintain—that what is happening in the Soviet Union is not just something in "just about every country" but is the *tomorrow of mankind* and is thus, in the matter of its inner processes, worth full attention by Western observers.

No, it's not the troubles involved with gaining an insight that pose difficulties for the West. *Rather, it's the lack of a desire to know,* the emotional preference of the comfortable solution instead of the difficult one. Such a searching for insight is fed by the Munich Spirit, by concession and the spirit of compromise, led by an anxious self-deception on the part of societies of good intentions and persons who have lost their determination to make sacrifices and stand firm.

And even though this path of theirs has never meant preservation of peace and justice, but only their being trod upon and violated, human feelings are shown to be stronger than the most obvious lessons. Again and again the weakened world paints sentimental pictures that show how violence has generously become softened and is now willing to part with some crumbs of its superior strength—and all the while one can continue one's unbothered existence.

"Aircraft hijacking" and other forms of terror have multiplied tenfold precisely because we are all too quick to capitulate to them. But when one displays toughness, then one can always triumph over terror. Heed this well.

PROPAGANDA AND PEACE

I don't know how it is in Europe, but in our country you will find placed alongside all railway lines small stones with these inscriptions: *"Peace for the world!"* and *"For peace throughout the world!"* This kind of propaganda is quite useful, if it means that there must not only be no wars throughout the world but that in addition every *inner* form of violence must end.

In order to achieve not merely a short-term postponement of the threat of war but a real peace, it is necessary to wage battle against the "quiet," hidden types of violence with no less determination than one would wage battle against the "noisier" types. The task must be more than merely stopping the rockets and cannons. We must draw the line against the violence of the state wherever it is necessary to defend members of society. The task must be to banish from mankind's thoughts the idea that anybody has the right to use force against righteousness, against justice, against mutual agreements.

This means that peace is not served by those who trust in the agreeable nature of the men of violence, but by those who—unbribable, uncompromisingly and untiringly—insist on justice for the persecuted, for the subjected, for the dead.

The widespread, mistaken definition of peace as "antiwar" and not as "antiviolence" has quite naturally also led to an incorrect evaluation of individual person's accomplishments in the fight for peace.

One looks first for the best fighters for peace among those who collect laurel wreaths at airports and in parliaments, who at any price divert the threatening breath of war, "farm" or "cold." This is the type who uses whatever admission is at hand to achieve an end to criticism in the press, to create a breathing space for trade and self-deceptive happiness. On the other hand, those who uncompromisingly point out the global danger to peace from *all* types of violations run the risk now and then of being labeled "warmongers."

This distorted conception of exactly what it is that stands in the path of peace and find expression in the activities of the Nobel Committee for the Peace Prize. Its evaluations and decisions are, on the one hand, formed by the attitudes of world opinion. But on the other hand—and this is just as natural—its work is reciprocal and *forms* the attitudes and lays down the criteria.

Therefore the Nobel Committee has an exceptionally large responsibility in choosing its winners. Even when *no prize* is awarded, its importance grows; the value of deserving earlier winners' work is so great that no one else can compare with them.

PROPOSING A CANDIDATE

As I hereby make use of my right as a Nobel Prize winner to propose candidates for the Nobel Prize, and as I have no possibilities of doing so directly to the Nobel Committee for the Peace Prize otherwise than through this article in the newspaper Aftenposten, I beg that my words here may be regarded as a formal nomination of Andrei Dimitrevitch Sakharov for the 1973 Nobel Peace Prize.

I have already given my reasons for this in my interview with the newspaper Le Monde: Sakharov's untiring and sacrificing (and personally dangerous) resistance to unceasing state violence against individuals and national population groups.

Such activity must also be judged as a great contribution to the general peace, a contribution which has no overtones of publicity, which is without illusion, but which is entirely fundamental; through his modest, individual powers he works heroically to dam up a mighty wave of violence—that is what it means to strengthen the general peace.

And may the Nobel Committee be in no doubt because of Sakharov's former, quite considerable achievements in the area of weapons, nor see here something paradoxical; the human spirit's admission of its earlier mistakes, its cleansing and its breaking free from these mistakes. Precisely here is to be found greater justification of man's existence on this earth.

EMERGENCY POWERS STATUTES

Mr. CHURCH. Mr. President, I bring to the attention of my colleagues in both bodies the publication of the Special Senate Committee on the Termination of the National Emergency entitled "Emergency Powers Statutes: Provisions of Federal Law Now in Effect Delegating to the Executive Extraordinary Authority in Time of National Emergency." The 600-page catalog was released over the weekend.

I ask unanimous consent that the joint statement accompanying the compilation by Senator CHARLES MCC. MATHIAS, Jr., and me be printed in the RECORD.

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

SPECIAL SENATE COMMITTEE ON THE TERMINATION OF THE NATIONAL EMERGENCY

The Special Senate Committee on the Termination of the National Emergency issued today a report on "Emergency Powers Statutes: Provisions of Federal Law Now in Effect Delegating to the Executive Extraordinary Authority in Time of National Emergency." The report consists of a compilation of significant emergency statutes now in force, and includes an introduction which describes how these laws came into being.

Analytic study of the circumstances under which these laws have been enacted over the past four decades shows a pattern of lawmaking by which the Legislative branch, in all but name, has transferred the essence of its constitutional responsibility to the Executive branch. The 470 statutes contained in the compilation were, for the most part, drafted by the Executive branch; these provisions give the President a vast store of discretionary powers for use in time of declared national emergency.

Most citizens are unaware that they have been living under a declared state of national emergency for over 40 years. Further, most citizens are unaware that under the authority conferred by these laws, triggered by a proclamation of a state of national emergency, the President has the power in hand to seize property, organize and control the means of production, seize commodities, assign military forces abroad, call reserve forces amounting to 2½ million men to duty, institute martial law, seize and control all means of transportation, regulate all private enterprise, restrict travel, and in a plethora of particular ways, control the lives of all Americans. Because we remain in a legal state of national emergency dating from 1933, one man in the White House can exercise these powers whenever he decides to do so without reference to Congress. Some of these laws have been used by recent Presidents; a few such as section 5(b) of the Trading With the Enemy Act of 1917 are used as though they were permanent law. Most remain as a potential source of virtually unlimited power for a President should he choose to activate them. It is possible that some future President could exercise this vast authority in an attempt to place the United States under authoritarian rule. While the danger of a dictatorship arising through legal means may seen remote to us today, recent history records Hitler seizing control through the use of the emergency powers provisions contained in the laws of the Weimar Republic. In this period of easing tensions abroad and relative calm at home, we have an opportunity to assess, with rational detachment, the current condition of U.S. law and law-making.

The Special Committee's analysis of emergency powers statutes unfortunately discloses that Congress passed hundreds of separate laws delegating to the President extraordinary powers, during four decades of intermittent warfare, without apparent recognition of the awesome accumulation of power it had transferred to the Executive. The record of Congressional performance is a poor one. These laws—in the main, drafted in the Executive branch—were passed hastily without much consideration. Almost all of the laws make no provision for Congressional

oversight nor do they provide a means for terminating the "temporary" delegated powers.

The Special Committee is of the view that conditions in the world and in the United States no longer warrant the continuance of a formal state of national emergency. It is the view of the Special Committee that the four existing states of national emergency should be formally ended. From the outset of the Special Committee's existence in January, it has aimed at recommending legislation to enable Congress to terminate the states of national emergency now in force, but to do so in such a way that the normal processes of government are not disrupted and, perhaps most important, to provide regular and consistent procedures for the delegation of power in the event of future emergencies.

To this end, the Special Committee is working with all of the Departments and Agencies of the Executive branch in an assessment of emergency powers statutes now in force. On the basis of the evaluation made by the Executive Departments and Agencies, and the assessment made by all standing Congressional Committees with regard to emergency powers statutes that would fall within their respective jurisdictions, the Special Committee intends to recommend to Congress which laws should be repealed, which laws should be retained for use in possible future emergencies, and which laws should be cast in permanent form. The Special Committee will also suggest legislation providing a method by which Congress would participate both in the declaration of future emergencies and in the determination of their duration.

Fortunately, thus far, only a small portion of these delegated powers have been regularly used. But this large body of potential power remains an underlying threat to democratic government. The combination of activist Presidents, permissive Congresses, and a series of great crises and turmoils have all contributed to the erosion of the structure of divided powers, the bedrock of our constitutional system of government.

We cannot stress enough the warning contained in this catalog of emergency powers statutes. The evident pattern in this accretion of power over a 40-year period is, in our view, symptomatic of what has occurred in law-making in all areas of our government. Unless Congress takes steps to strengthen its capacity to write the laws through the representative political process as the Constitution intended, then the unmistakable drift toward one-man government will continue. Steps required include access on a regular and consistent basis to the information developed by the government, a restructuring of Congressional procedures to better handle the requirements for law-making, and instituting effective budgetary controls. Foremost, however, Congress must have the will to accept the responsibility to make the law that the Constitution prescribes.

The Special Committee will publish in the coming months a report on Executive Orders issued pursuant to emergency powers statutes. The results of its study of Executive Orders thus far has raised a number of disturbing questions about the adequacy of present procedures for accountability of Executive actions. It is clearly an aspect of public administration that requires thorough investigation and perhaps remedial legislation.

In our final report, the Special Committee will publish recommended legislation based upon the results of several studies made in conjunction with the Executive branch. Thus far, the Executive branch has cooperated fully. The Justice Department in this matter is a model of a good working relationship between the separate branches. It is in this spirit of cooperation that the Special Committee has conducted its work and it is in the same spirit that we wish to recommend a reasonable solution to this great problem for democracy—of how to provide the President powers that might be necessary for emergency action, within the framework of the Constitution and the Bill of Rights.

THE MEDIA AND THE RECORD INDUSTRY

Mr. BUCKLEY. Mr. President, there are, at the present, a number of investigations into charges of alleged corrupt business practices—including "drug-ola"—in the record industry. Mr. Herbert Stern, the U.S. attorney in Newark, N.J., has been vigorously engaged in such an investigation for a number of months and, since my call on June 25, 1973, for a thorough investigation of charges of corruption, the district attorney's office in Los Angeles and Senator JOHN MCCLELLAN's Subcommittee on Patents, Trademarks, and Copyrights have initiated investigations. In response to my call for self-examination by the industry, the Recording Industry Association of America issued, on July 23, 1973, an action program, which, if implemented, will go far to rid the industry of corrupt practices. Finally, as you may know, my own staff has been investigating these charges of alleged corruption.

I think it should be publicly acknowledged, however, that without the excellent work done by such journalists as Grace Lichtenstein of the New York Times, Maureen Orth of Newsweek and by Betty Rollin of the National Broadcasting Co. among others, the public would have been unaware of the scope and the nature of the alleged abuses. I think we owe these reporters and others a vote of thanks for doing responsible reporting in such a difficult field.

As you know, Mr. President, the first intimations of such illegal practices came to light with the disclosures that the Columbia Broadcasting System fired the head of Columbia Records, Clive Davis. On June 26, 1973, I placed in the RECORD some newspaper accounts that discussed the Davis affair and the events that surrounded it.

Since that time only the National Broadcasting Co., among the network news divisions, has demonstrated the kind of investigatory skill and determination that we have come to associate with the best in American journalism. Why this should be so puzzles me since charges of alleged corruption in a $2 billion industry seem to me to be important enough to be covered by each network. However, Mr. Walter Cronkite, long-time anchorman of the CBS Evening News, recently stated, in an interview in the Washington Post, August 28, 1973:

> For the last six months we've had a crew out on the (record industry) payola scandal. They've produced a couple of small stories so far but I don't know if they can deliver in a subject so complex and maybe unfilmable. I'd be inclined to think not.

Mr. President, I hope that Mr. Cronkite is wrong in his estimate of the investigatory ability of the members of CBS News. Surely the men and women who do such a persistent and in-depth account of alleged abuses in Government can overcome the difficulties in this case. As I speak, however, it would seem that Mr. Cronkite's guess as to the investigatory capability of his own organization is correct. Viewers of the CBS Evening News have not been favored with hard-hitting, day-after-day coverage by CBS News of the charges of illegal practices involving executives of Columbia Records. I can, of course, readily understand why CBS News might shy away from an investigation of its own sister organization. But certainly we should expect dynamic, no-holds-barred documentaries and news accounts in the CBS News tradition, of the recording industry as a whole. But CBS has presumably decided to let NBC carry the banner of investigatory skill so far as electronic journalism is concerned.

I trust that we will soon see, on CBS News, the kind of excellent coverage of this important issue that we have been getting on NBC. In order to give an idea of how NBC is covering this story, I ask unanimous consent to print in the RECORD, at the end of my remarks, the shooting scripts of some of the NBC coverage, It is difficult, of course, to fully grasp from a script the excellence of the job NBC is doing with what Mr. Cronkite calls this "complex and maybe unfilmable" story without seeing the film, I think it is in the public interest to have printed in the RECORD even a partial description of what a good news organization can do when it really wants to. Mr. William Paley, head of the Columbia Broadcasting System will, I hope, spur on his news division to cover this story. A network that is ingenious enough to find the subject of abortion a fit topic for a situation comedy should certainly be able to use that inegenuity to find out what is going on in an industry of which its own recording subsidiary plays so important a role.

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

Payola in the music industry used to mean . . . money . . . or women.

Now . . . in the enormous rock business . . . it often means drugs.

Last winter . . . the man on the right . . . Patsy Falcone . . . was arrested on a drug charge.

A quantity of heroin was also seized.

On Falcone's address book . . . investigators found the name of a high level executive at columbia records . . . a major record company in rock music.

A while later . . . that executive, and Clive Davis . . . president of columbia records . . . were fired on short notice.

The reason given was "misuse of company funds".

But there have been persistent reports that a lot more was involved.

And federal investigators are now looking into the whole drug-recording business connection.

They are especially interested in the link between some recording companies and their rock stars who are on drugs.

We plan to have a number of reports on this subject . . . and here in the first from Betty Rollin.

This was Janis Joplin in 1970. She was a rock star who made it big. Very big. She was also a heroin addict. And 14 months after this film was made, she was dead from an overdose. She was 27 years old, and her death was a shock. But the cause of it was not.

Heroin use among rock performers is not

uncommon. Nor is it much of a secret. There are rock performers who would no more walk out on a stage or into a recording studio without being high, than they would play their electric guitar without plugging it in. Nor is drug use much of a secret. Indeed, much rock music of the past decade has been a kind of celebration of drugs—LSD, speed, cocaine, heroin.

Federal investigators are now trying to find out how rock performers have been getting their drugs. One of the questions is who at the record companies knew or did what.

ALBERT GOLDMAN, rock critic. People in these companies are well aware of what's going on, I mean, how can you miss it? Everybody who goes through promotion parties, or recording sessions or junkets, or this or that, sees drugs being passed around.

BETTY ROLLIN. What happens in a recording session, with respect to drugs? What kind of drug is likely to be used there?

ALBERT GOLDMAN. Well, if a musician, or an artist, of any sort, I think, wants to work for a long time at a certain optimum level, he's getting his heroin. Heroin is the drug of preference for many reasons, not only because it gives you a tremendous flash when you inject it, but because it holds so well. You can go 5-6-7-8 hours, and feel very cool, and concentrated . . . unperturbable, you know.

BETTY ROLLIN. You took drugs before a recording session?

CAROL WASHINGTON. Yes.

BETTY ROLLINS. There are people who take drugs. Why do people take drugs before a recording session?

CAROL WASHINGTON. To me, I sang better.

These four musicians are ex-addicts. Carol Washington sang with a group called the Embers:

BETTY ROLLIN. It's very important for us to know . . . do you know, for a fact, that drugs sometimes came, either from or through, people who came from a recording company?

CAROL WASHINGTON. Yeah, yeah.

BETTY ROLLIN. And were these people, like, publicity people, promotion people . . . that kind of people?

CAROL WASHINGTON. Road managers . . . uh . . . uh . . . public relations men . . . you know . . . managers . . . then, like, say, uh, right . . . when you have a big recording session, and the recording session goes well, one of the A & R men, or one of the road managers, or anything, say, come on . . . like . . . say . . . come on, I have a party going on over my house . . . come on over.

BETTY ROLLIN. What's the party?

CAROL WASHINGTON. Oh, you have heroin, cocaine, you have pot, you have . . . uh . . . hashish. The man upstairs doesn't know exactly where the money's going. All you know is that they have an expense account, and they would use this . . . like . . . to throw parties, you know . . . and uh.

BETTY ROLLIN. And for drugs?

CAROL WASHINGTON. Yeah, and even to people that sing, or musicians that never used drugs before, it's a brand new thing to them because they will go to the party just because they were in the recording and they would come in. It would be new to them to the extent that they never became exposed or involved . . . you know . . . they're green . . . you know when, like, they came in, and they see the things that's happening, and that's going on . . . you know, like uh, they do want to be a part of . . .

BETTY ROLLIN. Is this an unusual thing that you're describing?

CAROL WASHINGTON. No, it's nothing, happens all the time.

NBC News has learned that Senator James Buckley of New York will have some startling things to say tomorrow about drug-dealing and corrupt practices in the recording industry.

Buckley will hold a news conference . . . and at it will charge that a prominent recording industry executive arranged to supply cocaine to a leading rock performer.

Last Friday night we reported on drug-dealing in the rock music business . . . and tonight we have another report from Betty Rollin . . . this report is on counterfeit stereo tapes and the influence of organized crime.

Flea markets, like this one in New Jersey, serve three groups nicely: bargain hunters, legitimate dealers, and hustlers of shady merchandise.

The blond girl who seems interested in the bargain-priced stereo tapes *is* interested all right. But that's because she's working undercover for the record industry. And the record industry is very interested in this particular kind of shady mechandise. Namely, pirate tapes. Pirate tapes are re-recordings of hit recordings, packaged in plain brown wrappers, so to speak, and sold for less than a third of the original price.

The girl's is to buy the tapes and in so doing, gather evidence for future prosecutions. On this day, she got all she wanted.

Pirate tape manufacturers and dealers operate throughout the country. Occasionally, there are raids, like this one in Arizona.

There are a lot of small time operators in the pirate tape racket, but lately, organized crime has moved in.

Jules Yarnell, formerly with the Justice Department, now heads anti-piracy operations for the recording industry.

This man, who agreed to be interviewed anonymously, got out of the pirate business, when his partners started handling narcotics, ". . . these boys play rough.")

The government is starting to play rough too. But mostly * * * the little guys who are selling tapes that are, at least, only tapes.

Meanwhile they have yet to crack down on the big guys—the mob. Perhaps that wasn't so serious while the selling of pirate tapes was, as they say, only a rip-off of a rich industry. But with heroin in the package instead of music, and with 14 years-olds buying, what began as a rip-off is now, both legally and morally, a major crime. BR, NBC News.

BETTY ROLLIN—PIRATE TAPES

BUYER. Is this good, I mean, it won't fall apart or anything?

SELLER. It better not, if it does, you bring it back . . . how's that?

BUYER. You sure?

But, I thought, they should cost 6 or 7 dollars, at least.

SELLER. This one here . . . if you get it on the regular brand.

BUYER. Yeah.

SELLER. It would run that much.

REPORTER. How long have you been in the bootleg business?

SELLER. Oh . . . I don't know. For 5 years, I guess.

REPORTER. Were you aware that you were violating the Federal and State laws?

SELLER. Uh . . . no.

REPORTER. You were not . . . What do you do next? What's your next move?

SELLER. Look for a job.

JULES ARNAL. Very often, the very same organized crime figures, who were involved in pirating, or counterfeiting, the tapes and records, or involved in narcotics, pornography, untaxed cigarettes, faked perfume, gun-running, and the like. This is a very big criminal industry. One out of every three tapes purchased throughout the U.S. may very well be a pirate tape.

F.T.M. It was very easy to deal and to transfer drugs through tapes. I would just simply un-wrap the cartridge, and take the plastic off of it, take the plastic lid, or if it had a sleeve on it just slide the sleeves off of it. We would snap the cartridge apart, place the narcotics inside, put the cartridge back together, put the sleeve, or the snap on the top, run it back through a shrink machine, and re-seal the cartridge and it would just look like an ordinary 8-track tape.

BETTY. How do the kids know how to get the tapes with heroin?

F.T.M. Uh . . . a word would be passed, there is a certain album that can be bought for a price of, say . . . uh . . . 30 dollars, and . . . uh . . . this album would not be on display in the case. The retailer would take it possibly from behind the bar, or from a back room . . . and . . . uh . . . it would just be an exchange of money, and the 8-track cartridge.

BETTY. Are you in contact with the FBI, or Federal authorities about this?

F.T.M. No, I haven't.

BETTY. Why not?

F.T.M. These boys play rough.

The Los Angeles Times reported today that a federal grand jury in California would soon investigate the multimillion dollar record business.

The story was promptly denied by the US attorney's office in Los Angeles. But many people in the business have been called before a federal grand jury in Newark.

They were asked about drug-dealing, payola, mob connections and high living at company expense.

Here is a report from Betty Rollin on rich stars and the industry that shares their wealth.

The Shah of Iran? No. J. Paul Getty? No. Liz and Dick? Wrong again. The occupants of these limousines don't rule countries, don't make oil deals. They don't even make million dollar movies. But they live as if they did all of those things. In their twenties, they are rich, powerful, tempermental, and pampered. They are the Led Zeppelin, a rock group on tour, and, in the vernacular of the record biz, where to be merely big is nothing, the Zeppelin is Very Big . . . monsters . . . super monsters. To get around, the Zeppelin uses a chartered 707, the kind of plane President Nixon uses. But the President's plane doesn't have an organ, nor a 15-foot mirrored bar, nor, in the private quarters, does it have 2 bedrooms and a fireplace. Nor does the president travel with an entourage that looks like this:

The boys in the Zeppelin have been flying high for a few years now, and they feel their life style is only befitting their station.

No one—not the heavyweight boxing champion of the world, not the president of General Motors, not the country's most glamorous movie star makes more money faster than a rock star in his or her prime.

The latest estimate is that at least 50 rock superstars earn more than 2 million dollars a year. But it isn't only the performers who are making all of that money. The people around them are cashing in, too—people like agents and managers, and sometimes people like mobsters and pushers. At the heart of the current scandal are reputed Mafia hoods, who have been after a piece of the rock action through drug dealing, protection rackets and payola. Of course, no one has profited more from the rock phenomenon than the 2-billion-dollar-a-year recording industry.

Scandal or not, the rock recording industry rolls on. And the stakes are high. Of 7500 new releases a year, only 150 will be hits. So when company heads thinks they might have a hit, they sort of go crazy.

Freak rock is big this year, so when David Bowie came along—a flaming red-haired self-proclaimed bi-sexual, RCA put up $100,000 for promotion and publicity to make the chance of a Bowie hit less chancy.

All the promotion, all the effort, all the money, all the shadiness, all the payola, is to attract the attention of kids like this. A whole industry turns on the fancy—and on

predicting the fancy—of American kids with cash. And in going after that cash, some of America's most successful corporations have lunged, tripped and fallen and now face the prospect of criminal prosecution. Betty Rolins, NBC News.

APPOINTMENT OF THE AMBASSADOR TO THE NETHERLANDS

Mr. FULBRIGHT. Mr. President, at the Committee on Foreign Relations hearing on ambassadorial appointments on September 25, Mr. Kingman Gould, Jr. was nominated to be our Ambassador to The Netherlands. In the course of the hearing, Mr. Gould was asked about his contributions to the Presidential campaign of 1972. The following exchange took place in the course of the hearing:

The CHAIRMAN. You referred to your contribution. Could you be specific in what was the nature of your contribution?

Mr. GOULD. Yes, Mr. Chairman, I gave exactly $51,000.

The CHAIRMAN. In the Presidential election?

Mr. GOULD. Yes, for the Presidential campaign effort.

The CHAIRMAN. Was that all of your personal and your family, or yours personally?

Mr. GOULD. That was from me personally, Mr. Chairman.

The CHAIRMAN. The date of which has been supplied to the Committee, of course, you can explain that. It states that the total is considerably larger than that. Just a moment. I know Newsweek states that you gave $80,000. Is that incorrect?

Mr. GOULD. I gave exactly $51,000, Mr. Chairman. I would also like to state that the Newsweek stated to the effect that I was a member of Mr. Stans, one of Mr. Stans financial committees. So far as I know, that is totally without foundation. I never attended a meeting, never was notified I was on a committee, and was overseas at the time. I don't know whether I may have been on a letterhead somebody might have used, but so far as I know that is totally without foundation and I would appreciate it if somebody would have contacted me before they made the statement.

The CHAIRMAN. Well, in short——

Senator SCOTT. If I can interrupt, that is not always the custom, unfortunately.

The CHAIRMAN. You mean by the Committee or by the Newsweek?

Senator SCOTT. I mean by the people who publish the stories. They don't always ask the person involved. I wish they asked me.

The CHAIRMAN. The GAO accounting office also, the General Accounting Office, there is a discrepancy there in their figures. We have the following data. The GAO on July 18 stated $19,000, the Baltimore Sun a thousand, Newsweek $80,000, and GAO again on September 24 an additional $900, according to their records. It is very difficult to reconcile those figures. Your statement is, and you ought to know, you gave $51,000.

Mr. GOULD. Mr. Chairman, all, everything I gave was by check, I have all of the cancelled checks, my books are open to audit. This is what I gave.

The CHAIRMAN. That was given to several committees that were operating out of the finance committee headquarters, I believe, on Pennsylvania Avenue.

Subsequent to the meeting, it was revealed in the press that Mr. Gould and his wife gave $101,000. When a newspaper reporter called me and asked about the revelation that Mr. Gould and his wife had given such an amount and asked for my comments, I stated that Mr. Gould had been less than candid.

In an account in the Washington Post of September 30 revealing the contributions of large donors to the 1972 Presidential campaign, the following paragraph appears:

George and Ruth Farkas of the Alexander's Department Store chain, $300,000.00. She is ambassador to Luxembourg. In this case as in all others, gifts of a husband and wife are treated as one.

Having asked Mr. Gould if the $51,000 "was all of your personal and your family, or yours personally" and calling attention to the Newsweek article which said he had given $80,000, it still seems to me that Mr. Gould was less than candid in not explaining that he and his wife gave $101,000.

The custom in the committee in the past has been not to pursue the hearings as if they were a criminal prosecution, nor to pursue every possible avenue for eliciting information in the absence of serious charges being made; the hearings are simply designed to give the nominees an opportunity to impress the committee favorably with regard to their qualifications for the appointment. Very rarely has a nominee to an ambassadorship been rejected, and it has not generally been an adversary atmosphere that prevailed in these hearings, and the committee expects the nominee to tell it anything he may think relevant to his qualifications, to fill the post to which he has been appointed. In view of the public discussion of the Farkas case, especially since Mrs. Farkas has become his successor to the post in Luxembourg, it can hardly have escaped Mr. Gould's attention that the amount of money contributed to Presidential campaigns is a matter of interest to the committee.

Mr. Gould has been confirmed. I make this statement simply to clarify the record.

INNOVATIVE AID REFORM

Mr. HUGH SCOTT. Mr. President, there is a very thought-provoking article in today's New York Times regarding the Humphrey-Aiken Foreign Assistance Act of 1973 now being debated in the Senate. I commend this editorial to my colleagues and ask unanimous consent that it be printed in the RECORD.

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

INNOVATIVE AID REFORM

The Senate will have opportunity this week to give a decisive push to the most promising innovation in foreign aid since President Truman enunciated "Point Four" for the world's needy in his 1948 inaugural. A new departure, already adopted by the House, would redirect American aid from large-scale industrial projects to direct assistance to the "poorest majority" in the underdeveloped countries via rural development, food production, population control, health and education.

This approach offers the best possibility for involving the very poor in economic development and nation-building; for narrowing the gap between rich and poor; for curbing birth rates that nullify economic gains, and for helping resolve the menacing problem of world food supply. To this end, Robert S. McNamara has disclosed that the World Bank will concentrate a new $22-billion five-year program on helping 800 million rural poor to escape from what he calls "absolute poverty."

Mr. McNamara was moved by the same solid evidence that inspired a bipartisan group of Congressmen and Senators to launch their drive to rechannel American aid. Developing countries achieved an average growth rate of 5.5 per cent during the 1960's; but these advances primarily benefited those in the upper 40 per cent income category. The poor were largely left out; unemployment continued to rise; the gulf between rich and poor steadily widened.

There are broader, more positive reasons for switching the emphasis of aid. In considering future food needs, the greatest opportunities lie in the developing countries, "the world's greatest reservoir of untapped food-production potential," as one expert puts it. Contrary to widely held belief, small farms, if they have equal access to technology and credit, can usually produce higher yields per acre than large farms.

Direct aid for the "poorest majority" is also the surest way to curb population explosion. Birth rates usually decline markedly once families have begun to receive adequate food, education and the health services that cut infant mortality.

Here, in short, is an aid program that concentrates on the kinds of overseas assistance in which Americans have enjoyed much success—agricultural techniques and productivity, public health, education—but that can also expand the world's food supply, promote real development as against "growth" measured only by advances in the G.N.P., and help lift out of intolerable poverty the most unfortunate human beings on earth.

The reshaping of aid is an admirable example of congressional imagination and leadership in foreign policy at a time when both Congress and country are painfully aware of the dangers of leaving all initiatives in this field to the White House. Yet, because of widespread disillusionment with foreign aid, the reform passed the House by only five votes.

The reform has broad bipartisan backing, and the floor fight will be led by the able bipartisan tandem of Senator Humphrey and the Republican co-sponsor, Senator Aiken. If a twofold appeal to common sense and compassion for the world's neediest can still move Senators in this cynical time, Messrs. Humphrey and Aiken will surely prevail.

THE ENERGY SITUATION

Mr. HANSEN. Mr. President, I would like to call to the attention of my colleagues, an excellent analysis of the energy situation given by Edmund W. Littlefield before the American Mining Congress on September 12. I think that you will find it well-reasoned, thorough, and very informative. I ask unanimous consent that the speech be printed in the RECORD.

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

ADDRESS BY EDMUND W. LITTLEFIELD, CHAIRMAN OF THE BOARD AND CHIEF EXECUTIVE OFFICER

Gentlemen, certainly energy occupies center stage in Washington today. This is a new and unaccustomed role. Throughout its history the United States has been blessed with an abundance of cheap energy. A hundred years ago it was wood, feed and fodder, and animals. Then came the era when coal was king. Petroleum and natural gas toppled coal from the throne. New entries such as nuclear power and geo-thermal combined with the traditional sources to provide us

with the energy to build the most productive society with the highest standard of living on earth. Now we are faced with an energy crisis that demands intelligent action. Failure to take timely and intelligent action—and it is already late in the day—will severely imperil our economic structure and put beyond our reach, temporarily at least, the social goals to which we aspire.

The dimensions of the energy crisis have been well delineated in a number of studies. Whether the forecasts are absolutely accurate is not so important here. The demand curve may be tilted up or down in minor degree depending upon energy availability, its cost, steps taken to conserve its use or to ration demand. The supply side will be affected by the policies and the programs adopted to stimulate discovery, development, and production. But the forecasts are sufficiently accurate for policy guidance, and any unbiased observer is forced to these conclusions.

First, the United States will become increasingly dependent for some years to come upon imported petroleum for its energy needs.

Second, given our balance of payments position, the United States can ill afford to pay the bill for these increasing imports.

Third, the source of these future imports is heavily concentrated in a few Middle Eastern countries, and this concentration introduces a special element of risk that is unacceptable from the standpoint of either our economic and social structure or our national security.

Fourth, the cost of energy will increase, no matter what we do. On imports our bargaining position is weak and domestically we require higher prices to stimulate the discovery and development of additional reserves.

Fifth, clearly the national interest is best served by development of domestic energy supplies in order to reduce our dependence upon imported oil. Coal is certainly one mineral in which the United States is abundantly endowed with reserves already identified sufficient for many, many years to come. There is good reason to believe that we can develop in the U.S. the uranium reserves necessary to meet the very sharp increases in demand for nuclear power. Perhaps it is questionable whether we can develop all the petroleum and natural gas reserves we require but we can increase production of these fuels in large measure and alleviate further our need for foreign supplies.

Finally, today's energy crisis is the result in large measure of massive failures in economic planning and in the United States' political process. This is a serious charge but we ignore the lesson to be learned here at our peril. We cannot afford in the future the mistakes we have made in the past.

The world is not short of energy. There exist in the world ample undeveloped energy reserves to care for the world's needs for centuries to come. If we were One World, there would be no critical energy problem. But, alas, we are not one world but a world divided into sovereign states. The requirements for energy are concentrated in the highly industrialized areas—Japan, Europe, and the United States. In 1972, Japan, virtually without reserves or production of its own, consumed 9% of the world's oil.

Western Europe, with 2% of the world's "published proved ore reserves", produced only less than 1% of world production but consumed 27% of the total.

The United States had 6% of the petroleum reserves, accounted for 20% of world production, and 30% of world oil consumption.

In contrast, the Middle East consumed only 2% of the total but had 34% of world production, and 30% of the world oil consumption.

In contrast, the Middle East consumed only 2% of the total but had 34% of world oil production, and 53% of the reserves.

Africa consumed under 2% of total but accounted for 11% of the production and 16% of the reserves.

This distortion will be more serious in the future, for the potential for increased production in these lesser developed countries is greater than in the highly industrialized countries.

One can argue from the figures that the situation in the United States is less critical than that in either Japan or Western Europe. Japan is completely dependent upon imports. Western Europe already imported 55% of its energy needs in 1970 and this is forecast to reach 75% by 1990. Against this the National Petroleum Council's most pessimistic assumption foresees U.S. imports of energy reaching 26% in 1975 and 38% by 1980. But what is a matter for serious concern in Japan and Western Europe is a crisis in the United States for two important reasons. First, Japan and Western Europe have favorable trade balances and strong currencies to accommodate their needs for imported energy. The United States, on the other hand, has so conducted its affairs that its trade balance has become unfavorable and its currency has depreciated. Second and tragically, the United States had a choice. We have vast reserves of coal unutilized and potential reserves of other energy minerals that could be brought into the picture. By foolishness and by folly, we put ourselves in the position in which we find ourselves.

There will be many who will charge that the fault lies with private enterprise but the truth is that the guilt is largely chargeable to the political process. Ill-conceived legislation and fiscal and monetary policies created the economic environment that caused today's crisis. If we are to effect the cures, we have to assess accurately the causes.

First, control of interstate natural gas pricing and establishment of prices at levels below its competitive value as a fuel concurrently stimulated demand while it discouraged discovery and supply. This unrealistic price level diverted natural gas to uses that otherwise would have been supplied by other fuels.

Second, our policies and programs controlling foreign oil imports kept the competitive price too low to stimulate domestic production of either oil or coal and the future of supply too uncertain to bring about expansion of domestic petroleum refineries.

Third, despite warnings from industry spokesmen of the consequences, we revised the tax laws in 1969. It was politically expedient to label "depletion allowances" as a "loophole" rather than recognizing them as a true tax allowance for those with wasting assets. Under the lower depletion allowances, the search for domestic resources declined just as industry predicted it would.

Fourth, in a burst of emotion the Congress passed with great public approval environmental legislation. It did so without analyzing clearly the consequences, without cost/benefit studies, and without the solid basis of factual information to support the action taken or the regulations that are derived from it. Overnight we insisted on 'clean energy" with too little regard to whether such a worthy objective was within our power in the time frame set out for its achievement.

We set health standards that rest on flimsy evidence. We armed the environmentalists with legal rights to intervene and to delay new energy developments. We set in being machinery that has delayed bringing in the North Slope supplies, greatly delayed the development of nuclear power, curtailed offshore drilling, stopped construction of new refineries, deep water ports, and pipelines. We outlawed the greater part of the nation's coal production, delayed power plant siting, inhibited the development of synthetic fuels. In summary, we have taken a series of actions that have combined to discourage the development of energy supplies at a time when our need for increased domestic energy has become critical.

The evidence strongly suggests that we are long on politicians and short on statesmen. But this is unfair to the many able and sincere members of the Congress who are dedicated to the national interest but who must at any given time act with an awareness of the political realities. I, for one, have a deep and abiding faith in the American political process and in its ability in time to reach correct decisions. On the Washington scene Senator Fannin stands tall and, time and again, has demonstrated his grasp of the problem and his willingness to fight for its sensible resolution. Others will join his ranks.

If one has faith in the American political process, then it follows that the Congress and the Administration will in time take steps that are necessary to solve the problem. As I see it, the attack would be mounted along the following lines.

To cope with the problem that various segments of the energy picture are now scattered administratively in many different government agencies, new administrative machinery will be created to centralize management of energy matters and to achieve coordinated planning and administration. The appointment of Governor Love as a director of the White House Energy Policy Office is a first step in this direction. The proposed creation of a Department of Energy and Natural Resources is a further important step favored by the American Mining Congress. With the creation of such a department with cabinet level status empowered to deal with all forms of energy on a broad basis the administrative process should be much improved and the type of conflicting and self-defeating policies that we have had in the past should be minimized.

Hopefully such a Department would also speed up the approval process and eliminate the costly, needless, and frustrating delays that new programs now encounter. To accomplish this may require new legislative authority for "one-stop" approvals for utility plant sitings, new refineries and pipeline projects, new coal or synthetic fuel projects.

The energy crisis cannot be solved without modifications in the Clean Air Act. I foresee changes being made because they must be made and because they should be made. Changes should be made because the amendments to the Clean Air Act in 1970 were passed in the mistaken belief that technology to treat sulfur oxide emissions would be available, and such is not the case. The original data base on which the health standards were adopted may well prove erroneous in the light of later knowledge and more careful scrutiny. The law is proving to be very hard to administer and legal, technical, and practical difficulties are becoming more apparent. The drastic traffic control plans proposed by EPA for 31 metropolitan areas have caught the attention of the public, and public support for strict adherence to an impossible timetable is beginning to wane.

Of course, the public wants clean air and clean water but it also wants ample energy supplies and all that this means as a life style. Faced with an ugly choice, the public will not abandon its environmental objectives but it will be willing to postpone the time for their achievement.

Modifications to environmental legislation will not come easily and the battle will be bitter. Everyone at heart is an environmentalist but the fury of the resistance will come from those environmental extremists who are more motivated by hatred of business than true concern for the environment. They will

remain unrelenting. To a midget in a crowded elevator the whole world smells differently. Beside the pressure groups there are practical political problems. Senator Muskie who authored the Act needs a graceful way to retreat, and the exit is not readily apparent. He will stall for time by calling for a National Academy of Science study. But others on the Senate Committees are more realistically concerned with the consequences of doing nothing. Hopefully the Chairman will moderate his position and do the right thing. Being right is one way to be President, although recent events would indicate it is certainly not the only way.

Without such changes there is no way that coal, our most abundant resource, can play the meaningful role it is expected to play in meeting our future energy needs. Nor is there enough low sulfur fuel available anywhere to meet the demand under present standards without massive imports. Nor can we afford to delay further exploration or development of promising areas off-shore or the North Slope.

Concurrent with a necessary companion for compromises in the environmental field is a quantum jump in research and development and massive federal funding for this purpose. Such an effort is needed to accelerate the development of technology that will in fact permit us to achieve the desirable goals of clean air and clean water. Such an effort is required to improve our techniques for discovery and winning the mineral resources that we need and to utilize them more efficiently. Research and development will be directed toward the removal of pollutants, more efficient underground mining methods, more efficient combustion of fuels, the development of synthetics, the use of energy sources not now in common use such as oil shale, solar, and geothermal, and in the nuclear field the breeder and ultimately the fusion process.

To accomplish these research and development goals, a further change in the government setup has been proposed. An Energy Research and Development Administration has been proposed to assume the present research activities now conducted by the Atomic Energy Commission and the research functions of the Department of Interior. A new and separate Nuclear Energy Commission would deal with the non-R&D functions of atomic energy. The concentration of research into a single agency makes very good sense organizationally but, like all proposed government reorganizations it will meet resistance. Both the creation of ERDA as well as the Department of Energy & National Resources (DNER) which subsumes most energy functions of the Interior Department and requires more than 35,000 employees and $3 billion of budget from other departments such as Commerce, Transportation, and the Army are bound to meet opposition from those departments and from the Congressional committees which oversee these activities. Power in Washington is prized and never easily surrendered.

In solving our energy crisis I would expect that the great thrust will be made in increasing and utilizing domestic supplies but there will also be legislation that will affect demand. This will take three broad forms. First will be legislation designed to force the conservation of energy by eliminating wasteful uses. Second will be standby legislation to ration supplies in emergency situations. Third will be legislation or regulation to channel certain fuels to their best use and to prohibit the use of certain fuels for certain purposes. Where a reasonable alternative exists, natural or synthetic gas will be barred as boiler fuels and channeled into direct use for space heating and residential needs. A higher percentage of our energy needs will be supplied by electricity and coal and uranium will be used primarily for this purpose. Liquid fuels will be channeled to transportation uses where solid fuels cannot be utilized.

The energy situation can only be solved if the production of coal and uranium is increased very sharply. Coal has a critical and obvious role to play. The coal is there. It is a versatile raw material which with advancing technologies can be utilized directly as a fuel and also to supply synthetic gas and synthetic crude as a substitute for imported oil. Nuclear energy must supply a greater share of our electrical output and the production of uranium must rise and rise very rapidly to meet the accelerating demand. Unlike coal much of the uranium that will be required is yet to be discovered but the geological prospects are good. The breeder reactor and ultimately the fusion process are promising long-range solutions to much of our energy needs and will be pursued as research projects of high priority. The mining industry will be challenged to produce the coal and uranium required, and this will necessitate heavy investment in new facilities as well as a substantial recruitment and training of the necessary manpower.

There will also be significant changes on the economic side because such changes are essential to stimulate domestic discovery and development. The price of new supplies of natural gas will be allowed to reach its true value in the market place. The prices for other domestic fuels will rise to induce supply, to cover the increased cost of discovery and development of new mineral resources, and to put the natural resources industries in a financial position that will permit them to raise the massive amounts of capital that will be required. Other incentives—direct and indirect—will stimulate the development of improved transportation facilities private research and development expenditures, more rapid investment in supply-producing ventures. On the negative side, there will be less adverse legislation that would thwart or blunt the objective of increasing our domestic energy base. Changes in the tax laws will more likely be helpful than harmful. Surface mining legislation will hopefully be realistic enough so that the mining industry can live with it.

If we take these steps promptly, the energy crisis can be reduced to manageable proportions by 1985. By then we could be saving the equivalent of 7 million barrels of oil daily through conservation methods. Additional supplies equivalent to 9 million barrels daily could be forthcoming through new oil and gas wells, through vigorous pursuit of conversion of coal to synthetics and expanded coal production, production from oil shale. By this time new technologies for cleaning stack gases will be available and in place.

On this basis we could reduce our need for imported oil to 2 million to 4 million barrels daily by 1985. In constant dollars but even after allowing the cost of imported crude to rise from $3.75 to $6 a barrel, the drain on our balance of payments would be from $4 billion to $8 billion, compared to $3 billion in 1970.

This assumes, of course, that we attack the problem promptly and vigorously as I have suggested. Failure to do so could cause us either to incur a $32 billion deficit for imported oil in 1985 or to face the consequences of underemployment, a reduced standard of living, and all the sacrifices in life values that are the handmaidens of an energy-starved society.

The stakes are large. The time is short. The matter is of the highest urgency. We have had a period of temporary insanity but the time has come to get on with the job. Private enterprise and Government, working together, can get the job done. So let's go do it.

SENATOR MONDALE'S STUDY OF THE STATE OF THE AMERICAN FAMILY

Mr. McINTYRE. Mr. President, I am sure my colleagues have had the same disquieting thought that has plagued me for many months now. In all the furor over the pressing issues of the moment—from Watergate to inflation to food and fuel shortages and back again—are we in the Congress, and the opinion molders outside the Congress, being distracted from those chronic social maladies that in the long run may be far more portentous?

For my part, I have long felt that a good many of our problems stem directly from rampant urbanization, a phenomenon that has taken an even greater psychic toll than its cost in crime, pollution, impossible traffic congestion, and street violence.

While we direct attention and funding to the specific symptoms, we stubbornly refuse to face up to the fact that these are, after all, just the surface evidence of an illness that can only be cured by a revolution in thinking about where and how people should live and make a living and how to restore that all important sense of community to the American milieu.

Now Mr. President, I grant that it is most difficult to keep the long view in perspective when we are bombarded day by day with crises, but a few of our colleagues, very few, have managed to do just that.

So today I want to salute the distinguished senior Senator from Minnesota, the Honorable WALTER F. MONDALE, for his rejection of the crisis mentality and his determination to look beneath symptoms to underlying causes.

For Senator MONDALE is piercing through the need for a restoration of an American sense of community to reach and examine an even more elemental need—a restoration of the American sense of family.

Mr. President, the September 29 issue of the Christian Science Monitor editorialized on our colleague's study of the "State of the Family," declaring that "no subject is of greater long-term importance for the Nation."

As the Monitor so rightly points out:

All the national issues impinge on the family. The state of the family tempers or aggravates all the national issues. It affects all Americans, including those who couldn't care less about the national scene.

So I salute the senior Senator from Minnesota, and I ask unanimous consent to have the full text of the Christian Science Monitor editorial printed in the RECORD to focus attention upon and to encourage support for his efforts.

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

STATE OF THE FAMILY

Sen. Walter Mondale said no, he didn't think the state of the American family was the stuff presidential issues are made of—not compared to living costs, taxes, etc. But he was interested in the family anyway and

looking forward to hearings on the subject by a subcommittee he heads.

That was last June. Since then Mr. Mondale has been spoken of more and more as a potential Democratic candidate for president. The developing issues are economy, energy, environment, governmental integrity, almost anything but the family.

Yet Senator Mondale's subcommittee has now held those hearings on "American Families: Trends and Pressures." And, in a fundamental sense—presidential issue or not—no subject is of greater long-term importance for the nation.

All the national issues impinge on the family. The state of the family tempers or aggravates all the national issues. It affects all Americans, including those who couldn't care less about the national scene.

The Mondale subcommittee made a thoughtful start with Robert Coles, a Pulitzer Prize winner this year for his books on the minority and backwoods families whom the nation tends to forget. Dr. Coles and others reportedly told the committee that unemployment was the most critical problem for many families. He made a penetrating observation about the possible psychological echoes within such a family:

"A jobless man's situation becomes a wife's mood, a child's feeling about what is in store for him or her, too."

This mental and emotional realm is what Americans must consider in addition to legislative measures to combat unemployment and poverty.

Reducing economic pressures is only one step toward family stability. Numberless families are unstable without such pressures. And Dr. Coles's books show the pride and family feeling that can survive even in circumstances which, to the middle American outsider, would seem reduced indeed.

With the best will in the world, subcommittees cannot supply the affection, responsibility, selflessness, and other human qualities needed to make the family relationship work. These depend on the individual, no matter what the shape of the family—small and "nuclear," large and "extended," or any of the 57 varieties seen as possibilities for the future.

If society cannot create these qualities by fiat, it can provide an atmosphere of expectation for the qualities that cement family life rather than shatter it.

In the go-ahead land of America, keeping up with the Joneses has always meant keeping up with what the Joneses can afford to own. The time is overdue to redefine the Joneses—not as people whose possessions are worth matching but as people whose lives are worth matching. Such a change could come only as members of families, and society in general, display the actions and attitudes to reinforce sound values.

The Mondale hearings made no big splash. But their very existence was encouraging in that they virtually cried out with—and for—something that has been muted lately: a government's concern for its people. And concern is itself a family quality for the Joneses to keep up with.

CAPITULATION IN VIENNA

Mr. CHURCH. Mr. President, the Vienna government's capitulation to Arab terrorists, closing the borders of Austria to Jewish emigrants from the Soviet Union en route to Israel, is terribly distressing.

Austria has yielded to pressure and so invites greater pressure, if not upon herself, then upon other nations. No fire can be extinguished by pouring more fuel upon it.

The Austrian decision beckons further violence in Europe, and discourages moderation on both sides of the Arab-Israel dispute. It was an act of weakness in a crisis which called for strength.

As long as Austria offered itself as a way station to freedom for Jews leaving Russia, it earned the respect and gratitude of free men everywhere. One hopes that the Austrian Government will reconsider its lamentable decision, and reopen its gates to people who seek only a temporary refuge, a gathering place from which they may reach their promised land.

IN DEFENSE OF HUMAN RIGHTS

Mr. PELL. Mr. President, I would like to bring to my colleagues' attention section 21 of S. 2335 emphasizing the fact that the agreements reached for termination of hostilities in Vietnam and in all of Indochina will be effective only if they are faithfully observed by all the signatories. The section also declares that it is the sense of Congress that the United States should not furnish economic or military assistance to any parties violating the agreements.

I originally introduced a separate bill, S. 848, calling for a mandatory prohibition on rendering such assistance to violators of the peace settlement. The Senate Foreign Relations Committee subsequently incorporated the bill in its present modified form as a provision of S. 2335.

I believe the mandatory nature of my original proposal would have been more compelling in influencing all parties to abide by their treaty obligations in order to assure a lasting and just settlement in Vietnam. To this end, therefore, I call upon the administration to give full weight to the sense of Congress as expressed in section 22.

In calling upon the application of the section equally to any violator, I would particularly remind the administration of the continuation of the agonizing uncertainty of the families of those brave and dedicated Americans missing in action and of the failure of Hanoi to honor its agreement to facilitate the search for determining their fate. Certainly we have an obligation to employ every means at our command to assure that the North Vietnamese honor this obligation vital to the peace of mind of many American citizens.

We must also be insistent that the Saigon Government stand by its obligations, especially in the light of section 20 of the bill which declares that it is the sense of Congress to deny economic or military assistance to governments which practice the internment or imprisonment of citizens for political purposes. We must be impartial in coming to the defense of human rights wherever violations occur in Vietnam, in the Soviet Union, in Chile—wherever.

NO VICTORY FOR TERRORISM

Mr. WILLIAMS. Mr. President, the prospect that a free and humane government may capitulate to the demands of terrorist thugs in Austria is appalling to all people who honor peace, freedom, and human dignity. It is my earnest hope that this will not come to pass, and that the gangsters who perpetrated last week's terrorism in Austria will be denied any semblance of a victory.

Last week's attack on a train in Austria by Arab gunmen and the kidnaping of three Jewish emigrants from Russia, was a brutal, criminal act. It was of the same genre as the airplane hijackings and the tragic, cold-blooded murder of Israeli athletes at Munich, which have condemned Arab terrorists to the scorn history reserves for pirates. The only way to combat this armed blackmail is for the nations of the world to stand firm in refusing to accede to its demands.

Reports that the Austrian Government agreed to halt the use of that nation as a processing center for Jews emigrating from Russia to Israel were most discouraging. They gave the appearance, at least, of capitulation to the terrorist demands. Among certain Arab groups the kidnapings were hailed as a victory for terrorism, and one newspaper in Beirut declared they represented:

> The first . . . act of piracy (to achieve) a precise and concrete result.

Mr. President, if the appearance of capitulation to the terrorists was employed only to secure the safe release of the hostages, then it was certainly a step which can be understood. But if the Austrian Government actually intends to accede to the arrogant demands of these criminals, then it would be a sad act indeed.

The Austrian people, and the Austrian Government, have a proud history of justice and compassion. I very much hope they will not now blemish that record by handing the terrorists a victory which would encourage them to new, criminal acts. To do so, as Israeli Premier Golda Meir has stated, would be for Austria to "betray her own greatness."

HEARINGS ON "AMERICAN FAMILIES: TRENDS AND PRESSURES"

Mr. MONDALE. Mr. President, this week the Subcommittee on Children and Youth, which I chair, has been holding overview hearings on "American Families: Trends and Pressures."

During these hearings we have received extremely valuable testimony from a variety of individuals and groups concerning the needs of families and children in America, the extent to which governmental policies are helping or hurting families, and what kinds of support systems should be available.

In order that these recommendations be available to the Congress and to the public, I ask unanimous consent that the prepared statements of the witnesses who appeared at the third day of our hearings be printed in the RECORD.

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

AMERICAN FAMILIES: TRENDS AND PRESSURES

(Statement by Sophie B. Engel, on behalf of Council of Jewish Federations and Welfare Funds, September 26, 1973)

My name is Sophie B. Engel and I am presenting testimony on behalf of Philip Bernstein, Executive Vice President of the Council of Jewish Federations and Welfare Funds. My position with the Council is that of Consultant on Social Planning.

The Council of Jewish Federations and Welfare Funds is the national association of central community organizations—Jewish federations and community councils—serving close to 800 Jewish communities in the United States and Canada. A major function of the Council is to assist these community organizations in planning, developing, and financing of health, welfare, cultural and educational services.

Our member Federations represent a network of health and welfare agencies which include close to 100 Jewish family and children agencies, about 200 Jewish community recreational and informal educational centers, 85 homes for the aged and chronically ill and general hospitals under Jewish auspices in 22 cities.

We are pleased to have this opportunity to present our views on governmental policies affecting family stability and the well being of children. At our annual national assemblies we have continually pressed for the enactment of legislation to improve the quality and quantity of health and welfare programs. We believe the central issues affecting these developments are the following:

NATIONAL POLICY ON INCOME MAINTENANCE

Of overriding importance is the need for a national income policy with national standards of eligibility to assure that all people, including children, may have at least a minimum standard of living sufficient to maintain health, human decency and dignity. A first step in this direction was the enactment by Congress last year of the Supplementary Security Income Program which replaces the federal-state programs of Old Age Assistance, Aid to the Blind, and Aid to the Permanently and Totally Disabled. We strongly urge that this policy be extended to all eligible individuals and families in need, including those with both parents in the home and the "working poor".

Such legislation should include safeguards against any state lowering its present standards of assistance. It should also authorize Federal sharing in supplementation by states with higher standards. We believe this would go far in correcting many of the present inequities. At the present time families with the same income level but residing in different states are not eligible for the same services due to wide variation in State policy on income eligibility requirements. To overcome this manifest inequity eligibility for services which are subsidized in part or in whole by the Federal government should be related to the Bureau of Labor Statistics adjusted minimum income stadnard.

NATIONAL COMMITMENT TO STRENGTHEN FAMILY LIFE

A national commitment to strengthen the unity of the family and to enhance the development of children is urgently required. It should be the concern of government to raise the quality of all of family life in the United States. A comprehensive range of family and child care services should be available to all families and children who need them, with cost for services ranging from free to full payment depending upon the family's financial resources.

Unfortunately, the principal government program for families and children—the AFDC program—encourages separation and the disruption of family life. The requirements in many States that the father leave home in order that the mother and children qualify for AFDC should be eliminated and replaced by legislation that would encourage family stability and provide incentives to preserve the unity of the family. Mothers should be enabled to serve the best interests of their children, and thereby of society, by having the option of remaining in their homes or taking outside employment.

The sharp increase in the divorce rate and the growing number of single parent families headed by a female—the increasing number of women in the labor force—the large numbers of troubled and alienated youth—all these underscore the need for a strong government initiative to preserve and strengthen the family. In addition to supportive services, such as counseling, homemaker services, day care and foster care when needed, emphasis should be placed on preventive programs, such as family life education, nutrition and health care, cultural enrichment programs for children and youth as well as vocational and career guidance.

If we are committed to a goal of strengthening family life, the range of family services and the eligibility requirements need to be broadened considerably beyond the restrictive limitations in the current draft of HEW's Social Service Regulations. The definition of family services should encompass services to support and reinforce parental care and services to supplement parental care as needed. The prevention of financial dependency might be more possible of attainment if such services were made available to low and moderate income families at fees within their capacity to pay.

The experience of our agencies in providing services to children and their parents in their own homes has shown that the viability of the family unit can be preserved and strengthened—that placement in a foster home or in an institution can be avoided in many instances. Institutionalization, unless absolutely necessary is not only disruptive of family relationships and ties but is costly to the community.

DELIVERY SYSTEM

A network of community based services should be made available to all in need, with easy access to the system through multiservice centers. These centers should provide information and referral services, temporary emergency services and other services either directly or through arrangements with other public or private agencies in the community. Efforts should be directed toward coordination and integration of the many fragmented services to assure the provision of appropriate services as effectively and promptly as possible.

PUBLIC UNDERSTANDING

We trust that this hearing marks the beginning of a far-reaching and sustained effort on the part of the Federal government to examine its policies in the context of strengthening family life and enhancing child development. Legislation to effect needed changes will require the expenditure of public funds—and the gap between needs and resources is a perennial problem. It is essential that we also direct our efforts to creating public understanding of the need to conserve our human resources.

I should like to conclude by quoting an excerpt from the resolution on Urban Concerns and Public Welfare adopted at the 1972 assembly of the Council of Jewish Federations and Welfare Funds:

"Underlying the inadequate measures to deal with America's human needs are the pervasive misconceptions regarding the nature of these problems and their causes. We deplore the growing tendency to demean and exploit the poor—the aged, disabled, and handicapped—whose disabilities genuinely entitle them to assistance. An imperative for productive action is to build far greater understanding among people generally, and particularly in the national, state, and local legislatures. The popular misinformation and distortions are reflected in the regressive legislation which will increase rather than resolve the problems.

"Leaders of voluntary agencies have a special competence and responsibility, from their knowledge and experience, to help overcome the widespread myths about poverty, social needs, and welfare. We urge that such efforts be undertaken and extended by the leaders of our Federations and Welfare Funds, and by their associated and cooperating agencies."

STATEMENT OF MRS. MORTON A. LANGSFELD, JR.

(Chairman, Planning Committee on Family and Individual Services Federation of Jewish Agencies of Greater Philadelphia)

I am greatly privileged to share today in your very important and essential examination of our American families. The trends, the pressures, and the vitality, are of extreme urgency, for careful assessment.

Both governmental and voluntary agencies have set up many policies and expenditure of dollars that have provided necessary services to children and families. However, it is a well known fact that we, together, are simply not doing enough. Family breakdown, physically ill parents and children, low income, emotional instability, and mental illness are but a few of the diagnoses made by professionals in these fields, and characterize cases today. To ensure family stability and the well-being of its members, we must find every possible means to provide services that are both preventive and supportive.

The Federation of Jewish Agencies of Greater Philadelphia serves children and youth through several different agencies. The very concept of Jewish family life—has been, always—the cornerstone of our community. We are concerned with Jewish survival, a need to strengthen Jewish identity, and have developed a network of services to meet Jewish needs. The family unit has great significance by long tradition, and we continually develop the best possible ways in which to protect and strengthen it. Our objective is to keep families together, and it is to this end, that we direct our energies.

Government dollars have come to our agencies in several different ways—bringing about a partnership of mandated governmental responsibility and the private or voluntary dollar. This combination of funds has been used to extend or develop new approaches to improve the quality of a child's life.

A variety of settings must be offered by agencies today—so that an individual child receives help in the best possible way to suit his individual needs. Large institutions may have a place in some parts of the country, but in Philadelphia, we have found that this type of care is not in the best interests of children. We have developed creative types of foster homes, small group homes, and services to children in their own homes. These are to us, the best resources to help children who can no longer continue in their family patterns because of their own problems, or when parents are unable to care for their children. The role of the voluntary agency is of tremendous importance. It provides training, standards setting, rich and creative supportive services, using volunteers as well as professional staff.

The Association for Jewish Children, a member agency of the Federation of Jewish Agencies, is a striking example of a successful preventive program—i.e., Services to Children in their Own Homes. This is a valid trend in the field of child care, and has been able to show that family breakdown is preventable. Here in this agency, it is quite evident that sound casework services for a single family in its own home, brings greater strength to the parent-child relationship. Also, the child has a better chance to function on his own, thus avoiding separation, or a long term placement.

It is my opinion that increased services to children in their own homes will bring substantial changes in the present bleak outlook for troubled children in our communities. We must find every possible way to provide funds for this much needed service. Somehow, government seems to fail to recognize the importance of such preventive services, as well as the funding. (No government funds are available for purchase of service from the voluntary agencies for services to children in their own homes). The only possibility to receive this service, is through the voluntary agency, where funds are very limited. Thus, only a small number of children can receive such care. Here, the problem becomes even more complicated because the voluntary dollars that must come from the private sector, i.e., United Funds—just are not available in all the agencies. What is the answer? Surely government funds must provide these services, and they are a serious and pressing investment consideration. If there can be an emphasis upon prevention, then, from a purely monetary outlook, dollars spent here will be translated into dollars saved in hospitals and institutions of long term placement. Damaged children become lost children if help is not offered in their early years. Family breakdown is a priority concern and must bring priority dollars and highly skilled professional workers. Increased family hardships and breakdowns of children are inevitable, if we do not include services to children in their own homes in government policy.

In child care services, foster homes and group residences are used for children whose parents are unable to care for them properly, and separation is indicated. The choice for care is dependent upon the individual needs of the individual child. The goals and dreams of our agencies are to provide a variety of settings—a chance for every child. Government must take a hard look at these manifold needs. Institutions and group homes can be long, frustrating and often sad placements, with little hope for a child. We must invest in new ways to achieve our goals.

Dollars are a necessary consideration in all child care. If we look at comparative costs of different types of care, the picture is very striking. The costs spiral upwards, dependent upon the extent of damage to a child. In Philadelphia we spend for one child in a single year:

$1,000 for services to children in their own homes.

$5,000–$8,000 for placement in foster homes or group homes.

$10,500 in residential type group homes.

In a Pennsylvania mental hospital that serves children the State spends $23,000 a year, per child. In a private agency in suburban Philadelphia the cost is $17,000 per child.

If our goal is to help families to remain intact, it is glaringly seen that as the cost goes upwards, so must the funds become available to us. The sad truth is that we do not have enough dollars, and thus, children are waiting

If prevention is the answer to child problems in the United States, we must provide more of the supplementary services that can make the difference between family health and breakdown. Also, it is necessary, if we are to discharge our collective responsibilities, that a full range of services be made available in our agencies. We have developed many of them that are essential for family rebuilding, such as, Day Care, Counseling, Homemaker Services, and Family Life Education. Governmental and voluntary dollars are matched in some of these in order to reach the greatest number of children. In other of these services, voluntary and demonstration dollars provide the help to families. I sincerely hope that increased funds will be made available since the need is so demanding.

In this field of child care, every professional and lay person must continue to seek ways and funds to give every child a fair chance to live and grow. Possible family breakdown is reduced when we have the most effective and productive skills and tools to keep families intact. Not only is the economically deprived segment of our communities in need of preventive services, but a great segment of the border line working class and middle class are, also. They simply cannot afford these services and they are left unserved.

In conclusion, I am extremely anxious and hopeful that our government will take cognizance of the tremendous gap that exists between needs and available funding, particularly in the care for children in their own homes. It is an extremely important alternative to separation of children from their parents. In our country we have the greatest obligation to support and strengthen family life. I believe that preventive services are a priority concern that hold hope and promise of future healthy and happy human beings.

I do thank the Chairman and this Committee for the opportunity to present these views on the very crucial matter of American families, and our deep concern for future generations.

TESTIMONY OF REV. MSGR. JAMES T. MCHUGH, DIRECTOR, FAMILY LIFE DIVISION, UNITED STATES CATHOLIC CONFERENCE

I am Msgr. James T. McHugh, Director of the Family Life Division of the United States Catholic Conference. At the very outset I wish to commend Senator Mondale and the Senate Subcommittee on Children and Youth for holding hearings on family life in the United States. I welcome the opportunity to appear before this Committee and present testimony on how the nation—particularly in its law and public policy—may provide positive support for the contemporary American family.

The formulation of a clear, coherent and consistent family policy is a major item on the national agenda as we begin the last quarter of the twentieth century. At every moment of the nation's history the family has been a most important social unit. However, in recent decades we have become aware that many of our major social problems are the result of family instability and weakened family ties. And family instability is at least partially due to our failure to adopt a comprehensive and a realistic family centered policy. The object of wise social policy is not only the physical well-being of individual persons, but also their emotional stability, moral growth and ability to live in society and relate to others. Moreover, social policy should be directed not only to the individual, but to the greatest degree possible, to the family unit as well.

The realization that the family is an important social unit was never totally ignored or denied. If anything, the family suffered more from the ambivalence of policy-makers than from outright neglect. It also suffered from the lack of an advocate that would constantly present its interests and concerns in the halls of government. Moreover, there are specific values in our society that seemed to be at odds with the values of family life. For instance, the American commitment to individualism focused on the autonomous person rather than the person as member of a family. The commitment to private enterprise has placed the family in a secondary position to national economic goals. Government has been reluctant to restrict or constrain business or industry for the good of the family unit. Thus, child labor laws, equal employment opportunity regardless of sex, color or creed, concern for the family life of agricultural and immigratory workers have been recent achievements or remain goals still to be attained. Again, the ethnic, cultural, and religious pluralism of our nation has made it difficult to identify one form of family life as specifically American and thus to provide social support for such an ideal.

Within government, concern for the family was tucked away in the Women's Bureau in the Department of Labor and the Children's Bureau in the Department of Health, Education and Welfare. Neither agency was noted for an integralist approach to family life.

During the sixties, concentration on racial inequality, on poverty, on minorities led to a rash of well-intentioned but less than satisfactory government programs. It was not a lack of will or of imagination that robbed us of success in our attempts at social improvement. Rather, it was the absence of clearly defined policies that would govern the myriad programs that were initiated at both the federal and state level. For the most part, these programs were experimental or therapeutic, but they lacked careful evaluation and follow-up. Thus, the limited successes were lost in a sea of frustration, distrust and intensified resentment.

It is time to break fresh ground and attempt the formulation of a national policy directed toward supporting the quality and stability of family life. There are a number of things that such a policy might accomplish.

First of all, a national family policy might well become the cornerstone for a corpus of social legislation that would benefit all Americans. Such policy need not be complex or terribly detailed. Its major impact will be in shaping legislation and directing the energies of government for the years ahead. As Daniel P. Moynihan describes it,

"A national family policy need only declare that it is the policy of the American government to promote the stability and well-being of the American family; that the social programs of the Federal government will be formulated and administered with this object in mind; and finally that the President, or some person designated by him, perhaps the Secretary of Health, Education and Welfare, will report to the Congress on the condition of the American family in all its many facets—not of *the* American family, for there is as yet no such thing, but rather of the great range of American families in terms of regions, national origins and economic status."[1]

Secondly, a family policy should be directed toward assisting the family play its proper role as the nation itself undergoes a radical transformation and renewal. The questions that face us as a nation are questions of values, and they are increasingly

[1] "A Family Policy for the Nation," Daniel P. Moynihan, from *America*, Sept. 18, 1965, pp. 280 ff.

raised by today's youth. How do we eliminate poverty and discrimination while committed to an economic system built on capitalism, free enterprise and heavily tinged with materialism? How do we maintain the value of human life while allocating many of our resources to readiness for war, while we delay in a total revision of our criminal law and penal system, and while we allow the highest court of the land to ignore the evidence of science and of history in deciding that certain classes of human beings shall not be entitled to protection of the basic rights to life, liberty and the pursuit of happiness promised by the Founding Fathers? How do we instill confidence in the democratic system, and maintain the values of honesty and integrity, when so many people look upon public service with cynicism and distrust?

The family is that basic social unit that is prepared to grapple with the value questions and to weigh the speculative theory in terms of the experience of human living. As Cohen and Connery point out in a highly perceptive article on "Government Policy and the Family",

We suspect that a revitalization of the family represents a neglected opportunity in the resolution of this crisis. As an institution, it has demonstrated a remarkable resilience and a capacity to adapt to a wide range of circumstances. It has provided a transitional experience for the individual that has linked past, present, and future. It has been a major source of cultural innovation and has proved its worth in the most simple and complex societies. Studies of values and attitudes have persistently demonstrated that the family is the primary source of both our individual and collective orientations and that this institution must be engaged if we are to achieve a lasting modification of values. The problems that confront the United States in the present day are problems that basically demand a radical shift in our values. As we move toward the solution of our problems, it is almost inevitable that we will make many false starts or that the transition to new patterns of society will create new stresses. The family, among all of our institutions, is uniquely equipped to cushion these shocks and to ease the strains that are an inevitable consequence of change. Yet if the family is to fulfill this need, it must be restored to a central place in our perception of the nature of our society and provided with the resources which will make possible the fulfillment of this role. This can only be accomplished by a major shift in government policy and action with respect to the family." [1]

Thirdly, a family policy should help the family maximize its strengths. The family is where deepest interpersonal relationships are formed and lived out. The relationship of husband and wife is characterized by intimacy, fidelity, mutual respect, multi-faceted communication, understanding and trust. Children are born and grow up in this environment where they come to know themselves as individuals and in relation to other persons. In the family the child crystallizes his or her own sexual identity, and achieves satisfaction, confidence and security in developing basic aptitudes and talents. Finally, as children grow to adulthood and parents see succeeding generations come into existence, a loose-knit kinship structure perdures. It is the responsibility of government to assist the family in playing its role, fulfilling its functions and achieving its destiny.

Specifically, government policy should be directed toward helping young couples achieve close interpersonal union in marriage. At the least, this entails avoiding anything that endangers the relationship. On the positive side, educational priorities should be reexamined. Family life education is still virtually nonexistent in our schools, and contemporary attempts in this area are often fragmented, ambivalent, or limited. We need a system of family life education that helps young people understand the responsibilities of marriage, sexuality, and parenthood that prepares married couples to deepen their personal intimacy without isolating themselves from society, that restores a sense of community with generations that have preceded them and with those that follow.

Moreover, in our highly technologized society, individuals and married couples frequently reach an impasse where personal identity or the marriage itself is threatened. Readily available counseling facilities and supportive health care opportunities are often needed but sadly lacking. There is a definite need for more realistic federal legislation and funding in the mental health field that will assist married couples and families to deal with the stresses and strains of modern society. Although there is a trend in family counseling toward treating the individual as a member of a family, the multi-million dollar investment of the federal government in programs dealing with alcoholism, drug addiction, delinquency, mental illness, gerontology and mental retardation often attempt to build substitutes for the family rather than assisting the family to help the person in need when that is possible.

Fourthly, though I am reluctant to suggest increasing the bureaucracy in Washington or in the many state capitals throughout the nation, we must develop some capacity to represent, and indeed advocate, the concerns of the family in the formulation of social policy that directly or indirectly affects family life. For practical purposes, this means an ombudsman that monitors all health, education and welfare legislation, which at present is still directed toward the needs of the individual or the good of society, with no recognition of the family as this basic social unit.

Fifthly, government policy affecting the family should recognize and support the corrollary efforts of churches, private foundations and agencies, and other family assistance groups. The United States can learn much from Great Britain and other European nations about the role of the para-professional. For instance, there is a fairly well established network of marriage counseling centers throughout the British Isles in which the counselors are married persons who have special training, but are not certified psychologists or psychiatrists. The marriage counseling center includes a staff of professionals who are available for referral and for supervision of the para-professionals, and this system is fairly effective in helping troubled families.

Sixthly, government policy should respect the pluralism of family heritages and family styles. Otto Pollack maintains that the function that has truly been taken away from families is the autonomy of setting its own standards. The family has been subjected to the tinkering of the social experimenters, the ineptitude of the bureaucrats and domination by self-proclaimed specialists. It is time for the family to assert its own power against the expert, and protect itself against becoming simply one more factor in the utopian schemes of today's social planners.

At this point I wish to make some tentative suggestions on how government policy and other social forces can support family life.

1. Work—Two of the most important things in people's lives are what they do, i.e., their work, and who cares about them and their accomplishments. There is abundant evidence that when a person's job is stultifying, frustrating or unrewarding, work performance suffers. Worse than that, the person tends to lose self-esteem, and in time may give up working and become delinquent in terms of other responsibilities. It is important that government and industry try to eliminate dead-end jobs and generally improve working conditions, particularly in blue-collar jobs. But it is also important that American business treat the white collar worker with respect and regard for his family life. Continual relocation, constant travel, treating the employee as a possession of the company are things that disrupt family life and destroy personal stability. Everyone needs some leisure and solitude to think, relax and share the experiences of family growth.

The wage scale normally reflects the amount of work, the skill of the worker, the longevity of employment, and the position held by the worker. In too many cases a man must moonlight or a woman may be forced to work so that family income may keep pace with the cost of living. Married and single persons receive the same wage, with the results that families bear a disproportionate share of the financial burden of supporting the next generation. One of the ways of equalizing the financial burden, and of providing special assistance to poor families is by way of a family allowance system. This may also be the first step toward a complete revision of the welfare system.

2. Health care—Scientific progress has enabled us to overcome many fatal diseases, and to restore health and physical function in many circumstances where previously a person became an invalid. But the availability of health care is limited by cost, by circumstance, and by limitations of delivering health care services. There is an increasing role for government to play in establishing a national health care program that would assure quality service to all persons, economically, equitably and with dignity. Again, the needs of families should be an incentive to legislators to find the proper plan.

3. Education—America is distinguished among the nations of the world for its commitment to general education. At present, that practically includes college for every child, placing the young person in a prolonged period of dependency and increasing the financial and emotional costs of parenting. As a result, young men and women spend years in an academic sub-culture where deep interpersonal relationships develop but where marriage is not possible and where the final reward of the entire venture is increasingly uncertain. Consequently, the cost and practicality of higher education is increasingly called into question. Of greater concern is the narrowness of approach of the present system. There is still great need for specialized educational programs including technical and vocational training, education for handicapped persons, adult education programs for personal enrichment, and government assisted alternatives to the public school. Moreover, though the major waves of immigrants have generally been assimilated, special approaches should be developed to transmit the cultural heritages of the black and brown population to the coming generations.

I would like to end on a positive note. It is frequently thought that the family is a fragile, confused, conservative institution buffeted about by the winds of change, and seeking some isolated niche apart from the world. On the contrary, the family is a flexible and resilient institution, one in which personal-

[1] *Journal of Marriage and the Family*, Vol. 29, No. 1, Feb. 1967.

ism can thrive, and one that can exert a directive, indeed a revolutionary force in the larger society. It is the role of government to support the family unit, and the family in turn must bring about a re-ordering of national priorities so as to maintain and support the basic human values of respect for the person, community, and transcendence. I believe it is well summed up in this statement by Leon Kass:

"The family is rapidly becoming the only institution in an increasingly impersonal world where each person is loved not for what he does or makes, but simply because he is. The family is also the institution where most of us, both as children and as parents, acquire a sense of continuity with the past and a sense of commitment to the future. Without the family, most of us would have little incentive to take an interest in anything after our own deaths. These observations suggest to me that the elimination of the family would weaken ties to past and present, and would throw us even more on the mercy of an impersonal, lonely present." [3]

FEDERAL POLICY AND AMERICAN FAMILIES

(Testimony presented by Rev. Msgr. Lawrence J. Corcoran, executive director, National Conference of Catholic Charities)

Senators: I am Monsignor Lawrence J. Corcoran, Executive Director of the National Conference of Catholic Charities, which serves some 1,500 member agencies and institutions throughout the United States.

With a combined local community budget of near ¾ billion dollars a year, the Catholic Charities network serves millions of families in the United States. Catholic Charities represents the largest non-governmental program in the field of social welfare. Since the Conference was founded in 1910, it has been committed to providing services and supporting public policy which would strengthen the fabric of family life in our country. It is our view that the general welfare of the nation depends in large measure on the welfare and strength of its families.

While we are concerned for the welfare of all families, we have a special concern for low-income families. The proceedings of our first national meeting in 1910 indicate that the National Conference of Catholic Charities "aims to become . . . the attorney for the poor in modern society, to present their point of view and defend them unto the days when social justice may secure to them their rights."

So we are especially pleased that this distinguished Senate Subcommittee has called these hearings to explore the impact of governmental policy and program on families and children.

We understand that these hearings are preliminary and searching in nature. The influence of governmental policy on family life is so broad and deep, and the governmental responsibility so important that the interrelationship between governmental policy and family life needs constant and searching examination if our nation's families are to be strengthened and to remain strong and vital.

Our comments below reflect what our agencies around the nation report to us, and the experience we have gained in the struggle to form and maintain sound national policy to protect and nurture family life. Recently, for example, we have been discouraged by the constant efforts on the part of the present Administration to cut social service and public assistance costs, both efforts which will weaken family life in this country. We believe most strongly that the first focus or objective of national social welfare policy should be on strengthening family life. The focus which has developed recently on the part of the Department of Health, Education, and Welfare seems, on the other hand, to be first to return people to work, any kind of work, at any kind of wage, and to cut social welfare costs. That policy is destructive policy.

With this general introduction, may I now comment on some of the specific problem areas the Committee has enumerated.

WORK

Income and financial security for the future are essential for the maintenance of strong family life. This almost seems a platitude, it is so self-evident, but often government policy does not square with the obvious nature of the statement. Just recently, for example, the President vetoed, and the House of Representatives could not override, what we consider to be a very modest increase in the minimum wage, and a badly needed extension of its coverage. If our national policy really put strong families first on its agenda, one could hardly call a minimum wage of $2.20 per hour inflationary. The annual wage that minimum would produce barely reaches the poverty level.

Unemployment, under-employment and inadequate and unsatisfying work or work conditions develop tensions in families which frequently result in the disintegration of families, force mothers of small children to work, separate children from their fathers or their parents. We see the results of unemployment, inadequate wages and unsatisfying work daily in our agencies around the country. So a strong and expanding economy, designed for maximum employment opportunity, with reasonable family-supporting levels of minimum wage for all employees must become a consistent governmental policy. The kind of economic policy we have seen in the past several years, with rampant inflation, rapidly rising prices, high unemployment and almost unprecedented corporate profits, has been placing very real strains on millions of poor and modest income families.

Secondly, since a sense of security is needed to sustain family life, we would urge, as we have urged before Congress in the past, that the government make a firm and enduring commitment to being the employer of last resort, so that despite occasional economic dislocations or fluctuations in our economy, those who are able to work will find meaningful jobs available to them.

In this connection we are not impressed by the relatively unconstructive "make-work" programs which have been devised to reduce the public assistance rolls in states such as California. Work must be meaningful, must be adequately compensated to provide family support, and must provide the opportunity for human satisfaction and advancement.

In addition to the provision of work opportunities by government, if necessary, we see it as entirely appropriate for the government to help those in need secure the education which would enable them to improve their skills and advance in the labor market. Recently, for example, a situation in California came to our attention, where in order to continue receiving public assistance for herself and her children, a woman was ordered to go to work, rather than complete her college education which would have enabled her to become a certified teacher.

In a related matter we would urge more adequate income carry-over programs such as unemployment compensation and the liberalization of unemployment compensation benefits to strikers engaged in legitimate labor disputes centering around economic and non-economic benefits for the workers and their families.

Several other points related to the matter of work:

We urgently need better urban mass transportation systems. Middle class people in suburbs have benefitted from one of the largest governmental welfare programs—the development of highway systems to let them come downtown to work at white collar jobs. At the same time, countless companies have moved from the central cities into suburban areas. With grossly inadequate public mass transportation systems, poorer people, frequently members of minority groups, living in central city areas, find it difficult to get to where the new jobs are. At the same time, what public transportation there is frequently is under-utilized, transportation systems lose money, and fares become much too high. Clearly, mass transportation is necessary for the public welfare. Daily experience in city after city points more and more to the necessity of a system of integrated public transportation in our urban areas as a normal function of government supported entirely by tax money. Transportation affects the ability to work, and consequently affects family life.

But even more important than better public transportation is the need to develop a neighborhood economic development strategy. We need neighborhood economic development programs to place job opportunities near people, as well as to encourage the maintenance of strong neighborhoods. Large areas of many of our cities contain no job opportunities at all, especially for younger people. Secondly, the almost total dislocation of jobs from neighborhoods in urban areas results in young people having to go without work models, since they have no opportunity to observe those close to them in work situations.

We were happy to see the Senate begin to deal forthrightly with the matter of earned retirement income—the pension. Vesting rights, insurance and portability are important to the security of American families, and we hope the legislation clears Congress and is signed by the President and is improved in subsequent years.

Increased attention must be paid to the important role government must play in providing training for second careers. We have in mind not only workers whose jobs become obsolete in our economy, but also the growing number of women whose families are grown, who have many productive years before them, but who have no career or work skills when they could once again enter the labor market.

Finally we need on-going planning, government programs and forceful governmental action to deal with severe economic dislocation. We do not feel, for example, that governmental responsibility was adequately exercised several years ago when the NASA budget was trimmed (something we favor) and countless engineers glutted the market. We saw the effect of that dislocation on family life. And it is certainly clear to all who believe that our country can care for its defense with a more modest Defense Department budget that we need the kind of programs which will efficiently transfer military or military-related employment and production to the private sector. We need, especially, the kind of attention in Congress which will see to it that the government develops the economic programs which will reduce the dependence of many of our congressional districts on military or military-related employment. How else can we de-

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[3] "Making Babies—the New Biology and the 'Old' Morality," Leon R. Kass, *The Public Interest*, No. 26, Winter, 1972, p. 51.

velop and maintain a vital and enduring peacetime economy?

The agencies affiliated with the National Conference of Catholic Charities are constantly forced to deal with the wreckage in families of inadequate government economic policy and inadequate programs guaranteeing productive and satisfying work for our citizens.

INSTITUTIONALIZATION AND FOSTER CARE

The experience of our agencies leaves little doubt that the lack of certain supports for families in stress, and unnecessary institutionalization of children *and* parents, place severe strains on family life and often result in the breakup of families. We would make the following observations on needed social service and other governmental programs to relieve the stress and strengthen families.

High mobility in our society, and the vanishing of the extended family, leaves countless married couples with little immediate personal support in times of need or stress. Thus the adequate provision of homemaker services is essential if children are to be maintained in the home during illness or other emergencies.

Likewise we need to extend day care as a supplement to strengthen family life by providing for children while parents are working, and also as an important assist to single parent families. Even single parent families with the parent at home need the relief and leisure which can sometimes only be provided by day care. At the same time, day care programs should not be a method by which we subsidize under-employment or low wages paid by the private sector of the economy.

These helps—day care, homemakers—are essential public programs in our country, since our modern economy no longer encourages the extended family system which had these built-in supports. To avoid unnecessary institutional care, we need more adequate financial resources for day care and homemaker services. We also need high national standards in the day care and homemaker services.

Let me observe that the move of profit-making companies into the day care field gives us concern; the government must insure that this does not deflate standards which was the case in the nursing home field. This movement also makes us uneasy in terms of the possibility of profit-making concerns forcing non-profit services out of the field, or absorbing them, ultimately leading to increased costs for day care.

Frankly, we have some serious question as to whether the profit sector of our economy should be permitted at all in the fields of providing direct human care services, such as health care, nursing care, day care. These services are not subject to much consumer choice; they are necessary services in providing for the general walfare. It seems contrary to the humanitarian spirit that should motivate our solicitude for our fellow citizens that profit or excessive income should be derived from the provision of those personal services which are basic to a decent human existence.

One of the greatest strains on families in our country is that imposed by illness or the breakdown in the health of family members. The inadequacy of our medical delivery system and the private health insurance emphasis on crisis care rather than preventive medicine results in needless institutionalization of parents and of children.

This nation urgently needs a universal health insurance system, under the Social Security system, *and* a greater re-orientation of delivery to see that the health needs of the poor are adequately met, and to insure that the emphasis is on preventive care, rather than on the high costs resulting from major illness when preventive care is not available. The legislation on health maintenance organizations, which has been moving through Congress, is badly needed, on a much larger scale than presently proposed. It is disturbing to us that the present Administration has backed off considerably from its previous strong stance for change in the delivery system through HMO's.

Let me cite but one instance of a serious local problem resulting from an inadequate delivery system, inadequate funding for HMO's, and the lack of an overall health strategy and health insurance system for all American citizens. Bexar County, Texas (largely San Antonio), has approximately 240,000 medically indigent citizens. State law in Texas prohibits doctors from working on a contract basis with any but public hospitals or health services, and as a result, the clinics in San Antonio operate on a limited, part-time, basis, and on the time of doctors who volunteer. Many citizens, particularly many Mexican-Americans, have no access to regular health care, especially preventive care.

Several years ago that community suffered a disastrous and prolonged diphtheria epidemic. The epidemic raged some seven months before local public health officials called the Communicable Disease Center in Atlanta for some assistance. There were inadequate public health services for immunization, and, in the meantime, immunization shots which might have been available at a public cost of some 17¢ per citizen were being given by private physicians at from $10 to $15 each.

Since that time two groups in San Antonio have attempted to form Health Maintenance Organizations. Citizens associated with the Commission for Mexican American Affairs applied for a non-profit charter and were denied it by the State Board of Medical Examiners and by the Secretary of State, apparently because the Board of Directors for their HMO was not completely made up of physicians. They have since sued on constitutional grounds and their case is before the Federal District Court. On the other hand the Bexar County Medical Foundation (completely controlled by the leadership of the local medical society) applied for and secured a grant to begin organizing an HMO, and is presenty in its second year of federal funding. However, the Medical Foundation has stated its HMO would not treat indigent patients.

Something surely is wrong with federal policy if such a situation obtains in San Antonio, as well as in other communities in our country. The National Conference of Catholic Charities feels that present health care policy in the United States is skewed toward the affluent and toward high costs. We favor federal policy which will reorient the delivery system so as to meet the preventive health care needs of the poor, and a universal federal health insurance system. Both elements of policy are needed; health insurance alone without preventive care delivery will only keep costs moving upward. We do believe that sound federal policy and programs in the health care field will reduce institutionalization of parents and children.

One final observation on institutionalization: Sometimes placement of children is needed; but we find that there is a lack of resources to apply in situations especially involving retarded or other difficult to place children. We need more help here from the federal government.

MOBILITY

Mobility quite obviously poses great strains for individual and family life, whether that mobility is a result of governmental employment programs (military transfers), economic dislocation, or the private search for more satisfying and better jobs. I believe the Defense and State Departments do recognize their responsibility as employers, but I do not have the experience to speak to the adequacy of their programs. Rather I would speak to mobility in the private sector, and present some ideas as to how we might deal with the problems arising there.

First of all, much mobility is involuntary, and results from the lack of strong local economies, or the impact in local communities of the decisions reached by remote corporate managers. I would again reiterate the need for a strong neighborhood economic development strategy, to build and maintain enduring job markets locally.

Secondly, it seems to me that we must begin to insist that responsibility for economic dislocation be shared by corporate employers and the government; the burden cannot fairly continue to be placed on the individual family with modest assistance from unemployment insurance. It is not sufficient for necessary moving costs involved in taking a job to be tax deductible.

The business community has found it advantageous to meet the economic costs of moving when it transfers executives—paying moving costs, often insuring against loss in the sale or purchase of adequate housing. The same benefits should be provided by perhaps a combination of the private and public sector for the average worker who finds himself without a job because a plant shuts down, or a company relocates, or almost a whole industry relocates, as was the case with the textile industry. Something similar should be done also for the wage earner who cannot find employment locally, when there are open job markets in other parts of the country. I do not, however, mean we should support involuntary mobility. Eligibility for public assistance should not have moving to an area of job surplus as a requirement. But the costs of moving should be met for a worker who voluntarily relocates.

WELFARE

In August, 1970, I testified before the Senate Finance Committee on the proposed Family Assistance Act. I said then, as I say now, that "it is not necessary to dwell on the need for welfare reform, which is acknowledged by almost everyone—the general public, the welfare recipient, welfare administrators and workers, and indeed by the Congress of the United States."

While there have been improvements—notably the transference to the federal government of assistance to the elderly, blind and disabled (even though the payment levels are inadequate)—the situation of families and children in the welfare has deteriorated since that time. I noted at the opening of this testimony that despite its proclamations about geting public assistance to the people who need it most, the present Administration seems to have spending cuts, return to work, and a weakening of federal standards as its prime goals in the field of welfare.

Let me state firmly the belief of the National Conference of Catholic Charities that the prime goal of our welfare system must be to protect, nurture and strengthen family life by the guarantee of adequate income, and the provision of supportive services. And the prime purpose of providing social services must not be to get people off of public income maintenance into meaningful employment, desirable as this is, but, again, to strengthen family life.

We are discouraged at what we observe to be a steady effort on the part of the Department of Health, Education and Welfare to dismantle the federal protections which had been built into the financial assistance pro-

gram, by offering the State great leeway in determining and handling the eligibility process. We fear a massive effort to sharply cut the number of people receiving public assistance—to cut off from assistance millions of families who are or have been eligible, and who desperately need income security. We continue to be concerned by what we called in 1970 "the pernicious condition which presents some parents with the terrible choice of remaining with their family and not receiving public assistance or deserting their spouse and children so that the family can receive the financial assistance it needs to exist."

We are also very disturbed by efforts in Congress and in HEW to substantially weaken the programs of social service available to our citizens, and to tie social services directly to a "return to work" objective. The most recent regulations on social services proposed by the Social and Rehabilitation Service of HEW are grossly inadequate, as are the regulations recently finalized on eligibility for financial assistance. Both will be destructive of family life in our country and hit especially sharply at the family life of poor people whose marriages are already under great strain.

Just as the federal government has assumed responsibility for minimum guaranteed assistance to the elderly, the blind and the disabled, we believe that the Congress must devise a program for the federal government to assume responsibility for income maintenance for families in need. We need a public assistance program which will not weaken family life by making the parent dependent on income focused on children, and will not require the father to be absent. We need federal administration of the program, federal eligibility standards, federal minimum payment levels, and federal administration of the program.

I would like to make one final observation on the need for the federal government to assume responsibility for an adequate income maintenance program. We note with interest the tentative proposal of the Administration to provide a cash allowance to those whose incomes are inadequate to purchase or rent housing in the private housing market. We do not believe it would be wise governmental policy to chop necessary income maintenance programs into bits and pieces and distribute them in various areas of need in this manner. Rather, except for health insurance, they should be consolidated into one overall income maintenance strategy. We would also like to place on record our fear that separate administration of a cash allowance program in the field of housing would result in inflated rents in those cities with low vacancy rates. We believe that income subsidies, as essential as they are, cannot be a substitute for other federal programs designed to stimulate and enlarge the housing supply in our country.

In addition to an adequate federal income maintenance program for families, we need a system of social services which are not part of or dependent on financial assistance, and which are organizationally and administratively separated from the financial assistance function of government.

And in the social service field we need the maintenance of a public-private partnership. The collaboration of the governmental and voluntary, non-profit sectors in the provision of social services has been beneficial to those served and also in the efforts to establish a strong and helpful social service system in this country. Such collaboration manifests in practice the democratic principles which we all espouse.

We also need the maintenance of strong and vital multi-purpose legal service programs. The advances made in recent years to extend needed legal services to the poor must be strengthened. Legal service lawyers should not be restricted in their activities any more than lawyers are who serve the more affluent; legal service back-up centers must be maintained and strengthened; and the whole legal service program needs more adequate funding. The provision of such a program is an important complement to the services necessary to strengthen family life in the United States.

TAX SYSTEM

In our view the present tax system, federal, state and local combined, contains some serious inequities, and disincentives for family life.

On the federal level, present deductibles for family members are insufficiently large to encourage family stability and development. The need for more adequate deductibles realistically reflecting some of the basic costs involved in rearing and educating a family, are especially important now that there is evidence that the population growth rate in the United States has stabilized.

Some other deductibles—notably the deductibility of interest payments in the purchase of housing—discriminate in favor of the more affluent and those who own property, while quite clearly discriminating against renters and the bulk of the poor families of the country.

Thirdly, the health needs of our nation's families, particularly the marginally poor and modest income families whose health needs so often go unmet because of lack of financial resources, suggest the need for the complete deductibility of medical and dental expenses until such time as we develop a universal health insurance system.

Also on the federal level, in order to relate deductibility more closely to the concept of an income maintenance program, consideration might be given to relating deductible amounts to income levels: the lower a family's income, the higher the deductible per family member.

Finally on the federal level, it is quite clear that the present social security tax system places an inequitable burden on poorer wage earners and families.

There are some tax disincentives on the local level which might properly be the subject of federal attention also. We have in mind particularly the present nature of our property tax system, as it is especially burdensome on some groups in our population, as it subsidizes the profits of slumlords in our cities, and especially as its administration results in the inequitable distribution of tax resources in the field of education. I understand that education is properly a function of the states. There are a number of cases in the Federal Courts challenging the present administration of the property taxes on the state level. The evidence is so overwhelming that the educational needs of poorer families, and often of minorities, have for generations been sacrificed in favor of the affluent, that all federal assistance in the field of education ought to be designed to make up for this inequity until state tax systems result in an even distribution of state resources to meet educational needs.

Secondly, on the state level, the continuance of high rates of sales tax, particularly on food and other essentials for family life, discriminate by placing a far heavier relative burden on poor and moderate income families than on the affluent. Federal tax policy ought be devised to correct this skew, and to discourage the continuance of the sales tax. While revenue sharing has in some instances enabled states to consider correcting the system, revenue sharing, along with reductions in the categorical programs, as conceived by the present Administration, is not the answer.

All in all, we do believe that attention to the above problems and closing some of the glaring loopholes in our present tax law is properly part of a federal effort to protect and nurture strong family life in our country.

HOUSING, ZONING AND URBAN DEVELOPMENT

No one believes that housing legislation in the United States has been adequate. But the evident housing programs of the current Administration have disastrous implications for the family life of the poor as well as for the middle income family. The Administration declares moratoriums and impounds with impunity and our shortage of housing grows shorter still. At the same time, the Administration's overall economic policy encourages the rise of interest rates to levels unprecedented in the nation's history, forcing countless families into a new form of bondage, sharply increasing the cost of housing, and making homeownership a goal beyond the reach of additional millions of our citizens. Obviously Congress must assert its will over the Administration's reckless program, and then, while current programs continue, do its own evaluation of the impact of federal housing programs of the past 25 years in order to devise a better program which will increase our housing supply and substantially improve rural and urban living for our nation's families.

The Administration has one proposal which interests us, and that is to seek a formula which would space a family's housing costs out more evenly over its lifetime income expectancy. At the present time the average family's income peaks far after its need for housing space peaks, and this is certainly a disincentive to strong family life.

Federal attention should be increasingly given to the obvious ways in which zoning is being used on the local level to maintain and even increase economic segregation in our urban areas. As jobs expand to suburban areas, restrictive zoning policies result in the inability of poorer families to become more affluent since they are unable to locate their homes near job growth. And as I mentioned earlier in my testimony, more adequate urban mass transportation systems are needed. Also needed is a vigorous neighborhood economic development strategy to help rebuild inner city areas and to help maintain strong neighborhood life in our cities.

One other aspect of urban development bothers us very much. Not long ago Art Buchwald wrote a column which with grim humor portrayed a coming pattern of resegregation in our cities. Because of income disparity, booming inner city land costs, and the inadequacy of government aids to housing rehabilitation, inner cities had become white, surrounded by black suburban rings. The results of the present non-policy are evident even not far from this Capitol building.

It strikes us that there are at least two problems which must be given attention in the development of federal policy which would strengthen the fabric of our cities and thereby strengthen family life. First of all, ways must be found to give the poorer and moderate income family the money to rehabilitate urban housing. Secondly, something must be done to halt the grossly inflated value of urban land to insure that in our rapidly urbanizing nation all of the nation's families will be able to have access to housing in our cities in the future. Leaving land costs to the present patterns of speculation, to the supply and demand force created by those who have money to invest simply squeezes the poorer families of our nation out of present and future opportunity. We could cite from the experience of our agencies around the country family after family who has had to move repeatedly because of urban renewal or private rehabili-

tation, and the absence of any way for the poorer family to get a stake in the rehabilitation of our neighborhoods.

Any reappraisal of the government's role in housing and urban rehabilitation must rest on the expression in the Housing Acts of 1949 and 1968 that our goal must be a decent home in a decent neighborhood for every family in our nation. We need to spell out again and provide the resources to meet concrete numerical targets such as were detailed in the 1968 Act.

Let me close my testimony with thanks to you, Senator Mondale, and to your distinguished conferees on the Senate Subcommittee on Children and Youth. The attention you are calling to the effect of governmental policies and programs on family life is sorely needed. Our nation depends on strong and vital families and we look forward to the day when this fact is more clearly recognized as a matter of federal policy and when all federal policy initiatives are evaluated with their impact on family life in mind.

Thank you.

STATEMENT ON BEHALF OF THE NATIONAL COUNCIL OF THE CHURCHES OF CHRIST

(By Rev. William H. Genne')

Mr. Chairman and members of the Senate Subcommittee on Children and Youth, my name is William Genne'. I am a staff member of the National Council of the Churches of Christ in the U.S.A., serving the Council's Division of Education and Ministry as Coordinator of Ministries with Families.

The National Council of Churches is the agency through which thirty-two Christian Churches of the Protestant and Orthodox traditions seek to cooperate in their various ministries. Since its organization in 1950, the Council has tried to carry forward the concerns of its predecessor organizations for the strengthening and enrichment of family life, not only in this country but around the world as well through our overseas units. The former Federal Council of Churches created its Commission on Marriage and the Home in 1932; and ever since there has been an identifiable structure at this level to represent this concern.

THE IMPORTANCE OF THE FAMILY

During these more than forty years of helping families help themselves we have learned much from the families we have sought to serve. Strong, healthy family life does not happen automatically any more than we "fall into love". Just as love must be nurtured and helped to grow, family life must be nurtured by arduous effort. A growing love and a growing family life are both full of growing pains.

In 1966 the National Council of Churches joined with the Synagogue Council of America and the United States Catholic Conference in adopting "A Joint Statement on Marriage and Family Life in the United States" (attached). This statement reads in part:

"To help families develop foundations for personally meaningful and socially responsible behavior, we offer the following affirmations on which our historic faiths unite.

"We believe, and unite in affirming, that God . . . did create us male and female and did establish families as part of his Divine Plan . . . .

"We believe and unite in affirming that our sexuality is a wondrous gift from God to be accepted with thanksgiving and used within marriage with reverence and joy.

"We believe and unite in affirming that our understanding of God's plan for marriage ideally calls for lifelong commitment in fidelity to a continuing, supportive relationship in which each partner helps the other develop to fullest capacity. . . .

"We believe and unite in affirming that children are a trust from God and that parenthood is a joyous, though strenuous, adventure in partnership with God for the procreation and nurturing of each child. . . .

"We believe and unite in affirming that family life is the cradle of personality and character for each child and created an environment for the societal values of each succeeding generation as well as the principal source of meaningful personal relations for each adult member of our society. . . .

"We believe that the family is the cornerstone of our society. It shapes the attitudes, the hopes, the ambitions, the values of every citizen. . . .

"Therefore, we the major religious groups in the U.S., join in exploring all ways and means available to preserve and strengthen family life in America to the end that each person may enjoy fulfillment in dignity, justice, and peace."

THE FAMILY AND THE TOTAL ENVIRONMENT

It is within this context, then, Mr. Chairman, that I say that the families of America and the World need a total environment, both internal and external, if these families are to realize their fullest potential and render their greatest service to humanity.

Because we believe that every aspect of life has moral significance, the Council has had to be concerned with every aspect of life as it either enhances or destroys the quality of human life.

Therefore, the National Council of Churches has developed many policy statements and programs to strengthen and enrich family life. It has frequently supported the objectives of proposed legislation and government programs which would help improve the total social and cultural environment in which families must live.

These policy statements, developed and adopted by the representatives of our member churches, do not profess to speak for every member of those communions. They do represent the majority judgment of those leaders who, working together through the National Council, have sought to relate the moral insights of their Christian faith to the corporate life of our communities.

We cannot, in the time available to us, enumerate all the concerns of our common life that would have an impact on family life. Every effort to build international, economic or racial justice, which is the foundation of peace, would, of course, have a beneficial impact on all of the families of this world. The elimination of racial and sexual discrimination, the achievement of a more just distribution of income, the conversion of our multi-billion dollar swords into plowshares—these and others are examples of areas over which Congress can, if it wills, exert some control, to the tangible benefit of all families.

Let me speak, however, to a few concerns which relate more specifically and directly to families—and to the institution of marriage which confers legal status on families in our culture—to which this committee might direct its attention:

The conditions of marriage

Since the states reserve to themselves the right to determine the laws governing marriage and the dissolution thereof, there is a hodge-podge of fifty-one jurisdictions (including D.C.) with differing legislation on this matter. Not all states report their statistics to the federal bureaus concerned with such matters. This lack of complete statistics is a real handicap to researchers and family-helping specialists.

In 1963 the National Council urged the Senate to ratify the convention proposed by the United Nations favoring free consent to marriage, a minimum age for marriage and the registration of all marriages. To date the Senate has not taken action on this matter, because, we understand, it has not been officially submitted by the State Department.

Such confusion and inaction tend to indicate to young people that marriage is not a serious concern of legislators. Any young person knows that it is easier to get a marriage license than it is to get a driver's license for an automobile. If our governments at all levels persist in such a casual attitude toward marriage, we should not be surprised at ever increasing marital discord and failure.

Education for Family Life

In 1968 the same three organizations mentioned before addressed themselves specifically to sex education as part of the training for adult life and responsibilities (cf. The Interfaith Statement on Sex Education, attached). While recognizing the primary responsibility of the home and the distinctive responsibility of the churches in education for an understanding of human sexuality, this statement recognized the responsibility of the schools and other community agencies in this important task.

Since the three major faith groups are united in this concern, we would urge the agencies of government that have to do with education at all levels to develop more adequate programs for adulthood and family life. The time for a conspiracy of silence and neglect is long past.

Education for family living calls for community offerings for every age in the life cycle from pre-natal education for retirement and eventual death. Legislation to guide and resources to actualize programs of education for all ages is a necessity in our modern society.

Education is, of course, an aspect of child development and we strongly urge the attention of the committee be directed toward adequate care and education in early childhood, especially in those instances where both parents are working outside the home.

Health Care and Services

There is a basic need for adequate health care in our country. In addition to the hospitals and health care services provided by our member churches in this country and overseas, the National Council of Churches has repeatedly (1960, '67, '71) spoken out for a better delivery system and a more adequate provision of health care services in this country. As recently as 1971 it said:

"The General Board of the National Council of the Churches of Christ in the U.S.A. endorses the development of a national health system which will assure quality health care as a right to all persons in an accessible, effective and efficient manner, with a method of funding which makes this possible. It calls upon units of the Council to support the achievement of his goal in appropriate ways."

Adequate health services would include not only medical and dental services but also mental health facilities, including marital and sexual therapies which are so basic to healthy family life. Counseling and services to help families voluntarily determine the number and spacing of their children is a vital component of any family health care system (1961).

Economic Supports

There seems to be a moral dilemma in the most affluent nation in the world having persistent pockets of poverty gnawing at the vitality of the body politic. When we have the resources and are under the moral imperative to share with the less fortunate members of our human family, it seems as

though we ought to be able to figure out some ways to insure a basic decency of life for all persons. In 1968 the National Council stated:

. . . the National Council of Churches endorses the concept and desirability of a guaranteed income. Such a program should meet the following criteria:

(1) It should be available as a matter of right, with need as the sole criterion of eligibility.

(2) It should be adequate to maintain health and human decency.

(3) It should be administered so as to adjust benefits to changes in cost of living.

(4) It should be developed in a manner which will respect the freedom of persons to manage their own lives, increase their power to choose their own careers, and enable them to participate in meeting personal and community needs.

(5) It should be designed to afford incentive to productive activity.

(6) It should be designed in such a way that existing socially desirable programs and values are conserved and enhanced.

We recognize that the guaranteed income is not a substitute for programs of full employment and human resource development. It is not a panacea for all the socio-economic problems encountered by the family and the individual in the course of a life cycle. At the same time, we are compelled to acknowledge that our socio-economic system works imperfectly. It is, therefore, the responsibility of society to devise new institutions which more adequately fulfill basic human rights.

The most dangerous person to any society is the one who has no stake in it. When we urge the government to insure the basics of health and decency, as well as order and tranquility, we are reminded that these benefits should be available to all, including our native American Indians (1955), migratory and seasonal farm workers (1951, 1966) and all Americans regardless of race, creed or national origin (1966). Only as each person is given visible and tangible interest in our social structures can they be expected to work for those social structures.

HOUSING

As far back as 1953, the Council expressed its concern about adequate housing as a necessity for healthy families. We realize this is a complicated question involving land, taxation, construction costs and financing as well as the overall design to enhance family living. Blighted cities, "ticky-tacky" suburban developments, and the deterioration of many smaller communities all testify to the need for strenuous efforts by legislative bodies to create better ways of providing adequate shelter for the families of America.

The recent practice of encouraging "urban homesteader" to rehabilitate unused houses in some of our cities seems to offer some hope within the American tradition of individual initiative and self reliance. This and many other proposals regarding land use, property taxation and housing and urban development ought to be a high priority for this committee.

Cultural and media environment

In the sub-committe's study of the impact of legislation and governmental policies on families, you would do well to study the reports of the Presidential Commissions on Population Growth and the American Future and on Obscenity and Pornography. This is not to be construed as a blanket endorsement of all the specific recommendations in those two reports but simply as an observation that they do address two important areas that have an impact on every person in our land. Some of us fear that these reports have been rather quickly passed by because of an emotional rejection of one or two of the sensitive items on which they comment. Our only plea is that there should be continuing dialogue on the total reports, until agreement is reached on many areas discussed in those reports as they affect our national life.

These two reports direct attention to two important areas of the total environment that affects every family and person in America. Because of many changes in society, technologically and philosophically, parents are frequently confused about their own values and consequently are unable to share with their children clear bases for moral decision making. Parents and their children have been battered by repeated wars and other upheavals so all of us need the help of all governmental agencies as well as all community organizations, including the churches, in the painstaking job of rediscovering the basic moral values to which we need to recommit ourselves.

CONCLUSION

Many religionists have the feeling that God is at work exposing cynicism and arrogance and reminding us that love, honor, honesty and a wilingness to stick by one's vows, especially the marriage vows, are fundamental to a healthy society.

We therefore applaud your committee's concern to stabilize, strengthen and enrich the families of children and youth, and pledge our continued interest and cooperation as specific legislative proposals are developed.

AMERICAN FAMILIES: TRENDS AND PRESSURES

(By Leon Smith, director, Marriage and Family Life Education for the United Methodist Church)

Thank you, Mr. Chairman, for the opportunity to appear before your Senate Subcommittee on Children and Youth to take part in the hearings on "American Families: Trends and Pressures."

At the outset, it is only fair to point out that even though I am presently Director of Marriage and Family Life Education for The United Methodist Church, I have not been elected by our more than 10,000,000 members to represent them here today. I come to you as an individual professional concerned about the well being of the families of this nation. Nevertheless, I draw upon my experience in helping to draft official statements of our church concerning families and base my remarks on these documents, two of which are attached and quoted as indicated: I. "Social Principles of The United Methodist Church" adopted by the 1972 General Conference and II. the "Resolution on the Family" accepted by that General Conference and referred to the churches for study.

First, I would like to commend you and your Committee for your concern for all the families of this nation. Then, I would like to make a few specific suggestions and offer a framework of support for your efforts.

1. We agree with your statement "that nothing is more important to a child than a healthy family" and "that often too little consideration is paid to the role of family in the prevention and solution of children's problems."

Officially our church has stated: "We believe the family to be the basic human community through which persons are nurtured and sustained in mutual love, responsibility, respect and fidelity. We urge social, economic, and religious efforts to maintain and strengthen families in order that every member may be assisted toward complete personhood." (I, p. 7.)

2. Because of the high value we place on families, especially with regard to their influence on the well being of children and youth, I believe it is time that we took the 1970 White House Conference on Children seriously and reordered our national priorities so as to give first place to meeting the needs of persons, for we recognize "that human values must outweigh military claims as governments determine their priorities." (I, p. 21.)

As a church we have called on our people to "actively work to change our national . . . priorities so that the government addresses itself more directly to the human needs within our society." (II, p. 7.) "A high priority must be given to the rights and needs of children." (II, p. 6.) We believe that "children have the rights to food, shelter, clothing, and health care as do adults, and these rights we affirm as theirs regardless of actions or inactions of their parents or guardians." (I, p. 10.)

3. One effective way to implement our basic concern for children, youth and families is to establish a National Institute for Families whose chief officer would have Cabinet status. Purpose of such an Institute would be to foster family well being through research, education, and action programs. As I see it, the Institute also would have the power to review all governmental policies affecting families and to make recommendations to the proper authorities in all branches of government. I believe we need a National Institute for Families to do just what this Committee is doing in these hearings, but to do it on a continuous comprehensive basis and more in depth than can be done in a few days. Again, our church has declared that social structures, including government, which affect families "must be under constant scrutiny and judgment to measure their influence on the family." (II, p. 3.)

4. As a prime concern of the Institute—or of this Committee—I would urge major programs to strengthen family life and sex education, including preparation for marriage and parenthood—from headstart through high school and into college and professional education. For example, every high school student should have an opportunity to learn what it means to be married and to be a parent. Massive educational programs are needed to prepare teachers for these tasks.

Again, "the church supports public schools and other agencies in programs of family life and sex education.". (II, p. 6) As a Church, "we support the development of school systems and innovative methods of education designed to assist each child toward full humanity. . . All children have the right to a full sexual education, appropriate to their stage of development, that utilizes the best educational techniques and insights." (I, p. 10.)

These above positions are based on the fact that "we recognize that sexuality is a good gift of God, and we believe that persons may be fully human only when that gift is acknowledged and affirmed by themselves, the church, and society." Since "homosexuals no less than heterosexuals are persons of sacred worth . . . we insist that all persons are entitled to have their human and civil rights insured." (I, p. 7–8.) Further, we call "for the enactment of civil rights legislation prohibiting discrimination because of sexual orientation in employment, housing or public accommodations." (II, p. 8.)

5. Because of the close relationship between marital interaction and child development, ways must be found to support the continuing enrichment of marriage across the years. (II, p. 9.) Further, in terms of marital and family crises, counseling services must be made available to all our people.

Specifically, our national health insurance program must be written so as to include marriage and family counseling as well as

pastoral counseling. When individuals with personal and family problems seek counseling almost twice as many turn to a minister as to a medical doctor. And more than half of them bring marriage and family problems. When fees are required for professional marriage and family counseling, they should be covered by our national health insurance. (I, pp. 10, 11, 16; II, p. 7.)

6. Children and families are affected by the environment in which they live. This includes housing and community development. "Massive programs of renewal and social planning are needed to bring a greater degree of humanization into urban-suburban life styles." We "must judge all programs, including economic and community development, new towns, and urban renewal by the extent to which they protect and enhance human values, permit personal and political involvement, and make possible neighborhoods open to persons of all races, ages and income levels." (I, p. 13.)

7. We have a special concern for families living in poverty. "In order to provide basic needs such as food, clothing shelter, education, health care and other necessities, ways must be found to more equitably share the wealth of the world. . . . To begin to alleviate poverty, we support such policies as: adequate income maintenance, quality education, decent housing, job training, meaningful employment opportunities, medical and hospital care, and humanization and radical revisions of welfare programs." (I, p. 16.)

Regarding migrant workers, "we call upon governments and all employers to insure for migratory workers the same economic, educational and social benefits enjoyed by other citizens." (I, p. 16.)

8. Families are acutely affected by military service and the disruption of family life it requires. As a church "we support those individuals who conscientiously oppose all war, or any particular war, and who therefore refuse to serve in the armed forces. We also support those persons who conscientiously choose to serve in the armed forces or to accept alternate service." (I, p. 19.)

At the present time our government's attitude against amnesty is dividing families who could be brought back together by change in governmental policy.

9. Employment and income are basic to family well being. Thus in the economic realm, "we recognize the responsibility of governments to develop and implement sound fiscal and monetary policies that provide for the economic life of individuals and corporate entites, and that insure full employment and adequate incomes with a minimum of inflation." . . . We believe private and public economic enterprises are responsible for the social costs of doing business, such as unemployment and environmental pollution, and that they should be held accountable for these costs. We support measures that would reduce concentration of wealth in the hands of a few. We further support efforts to revise tax structures and eliminate governmental support programs that now benefit the wealthy at the expense of other persons . . . We believe governments have the responsibility, in the pursuit of justice and order under law, to provide procedures that protect the rights of the whole society, as well as those of private ownership." (I, p. 14–15.)

10. Finally, for the office of a framework of support for your efforts that goes beyond these statements and beyond the church itself, I would like to share with you a dream.

I have a dream of establishing in this nation a Family Action Network that will be a membership organization of a million persons who are concerned about families and who want to join in action programs to strengthen family life in this nation. In local communities all across this land members will form task forces to work on particular problems or issues affecting families where they live. At the national level we will study the structures of society and help them become aware of their effect on families—including the mass media, business, education, medicine, religion, and government. Specifically, one part of the Family Action Network would be a citizen lobby for families. In such an organization, Mr. Chairman, I believe you would find support for your efforts to strengthen the families of the children and youth you are so concerned about. (II, p. 7–8.) Thank you.

TESTIMONY OF MR. CHRIS HOBGOOD

(Representing the Departments of Christian Education and Church in Society of the Division of Homeland Ministries of the Christian Church—Disciples of Christ)

Mr. Chairman and members of the Senate Subcommittee on Children and Youth, my name is Chris Hobgood. I am pastor of the First Christian Church in Alexandria, Virginia. At this time I am representing not only myself, but also the Departments of Christian Education and Church in Society of the Division of Homeland Ministries of the Christian Church (Disciples of Christ). The Christian Church (Disciples of Christ) is a Protestant denomination with approximately 4,500 congregations and 1.3 million members throughout the country. While this statement is a personal response of myself and members of these two national program units of our church, it does reflect the thinking of a number of persons who are concerned with development of both family and social or community ministries to individuals and families through channels of the Christian Church (Disciples of Christ) at its various levels: local congregations, regional and national. Therefore, this statement suggests the direction of some of the concerns and future programs of the Christian Church (Disciples of Christ).

The Christian Church (Disciples of Christ) strongly affirms the central importance of the family in the molding and supporting of persons. We believe that it is the family which can and should provide the basic sense of personhood and self-worth for children, as well as security and affirmation for youth and adults. To say that the family can and should serve these functions, however, is not to suggest that it is currently doing so in every instance. We are deeply concerned, in fact, about the failure of a great many families to serve these functions of developing and supporting persons.

While we believe that these families—and more particularly the persons in these families—must themselves bear the responsibility for such failures we maintain that the culture in which we live brings many pressures to bear on these persons and families in such a way as to contribute to said failures. Some of the pressures of divisiveness are primarily cultural. Many others are directly or indirectly the result of governmental policies.

We do not suggest that the government can pass laws and establish policies which eliminate family failures. We do believe, however, that the various governments under which we live—local, state, federal—can be cognizant of the effect of laws and policies upon families. More than simply being aware, however, we believe that government can seek to avoid creating laws and policies which negatively effect the ability of families to serve the functions of development and support of persons. In addition we believe that government can at times and in some areas take positive actions to support the healthy functioning of families.

We believe that there are several specific areas where governmental policy and/or legislation have in the past, are at present, or can in the future directly impinge upon the welfare and stability of families as they seek to serve these essential functions of development and support of wholesome personhood. Among the most important of these areas are the following:

CHILD CARE DEVELOPMENT

As more families face the situation of both parents working outside the home, or as necessitated in growing numbers of one-parent families, we are greatly concerned that satisfactory child care and development facilities be available and accessible. Such facilities must be humane and complementary to the families' individual life styles. Since life styles and needs vary, facilities must vary in their functions and goals. Rather than neutralize the significance of the family, as some have said is the danger of such facilities, effective child development programs should reinforce the values inherent in the family while enabling the child to develop progressively through effective instruction and activities. Governmental support must be available to private agencies which attempt to provide such services. It may also be that the government itself may at times and in certain places be obligated to provide such services. We believe that the Child Development Act (S. 2007) was a step in the right direction and very much regret its veto by President Nixon. We hope that similar legislation will, after careful study, be enacted in the very near future.

We see such legislation as not divisive of the family but as supportive of individual persons in their own growth. Satisfactory child care facilities can be supportive of the family as they provide extended family relationships while encouraging individual family members to work for their development and effectiveness as parents and family members. The availability of standard child care/development centers can serve to relieve tensions and frustrations which may exist in their absence. With these goals in mind, therefore, we affirm the need for facilities which are flexible, open to and supportive of parental involvement, and soundly based in principles of developmental psychology.

HUMAN SEXUALITY

We believe that the government has a responsibility to be a resource and an advocate in the area of human sexuality. It must be a resource in providing information and services to persons and families for the task of sound education in sexuality. While we affirm that the schools and the churches have a responsibility in sex education we maintain that it is ultimately the task of the family, and particularly the parents, to provide such education. We find, however, the parents are frequently ill-equipped for this task, and it is in providing information and resources for them that the government may be well equipped.

In addition, we believe that information and counseling in birth control must be available to parents and potential parents. Such a service—which may well include dissemination of birth control devices and abortion counseling and referral—could prevent many unhappy family situations and neglected children. Both of these goals could be implemented by the Congress by adding provisions for these services to future legislation that provides federal financial assistance for clinics, hospitals, etc.

As an advocate the government must support the right of women to equal opportunity. The passage of the Equal Rights

Amendment to the United States Constitution is a logical first step in this direction, followed by vigorous enforcement of its provisions. In this way all persons may have opportunity to find fulfillment for themselves as persons. Even without the Equal Rights Amendment, however, the government can provide support for women in their struggle for equality of opportunity.

MASS MEDIA

We are particularly concerned about the effect of mass media, and especially television, on families. We regret the general lack of substantive material found in most commercial programing. We are concerned about stereo-typical pictures of families which give little support to viewing families in their struggle for a meaningful life together. We deplore the very low quality of so-called children's programing on commercial television, with its major faults of banality and glorification of violence. Even more do we deplore the nature and constancy of advertising which seeks to use children as tools in consumer warfare. The licensing procedures of the Federal Communications Commission should be reviewed, so that quality programing, and not political harassment, becomes the criterion for licensing.

THE ECONOMY

The affect of the present state of the economy on families is of concern to us. As inflation continues we see more evidence of parents seeking to work more hours apart from their families in order to keep up with prices. Furthermore, with the vast discrepancies in income level between various families, we are particularly concerned about what these discrepancies say to our children and youth about equality of opportunity. Children in lower income families, especially if they are also minorities, know very well that equality of opportunity is a hollow phrase when their parents are unable to find work, or can find only low-paying jobs, or must work at two or three jobs in order to provide bare essentials. We question an economic system that, increasingly, favors the very affluent and where even the middle class, like the poor, are unable to function with much equality.

WELFARE LEGISLATION

Persons and families receiving welfare assistance must have the same opportunities to enjoy a meaningful family life as those who are more fortunate. Particularly does this refer to families receiving Aid to Dependent Children support. Such legislation must provide for adequate time for the family to be together as well as taking into consideration the need for satisfactory child care facilities at times. Furthermore, present Aid to Dependent Children grant levels tend to keep families in poverty and therefore are a disservice both to the families and to the nation.

MARRIAGE AND DIVORCE

We are distressed at the growing divorce rate, but do not feel that the answer is to be found in strengthening divorce laws. In fact, we support the growing trend toward the adoption of some form of "no-fault" divorce laws which we believe frequently lessen the tension and hostility involved in many divorce actions. We are more inclined to believe that the strengthening should come at the other end, that is, in marriage laws. We would urge consideration being given to a re-examination of laws governing marriage which might require more thought being given to the nature of the commitment being made than is presently the case. The time may well have come when the federal levels needs to take an active role in effective marriage laws. With the mobility of our society the differences between states' laws become increasingly counter-productive. We doubt the wisdom of the federal government's enacting marriage laws, but we do feel it could take the initiative in encouraging the coordination of states' laws.

MENTAL HEALTH

The other major point at which response to the growing divorce rate might be made is in the support and strengthening of mental health services. We regret the recent cutback in federal support to mental health and counseling services. Such support must be increased, both as a preventive measure and as a reconciling force in marriage and family breakdown. Marriage and family counseling services are greatly needed for families of all economic levels, and the provision of such services must be made a priority.

FAMILY STABILITY

At several points we find governmental policy and legislation working against opportunities for family togetherness and stability. Particularly is this true in regard to the government as employer or as government policy affects private employers. Employment conditions which require frequent and/or long-term separation of the employee from his or her family should be avoided whenever possible. When travel is necessitated, compensation should be provided either for the family to accompany the employee or compensatory time off should be available to the employee. Opportunities for families to be with employees on the job site should be made available whenever possible. Frequent moves from community to community should be avoided whenever possible to enable the establishment and maintenance of roots in a community. Persons in prison should be much more accessible to familial visits both in frequency and duration. Many other changes which provide opportunity for family togetherness could also be implemented.

In conclusion we re-affirm our belief in the essential importance of the family in developing and supporting persons. We trust that the government shares a similar belief and will work to enable the family's functioning effectively. Perhaps a "family impact statement" accompanying new legislation, as suggested by Senator Mondale, would be helpful in alerting persons to implications for families. Whatever the recommendations from this sub-committee may be, we fervently hope that they will be supportive of the family in both specific and general ways.

Thank you.

TOWARD A NATIONAL FAMILY POLICY

(By Andrew Billingsley, Ph. D., vice president for academic affairs, professor of sociology, Howard University)

The author of this paper, Andrew Billingsley, has been Vice President for Academic Affairs and Professor of Sociology at Howard University in Washington, D.C. since 1970. He was previously Assistant Chancellor for Academic Affairs and Associate Professor of Social Welfare at the University of California at Berkeley.

He is the author of "Black Families in White America" (Prentice Hall, 1968) and "Children of the Storm" (Harcourt Brace Jovanovich, 1972).

A native of Birmingham, Alabama and a veteran of World War II, Dr. Billingsley did his early college work under the G.I. Bill of Rights at Hampton Institute in Virginia. Later he completed a degree in political science at Grinnell College in Iowa, and subsequently obtained advanced degrees in the social sciences at the University of Michigan and at Boston University. He earned the Ph. D. degree at the Florence Heller School for Advanced Studies in Social Welfare at Brandeis University in 1964 where he wrote an award-winning dissertation on the professional and organizational context for child welfare services.

Dr. Billingsley is married to the former Amy Loretta Tate who is active in the Parent Teacher Association for the District of Columbia Public Schools where their two daughters, Angela and Bonita are students.

TOWARD A NATIONAL FAMILY POLICY

Introduction

Mr. Chairman, please permit me, first, to commend this Committee and other members of the Senate and the House who have decided to give concerted attention to the needs for federal guidance and action designed to enhance the well-being of children within the context of their families. It is an area of our national life which has been long neglected with very grave consequences to the development of childhood and family life among all segments of the national population and most especially among the low and middle income sectors and among those ethnic groups who have faced historic patterns of racial discrimination.

As I understand it, your Subcommittee is conducting a series of investigations designed to help clarify the role of governmental policies in the development of strong families "on the premise that nothing is more important to a child than a healthy family, and on the belief that often too little consideration is paid to the role of the family in the prevention and solution of children's problems." This is a concern which I have held for some time and by professional training, systematic research, observations as a citizen and family member, I have come to the belief that among the greatest needs of the nation at this time is a concerted national policy, augmented by new legislation which will give priority and coherence to national, regional and local efforts in the public and private sectors to reverse the present trends toward the disintegration of family life and to enhance both the structure and the functioning of families in the nation both for the sake of their members, especially their children, and for the contribution a strong and viable family life can make to strengthening the social and moral fabric of other major institutions and, indeed, the nation itself.

As a social scientist and as an educator concerned about the development of values and social structures which bring out the best, most creative and humanistic characteristics of people, I am often appalled at the manner in which the nation assigns priorities to the various aspects of our national life. While we often give lip service to the importance of families, asserting from time to time that the family is the most important institution among us and is the bulwark of our culture and society, the allocation of the nation's resources and attention bespeak otherwise. This problem of misplaced priorities was addressed by Dr. Kenneth B. Clark in an appearance he made before a Senate Committee as early as 1967. "I think the budget is about as good an index of the priority society gives various problems as one can find. Our space program and the Vietnam war have budgetary supports which indicate tremendous seriousness. Our anti-poverty programs have budgetary indications of secondary, tertiary, peripheral priorities, and I don't think that we will solve the problems of our inner cities by relegating them to peripheral priorities." All of us must be grateful that our participation in the Vietnam War has finally been brought to an

end. Yet the cessation of hostilities seems to have made no impact whatever on the budgetary priorities of the nation.

Indeed, when Daniel P. Moynihan was Counselor to the President, he warned us publicly that the end of the war would bring no appreciable increase in budgetary support for social programs of a domestic nature. The government, supported by the overwhelming majority of its citizens, seems incapable of redirecting the vast economic resources devoted to war and war-related activities in order to enhance the quality of life for children and their families who are certainly the nation's greatest resource for the future.

When we speak of enhancing family life as a major goal of federal policies, it is not simply a matter of budgetary allocations, federal spending or welfare payments. The matter is much more complicated, complex and intricate. A family is viable, in our view, to the extent that it is able to maintain its physical, social and psychological integrity, meet the instrumental and expressive* needs of its members young and old, and meet the requirements which society places on all family groups. This is the definition of a healthy, well-functioning family. Family viability, then, is a much more important concept than family stability which refers simply to staying together. The ability of a family to meet this test of viability depends quite heavily on its base of economic security, housing and health care, the quality of its education and the support from other major segments of the larger society. It depends, also, on a host of other factors all of which are amenable to social policies at the national level.

In a paper prepared for the Joint Economic Committee's Subcommittee on Fiscal Policy, very ably chaired by Congresswoman Martha Griffiths, we have set forth our conception of the requirements of viable family life as follows: What the average man desires and needs are (1) a good job, (2) a good home, (3) good health, (4) a good education for his children and (5) friendly relations with his neighbors. To the extent that men have these resources available to them, their family life will be strong, stable and secure and they will function very well indeed in meeting the needs of their members and the requirements of the larger society.

The manner in which family functioning is influenced by social policies and social forces outside the family itself is illustrated by the following diagram taken from *Black Families in White America*. In this book, my wife and I have described a social systems approach to the study of family life. It suggests that the family is a dependent unit of the larger society, highly influenced by the policies and operations of these major segments or systems of that society. These systems have both a direct influence on family functioning and an indirect influence through their interrelatedness with each other. Thus while family viability can be enhanced by strong economic support—a good job at an adequate income, by adequate, safe and sanitary housing and by effective education, it is also necessary to recognize that these systems are themselves highly interrelated and interdependent. All are necessary and neither is sufficient in itself to produce and sustain viable families. The communications media, for example, have both direct and indirect influence on family life in the values they portray, the resources they provide as well as their teaching potential. This industry has not yet lived up to its potential for the enhancement of family life. Indeed, if we single out television as an example, both public and private, the performance is as disappointing as the potential is great.

In order, then, to utilize the resources of all these major segments of our national life, to enhance family functioning we need a national family policy.

Elements of a national family policy

A national family policy initiated by the Federal Government would designate the family unit, in all its variety of structure and forms, growing out of the cultural pluralism of the society and the varied and changing value systems, as the most important unit in society. We sometimes say that the family is the most important unit in society today, but there is no national policy or commitment to that view.

Thus, a host of other units turn out to be more important in the sense that they get more attention, protection, admiration and support from the national society than do families.

The designation of the family unit as the most important unit in society would require a national commitment to use all the resources of the Federal Government at all levels and the private sectors of society as well, to enhance the functioning of families. It may well be advisable that each of the major governmental functions, agencies, departments and programs should be evaluated according to their impact on family life. They should then be reconceived, redesigned, budgeted and administered in ways specifically calculated to enhance the functioning of families. Many of these agencies and programs now have the opposite effect. Such policy would require a conception of adequate, optimum and satisfactory family functioning.

If the family in all its variety is viewed as a subsystem of the larger society, then the enhancement of the functioning of family life is a responsibility of the larger society more than of the individual members of the family. This is a hard concept for Americans to grasp. We are so individualistic in our value system, so prone to blame the victim, so laissez-faire in our conception of collective responsibility, and so hostile toward people who seem to be poor, weak, and relatively helpless.

Yet these approaches and programs growing out of these approaches have not solved the problems confronting family life in the nation today, and they do not seem likely to do so. Viewed in the context of a creature of society and a dependent unit of the larger society, it becomes fairly clear what the priorities are for the enhancement of the functioning of families in this society. Measures designed to enable the families to maintain their viability, that is to say effectively meet the needs of their members, especially their youngest members, must emanate from the most important systems of the larger society with a bearing on family life. Chief among these are the economic system, the systems of housing, health care and education. Others are important too, but these are critical. And while all these systems are interrelated, a priority must be given to changes in the way the economic system functions for low- and moderate-income families.

One measure of the level of economic security of American families is suggested by the following data. The Labor Department has estimated that an urban family of four members in order to afford a modest standard of living needs an annual income in 1970 of at least $12,132. We also know that half of all American families earned less than that. These families are especially vulnerable. Furthermore, the Labor Department estimated that in order to manage well that same family would require an annual income of $18,545 per year. And we know that three fourths of all American families had incomes less than $15,000 in 1970.

And if we consider the Labor Department's lower budget of $7,183 barely enough to keep the family together, we must observe that nearly a third of all American families cannot sustain themselves at an acceptable level of economic well-being, health and decency. In my view it would be a mistake to base a national family policy on a level of economic security less than the Labor Department's intermediate budget based as it is on a very sophisticated estimate of the actual cost of living. A policy based on present conceptions of poverty levels would be self-defeating. A disproportionate share of the national resources must be devoted to the most disadvantaged populations in the nation. Otherwise, it will be difficult to ever solve the nation's social problems.

Presently the major national programs designed to reflect a basic commitment to the family are the welfare programs growing out of the Social Security Act of 1933 as revised by successive Congresses. The most notable of these programs is the program of financial aid to families with dependent children. This and related programs have had enormous benefits to recipients. In the ten years between 1960 and 1970, the number of recipients in this program rose from 2.4 million to more than 10 million. In a very careful analysis of studies of welfare, Henry Cohen has observed that since the inauguration of President Kennedy in 1961, the number of persons receiving public assistance doubled and that two-thirds of this increase occurred since President Nixon took office in January of 1969.

Despite its popularity with both the Congress and the people, this public assistance approach has a number of glaring problems for effective family functioning. First, the level of assistance is not sufficient to enable families to move out of poverty. Second, it is not provided to family units, but to individuals and thus has some inherent anti-family consequences. In more than half the states, even to this day, it is necessary that men, husbands and fathers leave their families by death, desertion, divorce or separation in order for the children and their mother to receive assistance. Third, in its manner of eligibility, administration and supervision it provides anti-work incentives which further erode the stability of family life. In most states any earned income results in a net loss or support. Fourth, the value context within which aid is administered and viewed in the country perpetuates negative attitudes toward and negative definitions of poor and needy people thus striking at the foundations of pride and dignity which are necessary ingredients of strong family life. When Professor Kenneth Clark testified before a Senate Committee in 1967, he argued against a simplistic economic solution that ignored the complexities of human existence. He said, "I think if you were to give every poor family $5000 now, the way welfare is administered, it is my personal opinion that this would not affect one iota the observable pathologies of the slums. I think the way welfare is administered, it seems to be calculated to dehumanize people, to make them see themselves as unworthy." Finally, its unevenness of levels in locally administered programs and the gross inequities which result make for hardships and feelings of relative deprivation and discrimination on the part of recipients and

* Instrumental needs are those basic needs for food, clothing and shelter. Expressive needs are needs for satisfactory relationships including tender love and care.

potential recipients and political pressure on the part of the more favored jurisdictions.

Professor Charles Hamilton has recently conducted studies which show that the major beneficiaries of welfare payments are not the poor recipients but other sectors of society. In his study Professor Hamilton observed that the large sums of money paid out in the present forms of welfare move very rapidly from the hands of the poor to the hands of the not-so-poor, and in fact they move very rapidly from the core of the urban city to the suburbs. He concludes:

"The money comes into the Black communities, to the tune of millions of dollars per year, but it goes right out. It is paid out to absentee landlords, to exploitative merchants, to credit gougers and loan sharks. The people we traditionally call 'welfare recipients' are, in fact, really conduits. They conduct money from one segment of the economy [the public sector] to another [the private sector]. The real welfare recipients are those people who prey on the conduits every welfare-check day."

Little wonder then, that the American people, the dominant majority would rather keep the present system, corrupt as it is, than to make any major reforms in it.

It is in part because of these critical limitations of public assistance and partly because of its mounting size and costs that the most far-reaching reforms so far advanced were put forward under the sponsorship of President Nixon for the development of a Family Assistance Plan to replace the Aid to Families with Dependent Children plan. The Family Assistance Plan (FAP) was debated in the Congress, but not passed. It had several features which made it an outstanding advance over AFDC. First, it provided uniform rules of eligibility throughout the nation. Second, it provided a floor of guaranteed income for each family. Third, assistance would be available on the basis of need providing only that there was at least one child present. Thus families headed by men who are unemployed, men who work but who earn less than the level provided by the assistance plan, as well as families headed by women would all be eligible. There would be no requirement for the father's absence in order to become eligible. Each of these family types would be treated equally. Additionally, it provided that day care facilities should be provided for working mothers based on their ability to pay.

These features are absent from present programs and while representing a significant social advance with enormous consequences for the strengthening of family life among very poor populations, they were also among the more controversial features of FAP, particularly its proposed support for families of the working poor. From the point of view of family strengthening features, there were three major limitations of the FAP. First, the level of assistance was still not high enough to bring families out of poverty. The average assistance of $2400 per year for a family of four with no additional income seemed hardly adequate to the conditions of modern urban life. Furthermore, most of the northern urban states already provide levels of assistance higher than that.

A second limitation of FAP was its uneven treatment of the local jurisdictions, and its uneven provision of relief for heavily taxed states in the urban north and west. Still a third limitation of FAP was its inclusion of a provision for mandatory work on the part of mothers of young children, with no specification that a minimum wage be paid or that suitable employment be available or that the mothers be able to freely choose occupations. So, the strongest features of FAP which had the effect of strengthening family life were severely compromised by its mandatory work feature for mothers of young children.

Despite its promise of a movement from welfare to workfare, the FAP suffered the major dysfunctions of the AFDC program; namely, it was based on a limited conception of the needs for economic security in a highly complex industrial nation at this time. Its focus on particular families was an advantage over the earlier focus on particular individuals, but it did not represent the necessary focus on the larger institutional fabric of society as a source of meeting the economic security needs of the poor as these institutions now serve the nonpoor.

In order for the economic system to function as well for the enhancement of family life among low- and moderate-income people as it does for others, three efforts are necessary which will benefit all American families. These are the elimination of poverty, the elimination of structural unemployment and underemployment and the elimination of economic and job discrimination based on race, region and religion. A prime requisite for the fulfillment of these goals is an expanding and diversified civilian economy with full employment. A second requisite is a program of family economic supports for those not able to earn enough to move out of poverty. Families function better and they can take better care of their children when there is a variety of economic opportunity, including meaningful jobs for the adults in the family. Illness, crime and other forms of maladaptive behavior go up in direct proportion to the rise in economic insecurity and unemployment. Economists suggest that full employment would reduce unemployment at any particular time to around three to four percent. It now hovers around six percent according to government figures which underestimate "hidden unemployment" by at least fifty percent. And for most of the years since the Korean War, the unemployment rates in the Black community have exceeded the depression level unemployment rates experienced by the larger society.

A strong corollary to unemployment is underemployment where men and women work only part of the year and where they work for wages which are clearly substandard and where they work in situations and jobs which do not utilize their abilities and aspirations to the maximum. This particular problem is more pervasive in the Black community than is unemployment. It is the lot of a large segment of the working poor who constitute in turn the largest segment of the poor in the Black community. In the low-income Black community, most families are headed by men who work every day and still are not able to move their families above the poverty line. Clearly what is needed is not a work incentive plan, but a work opportunity plan with options and rewards commensurate with the aspirations of all men.

Contrary to popular belief, even in the Congress, poverty cannot be abolished by work incentives and even work opportunities alone. A family policy designed to enhance the functioning of families would not insist that mothers of young children abandon them against their will and go to work at meaningless jobs in order to insure that their children are properly fed. Family solidarity would be more highly valued than work, per se. Nearly fifteen percent of poor families in the country and nearly a third of poor families in the Black community are headed by women with young children who should not be forced to go to work. The need, therefore, is for a program of family assistance which guarantees all American families a minimum income which will support a safe and sanitary standard of living. In 1973 dollars, that requires an income for a family of four in the neighborhood of $6500 per year.

A policy and program of guaranteed family income adequate to the family's need must be tailored to the variety of conditions which exist in various parts of the country. By the government's own standards, $2400 a year is not enough to move a family of four out of poverty. Indeed, it is less than half enough. Another approach has been taken by the National Welfare Rights Organization. They have called for a minimum income of $6500 a year, a position which has also been unanimously supported by the Congressional Black Caucus.

Still another approach has been taken by a group of ten Black economists who developed a program for People United to Save Humanity (PUSH) which incorporates many features of the basic requirements for family economic security. It recommends a program of tax credits for a family of four amounting to $5000 per year in 1972 dollars. In addition, it provides for work incentives by permitting families and individuals to keep half of all earnings until they reach the level of $10,000 in combined earnings and tax credits. There would be no mandatory work requirement. A breakdown in the level of assistance provided in this plan is shown in the following Table.

TABLE I.—AFTER TAX INCOMES UNDER THE PUSH PROPOSAL FAMILY OF FOUR, INCOMES UP TO $10,000

Earnings	Credit	Tax	Net income	Refund
0	$5,000	0	$5,000	$5,000
$2,000	5,000	$1,000	6,000	4,000
$4,000	5,000	2,000	7,000	3,000
$6,000	5,000	3,000	8,000	2,000
$8,000	5,000	4,000	9,000	1,000
$10,000	5,000	5,000	10,000	0

According to a Gallup Poll conducted in 1970, a national sample of Americans estimated that the minimum income necessary to support a family of four was $126 a week. The federal government's own Bureau of Labor Statistics estimated in 1970 that a minimum of $136 a week was necessary for a family of four in metropolitan areas to maintain a minimum level of health and safety.

It must be clear from the above discussion that none of the current proposals before the Congress for family assistance policies are adequate to meet the real needs of the people who live outside the American dream. The question, then, becomes not so much which specific programs should be recommended, as how to develop a general national policy which requires every major government program to be conceived, designed, budgeted and operated so as to enhance the viability of families.

Thus, full employment, a minimum wage which assures that one wage earner can support a family of four at the minimum necessary for safety, health and decency, plus a guaranteed floor under the income of all American families would reflect a national commitment to the enhancement of family life which would go a long way toward solving the basic problems low- and moderate-income families face in this society at the present time. These programs need to be supplemented by a national system of health care along the lines recommended by the Kennedy-Griffiths Bill and the Congressional Black Caucus, a system of child care centers along the lines of those vetoed by the President in 1971, a national commitment to a decent, safe and sanitary home for every American family, and as much education and technical training as individuals wish to ab-

sorb and can be useful to the maintenance and further building of the society. And to undergird this commitment, a national program of family assistance which adopts the best features of the current proposals including FAP.

However, in all these matters, the economic base is paramount. Economic justice and equity according to the needs and values of the people is a requisite for a sound national family policy. In their massive "Counter-budget." the National Urban Coalition expressed a set of national priorities for the years between 1971 and 1976 much as the Freedom Budget Panel did for the years 1967–75. The Urban Coalition placed at the top of its priority list full employment and economic growth along with reasonable price stability. It further urged a national "Guarantee that no American will go without the basic necessities: food, shelter, health care, a healthy environment, personal safety and an adequate income."

Finally, if family life is to be enhanced by national policy, local initiative must be meaningfully established. Parents, neighbors, relatives and friends must have a major share in the decision making about the functioning of all those institutions in the community and the larger society which have such as important and fateful bearing on the manner in which families function. In this way, families may regain a measure of their rightful influence on the institutions which supplement and often supplant them. Urie Bronfenbrenner in his book, *The Two Worlds of Childhood*, has reminded us that the segregation and separation of children from the totality of the human experience represented by the variety of ages, sex, family structures and community members is surely one of the more crippling aspects of the society in which we live.

There is, of course, a great deal of concern, a great deal of human kindness, and a certain degree of altruism among the American people. The problem is, these values are not sufficiently rewarded, focused or developed by the leadership, by the professions, by the mass media, by the government, and so the baser motives of man are allowed to take precedence. And those more privileged sectors of the society, those with access to certain kinds of power and influence are encouraged to use it in their own interests, in the interests of their own group or social class or race, and so the social well-being of the total society is neglected, and the well-being of those who are the least powerful, those who are very young or very old, those who are Black, or poor, or dependent must take a back seat.

Dr. James Comer, in his book *Beyond Black and White*, states the problem clearly. He says, "We live in a society that makes trust and respect difficult. Our social system produces too much uncertainty, fear and anxiety. . . . This is due largely," he continues, "to the fact that America has a defect in its executive or leadership structure . . . In fact, the behavior of too much of our leadership group resembles neurotic patterns in individuals—fleeing from responsibility, failing to face up to reality, self-destructiveness." These words by Professor Comer were written more than two years ago and they are almost prophetic when we look at today's headlines and today's television. "The task confronting America," he continues, "is the creation of a mature, representative leadership group and the development of specific social programs that take excessive insecurity out of American life." Take excessive insecurity out of American life. It is very clear to us as we have observed the present dismantling of social programs and the reluctance to create new, better, comprehensive policies and programs that the nation is not now embarked upon that course.

President James E. Cheek of Howard University has observed that the nation needs to make a commitment to equity and parity among all major segments of its population as a matter of simple social justice. This requires a certain reordering of the national priorities. I am convinced that we have the resources and the capacity to do so. The development of a comprehensive and coordinated family policy would be a giant step in that direction.

DEINSTITUTIONALIZATION—AN UNMET CHALLENGE

(Testimony of Gunnar Dybwad)

Mr. Chairman, my name is Gunnar Dybwad; I live in Wellesley, Massachusetts and am professor of human development at the Florence Heller Graduate School of Brandeis University. I am also serving as Chairman of the Advisory Committee on Special Education to the Massachusetts State Board of Education and as Vice-Chairman of the Massachusetts Advisory Council for the Planning, Construction, Operation or Utilization of Facilities for the Mentally Retarded. Before the problems of mentally retarded citizens and their families became my main professional focus and concern, I had been Executive Director of the Child Study Association of America, head of the Children's Division in the Michigan State Department of Social Welfare, and had worked many years in correctional institutions for juveniles as well as in prisons and reformatories.

I want to thank the Committee for asking me to participate in these important hearings dealing with American Families: Trends and Pressures.

The particular concern I would like to share with you today deals with the children who for various reasons live apart from their families, in large public institutions. Specifically, I want to deal with a new program emphasis known as de-institutionalization, which has been endorsed by many authorities on the national scene and in many of our states. Institutions for children have, on the whole, not been an area of gerat achievement in our country, as Albert Deutsch and other writers have dramatically documented. In the field of juvenile delinquency, de-institutionalization is being pursued with vigor in at least some of our states, and I would mention here in particular New York State and Massachusetts. While in the field of childhood mental illness we face many serious problems, institutionalization plays a lesser role, indeed many states have been very remiss in developing specialized residential treatment facilities for this group.

Without doubt the most serious problem of institutionalization in our country is found in the state residential facilities for the mentally retarded, in terms of the number of children involved, in terms of the length of time individuals spend in these institutions (often enough, indeed, almost their entire lifetime), in terms of the emotional impact on families, in terms of the cost factor (approaching $10,000 a year per child), and last but not least, in terms of its impact on the institutionalized children themselves. At this point, Mr. Chairman, I need to emphasize that although designated for the mentally retarded, these institutions have harbored to this day many other children for whom appropriate facilities were presumed to be lacking, such as the child with spinal bifida, a congenital malformation affecting the spinal cord, who may not have any impairment of intelligence, the child with autism, or the child with specific perceptual disabilities. Many of the children in these institutions are multiple handicapped, afflicted with cerebral palsy, seizure problems, blindness, deafness and a host of other disabling conditions.

I am, of course, keenly aware that within the broad scope of your Committee's present hearing the problem which I am addressing may appear to be of minor significance. But it is not minor to the families involved, and I was encouraged by the fact that the Committee desired these hearings "to identify the pressures on various kinds of families and discover ways to alleviate them."

And pressures are indeed mounting in this area. There is pressure from parents who worry where, after their death, their retarded or otherwise developmentally disabled child now living with them will be cared for in the community. Years ago the chances were slim that a severely disabled child would outlive his parents, indeed, grow into adolescence. The advent of antibiotics and other progress in medicine and public health has strikingly changed the picture. There is, on the other hand, pressure from parents who long ago were advised to place their child in an institution and now bitterly oppose official plans to move their child back home or to some community placement. And there is pressure on parents from institutions who want to close down buildings and from state administrative agencies which have enunciated a program of phasing out institutions altogether.

The extent of the conflict engendered can be seen from the fact that at this very time legislation has been submitted to California's Governor for signature, which prevents the State Administration from closing any mental health or mental retardation institution unless the Legislature specifically approves such a plan. Just day before yesterday, in Minnesota, I was handed a flyer urging parents to protest plans to abolish the state institutions for the mentally retarded, and urging them to join a new "Organization of Concerned Families" to fight de-institutionalization plans. In other states protest meetings have been held and in Michigan legal action has been initiated to prevent closing of such an institution. Significantly, the opinions of workers in the field differ just as sharply, some feeling strongly that the closing of state institutions for the mentally retarded should be programmed out like the hospitals for the mentally ill, only at a somewhat later date. Other workers consider it totally unrealistic to carry through a program without the backstopping role of the state institution. In the organizational field, national associations have issued policy statements recommending at least a phasing down of institutions, while local groups are apt to take the opposing view.

Reference needs to be made here to a pervasive confusion regarding the term de-institutionalization. It should not be understood merely as a process of removing individuals from existing state institutions but as a process of making large state institutions unnecessary by providing in the community, other modalities for care and treatment, more humane, more effective and more responsive to the needs and rights of the individuals involved. Too many of the present State efforts towards de-institutionalization have focused only on providing a substitute abode for the person to be moved out of the institution, with often grossly insufficient attention to the many other life-needs of disabled persons. Thus parents and professional workers alike have complained that in many instances the person is merely moved from one large institution to a smaller one, is left without adequate activity, guidance or

supervision, still in relative isolation from the rest of the community. There is more than ample evidence that many individuals go to institutions in the first place because of the lack of community programs and services. Waiting lists for institutions are to a considerable extent waiting lists for a reasonable array of services the community or state has failed to provide.

Therefore, if de-institutionalization is to embrace both prevention of institutionalization and return to the community of individuals now in the institution, it is contingent on the establishment of a network of community services. Here lies the crux of the problem. Two interrelated problems are intervening. The one is fiscal in nature, the other is organizational.

The fiscal point relates to the well-known sociological concept of system maintenance. An example will suffice. Even though the Governor of Massachusetts and his Secretary of Human Services have made de-institutionalization in the areas of mental health and mental retardation a top priority, essentially in pursuit of Departmental goals established as long ago as 1966, a recent report from the Massachusetts Advocacy Center highlights that the vast majority of the Department's resources continue to be allocated to the institutions, with only a small fraction going to community services. Massachusetts, along with all other states, undertook a statewide comprehensive mental retardation planning effort ten years ago under the provisions of PL 88–154. While the report itself was excellent, practically nothing happened as a consequence towards facilitation of community services, with the result that Massachusetts like many other states lacks the kind of basic services parents need for their handicapped children and for themselves.

Here is a matter to which your Committee might want to give some attention. Reorganization is in the air and has been, for quite some years, not just in the federal establishment but in state government as well. However, as one watches the succession of reorganization moves, usually engineered by experts in management and administration, one sees forever a reshuffling and reordering of the upper and middle echelons, a game of musical chairs moving agencies and positions hither and yon, and at times removing them. Yet little if anything ever happens on the front line, in the area of direct consumer services, and this means, in our context, services to parents of handicapped children. This brings us back to the focal point of your hearing.

There are, of course, exceptions to what I consider a generally gloomy picture across the country, and I shall give a few examples. In New York State, the Eleanor Roosevelt Developmental Services provides the six-county Capital District with imaginative approaches. Although a new institution was built for this area, the director, Dr. Hugh Lafeve, preferred not to use it as a massive residential resource. Instead he utilized a considerable number of the staff positions for service, teams organized in each of the six counties, leasing many of the residential care buildings to local organizations, public and private, for a variety of purposes including day care, respite care, etc. all on behalf of the developmentally disabled. The nature of these services is strikingly different from those in most of our state institutions. I personally know of no other instance where state owned buildings have been put to such innovative use and really made a part of community efforts. It is worthy of note that Dr. Lafeve was mainly responsible for the closing of a large institution of the Provincial government of Saskatchewan, through initiating and nurturing a system of dispersed community services.

Ohio has most recently enacted a Law (HR–761) to make possible the setting up of group homes and other related community services. The program was implemented by substantial appropriations for construction of residential facilities at the community level and for purchase of care. Eligible for these services are not just those presently in institutions (a restriction which has been set up elsewhere) but anyone who at some time might become an institutional resident. A key point of the Ohio situation is the District Case Management Service encompassing no less than 8 levels of differential care in the community, from room and board with minimum supervision all the way to room and board with skilled nursing care.

This 8-level community residence model unduobtedly was influenced by the earlier work done by the ENCOR organization in Omaha, Nebraska, serving a 5-county area, one of the first structured de-institutionalization demonstrations in the country.

In Michigan David Rosen, Past-President of the National Association of Superintendents of Public Residential Facilities for the Mentally Retarded, is developing in the Macomb/Oakland area a network of community services somewhat similar to the Eleanor Roosevelt Developmental Services. But of particular interest is a project he is just undertaking with support from HEW's Social and Rehabilitation Service. This project is a frontal attack on a problem which has led to much negativistic thinking regarding the possibility of de-institutionalization. To quote from the project description:

"It is becoming increasingly clear, that while many mentally retarded persons have been returned to the larger community, a substantial segment has been routinely passed over for such consideration. This group is variously referred to as the 'hard to manage', 'really tough ones', 'hard to place', etc. The persons comprising this category are the youngsters and adults exhibiting a wide range of behavior problems such as hyperactivity, tantrum behaviors, and those with complicating physical handicaps that compound learning difficulties such as the blind, the deaf, and the infirm.

"In a recent survey, it was estimated that of the approximately 1,000 mentally retarded persons living in State institutions from Macomb or Oakland County, at least half are considered 'hard to place'.

"If the movement of deinstitutionalizing the retarded is going to go beyond the point of mild satisfaction, a vigorous effort must be directed at seeking model placements and programs for these individuals who, while not readily appealing as traditional candidates for community living, neither require nor deserve institutional residence.

"It is the intent of the Macomb-Oakland Residential Center to assure swift return to the community and quality support services for all the retarded citizens of Macomb and Oakland Counties. The specific intent of this proposal is to seek aid for the development of a six member team which would concentrate exclusively on satisfying identical priorities for the 'hard to place' population as are sought for the minimally handicapped.'

What is most significant about this project is that it is not a small demonstration but rather is designed to return to the community of this 2-county area, in each of the 3 project years, 100 hard-to-place individuals. The success of this project will go far in pointing to a community solution for children for whom today the institution is thought to be the only answer; in other words, it will decrease community demands for institutional placement.

I. From the foregoing comments it can be concluded that de-institutionalization as a nationwide program constitutes a problem of considerable magnitude, involving hundreds of thousands of children and adults, and very considerable funds. Yet, present institutional costs exceed one billion dollars annually, constituting an expenditure with very poor returns, a vast investment in brick and mortar and a heavy burden on the families and on the retarded children and adults themselves. Contrary to the opinion of some of my colleagues, I believe that in the long run the results of de-institutionalization, namely care in the community, will lead to substantial savings because the time and degree of dependency on services will be substantially curtailed, and general rather than specialized agencies will be increasingly utilized. However, as in any major enterprise, the new management system, i.e., a network of community services, cannot be instituted on a broad scale without investment of some major funds. The question, of course, suggests itself whether this would be an appropriate area for federal funding. I hope your Committee can give this due consideration.

II. A multitude of federal programs have been available on behalf of developmentally disabled children and their families, both in the institution and in the community. Among them are a variety of statutory insurance and social service benefits, with an elaborate array of rules and regulations. The most recent are the rules proposed by the Social and Rehabilitation Service September 5 concerning families, children, aged, blind or disabled individuals. It is not feasible to go into the technical details here; what can be stated simply as the essence of the problem is that there is no clear federal posture toward the problem here under discussion. Programmatically, as has been indicated before, we have statements from the highest echelons of the federal government not only strongly endorsing de-institutionalization by actually setting target dates and numbers. Yet the appropriations and, equally so, the rules delineating the manner in which money may be spent, obviously give any form of support for community programs a very low priority. This is a matter which definitely calls for Congressional review and appropriate Congressional intervention in the expectation that a coherent federal posture can be developed, sympathetic to the cause of de-institutionalization.

III. Community programming for developmentally disabled children and children with any other type of severe handicap depends to a very considerable extent on the availability of special education services. This does no longer necessarily mean special classes or special schools because in many cases the utilization of special resource teachers and methods will enable a child with special needs to remain in his regular class or homeroom. For some children, however, special classes are still an unquestioned necessity. The main point is that de-institutionalization, i.e., prevention of institutionalization or return to community care of institutionalized children is largely dependent on special education services. In this area federal leadership and federal support on a project basis is urgently needed. Here again appropriations are at odds with federal programmatic pronouncements.

IV. New rehabilitation legislation recently passed by Congress is awaiting the President's signature. It is of considerable significance to the problem of de-institutionalization because it has repeated references to services to severely handicapped persons. Rehabilitation as a field has responded to the needs of the severely handicapped with hesitation, in spite of convincing demonstrations of their potential for production and partial self-support. Therefore, in this area

we not only have again a discrepancy between federal program goals and the unduly limited funding, but we have on the national scene the challenge that if the federal government is interested in implementing a policy of de-institutionalization, it must be prepared to support action programs designed to gain acceptance for severely retarded persons within rehabilitation services specifically, and the American economy in general.

V. For future consideration I would like to put before this Committee a rather specific and highly technical matter which is of crucial import in the development of a system of residential facilities in the community, appropriate to the spectrum of dependency and needed care. I refer to the matter of the varying building codes in force in this country, to the life safety code and to the local zoning ordinances. Many of these codes and ordinances are based on attitudes toward severely handicapped persons which no longer represent the current state of knowledge and practice. They are predicated, one might say, on institutionalization rather than on de-institutionalization, on segregation rather than integration. At the same time they are so intimately related to preservation of life that their sponsors are not inclined to favor changes toward greater flexibility. And yet, coming back to the focal point of this Hearing, the American family, parents should be able to arrange to have their severely handicapped son, who has lived with them into adulthood, move into a small group residence that has more the characteristics of their own home than of an emergency hospital ward. The time is ripe for a broad scale approach to this problem.

VI. There is another technical area that is of significance to the process of de-institutionalization but also relates in a very tangible way to the Committee's overall interest in the changing role of the family in the prevention and solution of children's problems. In general our attention is focused on the relative roles of the family and of government in deciding courses of action for children with special needs. In the area of institutionalization parents have had and still are granted, or at least will claim, considerable discretion in deciding on their children's care. Still today they can bring their child to a state institution which in effect is closed and arrange for the child to be admitted as a "voluntary" resident. A good number of parents have been vociferous in claiming their right to decide whether or not their child was to be released from the institution or not. But times have changed. The President's Committee on Mental Retardation has published and distributed the Declaration on the Rights of Mentally Retarded Persons, adopted by the U.N. General Assembly. Eighteen year olds can vote, including, as a matter of recorded fact, 18 year old developmentally disabled individuals in state institutions. States have adopted statutes giving children down to the age of 12 (in Michigan) the right to admit themselves without parental consent to a residential drug treatment facility. Is it not time for us to consider under what circumstances a young man or young woman, 16 years of age, should be able to renege the "voluntaryness" of his admission, through his parents to a state institution for the mentally retarded

On the basis of my own years of experience in the correctional field I can state that imprisonment in our institutions for the mentally retarded is often vastly more uncomfortable, vastly more restrictive, vastly more interfering with personal integrity than in institutions for juvenile delinquents. The rights of the institutionalized child would appear to call ever more urgently for reappraisal.

VII. As I read over the general introductory statement to these Hearings with the long catalogue of family problems, I could not help but wonder how parents could be enabled to keep up with all the flow of information essential for their pursuit of the happiness of their child and their own. Obviously one of the great problems of the federal government is to be on speaking terms with the concerned citizen, and that is why I decided I should bring to your Committee's attention a rather unique communication device, initiated by two concerned mothers in Seattle, Washington, who have organized themselves as "Trouble Shooters, Inc.", affiliated themselves with a community center, and started to publish INSIDE SCOOP. Time does not permit me to read from this remarkable publication, so I have appended two sample pages because what concerns me very deeply in this whole process of de-institutionalization is to provide for parents clear information in helpful form on the options available to them and their children.

[From Inside Scoop 1X, a regular monthly publication of Troubleshooters Inc., a project of Northwest Center]

WHAT'S NEW WITH THE TROUBLESHOOTERS?

Every day new problems arise that seem to have no solutions. We try to develop a system for these unique or complex problems of mental retardation. Why systems? Because we have found if one person has an insoluble problem, you can be sure other people have the same problem. Therefore, we develop systems that can be used all over the state of Washington.

DEAR KATIE: I am a caseworker and I have a client who is 83 and has a severely retarded daughter who is 36 years old. Mother is not able to care for herself or her daughter now and I was wondering how to get the daughter in Fircrest. Both mother and daughter really require nursing home services.

CARING CASEWORKER.

DEAR CARING: We love your concern. Why worry about Fircrest? Why not use our latest system (developed while I was talking to you), the Mother-Daughter-Serve-Alike System? Both ladies are on public assistance. Both are in need of nursing homes. How nice that they could be together and receiving the care that they both need. New friends will no doubt make life a lot more pleasant for both mother and daughter and how much easier for the daughter when she is left alone. Please let us know if this system works for you. READERS: Call AT 4–1037 if you know of any family situations of this type in nursing homes, ICF's etc. Husbands and wives, too:

HOPEFUL KATIE.

DEAR JANET and KATIE: Another mother suggested that I call you. I am a mother of a 22 year old retarded son. I'm on public assistance (disability) since I broke my leg, then a knee, then had two heart attacks. I have 2 daughters 14 and 16. Their father deserted them all my son needs help. He was kicked out of one school because they said he was a grump. He didn't like the sheltered workshop because the kids teased him. He was at Rainier for one year, coming home in April. Since then I have called 35 places for help but no one can help me. I only want him to be happy and busy. My friend said you could help us.

HELPLESS MOTHER.

DEAR MOTHER: First, don't make another telephone call. Katie once got herself into that trap when Patrick was about 4 and ended up with nothing. Second, sit down with your son and write down what you really want for yourselves. In the meantime we will relate your problem to a Rainier Field Worker and see if he can pull it all together. Next Chapter: Mr. Henry Frank, arranged for your son to apply at a Sheltered Workshop. The sheltered workshop would love to serve your son, but needs more support than the usual $5.00 per day. Your local County Mental Retardation Board is very interested in funding a program that would offer intensive, individualized skill training to someone like your son. Finally, no one wants to be a 'grump'. How long has it been since he had a complete physical examination? Maybe he needs a vitamin B shot, iron or some calcium or a tranquilizer. Next Chapter: A doctor in your local area is interested and you have an appointment.

What is the moral of this story? What is the system that Troubleshooters developed? Try to stick with one person or agency and keep demanding the service you need. We parents let them off the hook if we say 'Thank you, anyway'. Another time, another parent, another son, try asking the agency, the volunteer organization, the workshop, etc., to put their refusals in writing or take a tape recorder and ask the intake person to speak right into the microphone! No mother needs to go to 35 places to get help from one, or two.

Troubleshooters JANET and KATIE.

This edition of the Inside Scoop is featuring the educational needs of all handicapped children in the Seattle School District and those in contracting districts.

DEAR JANET: My daughter is 19. She has worked in a sheltered workshop this summer, but now she can't get to it. She doesn't really have any work skills. Could she get some vocational training? I think she could be a good worker.

WORKING MOTHER.

DEAR WORKING: We, too, have great respect for work. Your school is obligated to offer an educational program to your daughter until she is 21 or until she has work skills. Why not talk to your principal and ask what their plans are for your daughter. Then do one more thing. Talk to Renee Nowak, president of the Pacific School P.T.A. and get together with other concerned parents to develop a truly meaningful vocational education post graduate program (18–21) for your daughters and sons.

WORKING JANET.

DEAR KATIE AND JANET: My daughter is 13. She is severely handicapped with cerebral palsy. No one knows if she is mentally retarded or not. Also, doctors and teachers have argued about how best to teach her. The doctors say her behavior is neurologically originated. The agency teachers feel she is emotionally upset and that I aggravate her condition. I'm confused and hope she will get a new chance in Seattle Public Schools.

CONFUSED MOTHER.

DEAR MOTHER: Oh, how we *do* understand! But good news is here for you. In our Seattle Public School District there will be a complete evaluation center Children such as your daughter with unique learning problems will be able to go to this center for complete study and personalized evaluations where finally a program of education will be developed just for your daughter. Call Mr. Bill Attebury 587–5025 for placement of your daughter into this special testing program.

KATIE AND JANET.

DEAR KATIE: My son was kept in terrible programs for the deaf and then kicked out of public school in 1969. He proved not to be deaf at all! He has been taught perfectly at a private school since 1970. Now the public schools want me to bring him back. I hate and fear the public school. I should sue them not give them back my child. What do you say:

FRIGHTENED MOTHER.

DEAR MOTHER: Again, I understand. Remember, there has been a complete change in the special educational division of Seattle

Public Schools. Also, in the last years, Seattle Public Schools has paid for your child in his private non-profit school. Now, special educators want to make up to you and your son, but most importantly, they want to serve other children who have mysterious learning problems. I can't advise you more than to say my son also suffered as your son, only my son never received any education from the Seattle Public Schools. Now new people and new techniques can and will offer programs to all. Your son, as mine, has been one of the martyrs to bring about this great social change. But they have helped thousands of children everywhere. Now your son can help develop programs in the public schools where all can benefit.

UNDERSTANDING KATIE.

DEAR JANET: My child has learning and language disorders. He has always been in school but not always in his own district. He is now in junior high. Under HB 90 can I force my school district to provide him with a program at his local school instead of bussing him to Seattle?

LLD MOTHER.

DEAR MOTHER: Your child is being contracted for in Seattle Public Schools. Your school district has met its obligations by contracting with a neighborhood school district (Seattle). Why not join with other parents of similar need and help develop an LLD Program at the secondary level in your district? Be grateful that your child has been in school now start working for a better program.

JANET.

FIFTEENTH ANNIVERSARY OF THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Mr. MOSS. Mr. President, 15 years ago today, pursuant to the terms of the National Aeronautics and Space Act of 1958, a new Federal agency opened its doors for business. Certainly the National Aeronautics and Space Administration is second to none in its record of accomplishments during its first decade and a half.

These past 15 years have seen us go from the depths of postsputnik depression to undreamed of heights in both the exploration and exploitation of the benefits of space.

Twelve men have walked on the Moon and brought back a veritable treasure house of lunar samples and scientific data about our nearest neighbor in space.

The crew of Skylab III has just completed 59 highly successful days in space, in a mission already being hailed as perhaps the most productive in our history.

Eighty-three nations have joined in a global communications satellite system now carrying three-quarters of the world's intercontinental telecommunications traffic.

Operational weather satellites have been a reality for a decade and Earth resources satellites are rapidly approaching operational status.

Two spacecraft are presently on their way to Jupiter, and from that largest of our neighbors, into the universe surrounding our solar system.

Continuing research in aeronautics is producing a steady flow of improvements in the efficiency and safety of civilian and military aircraft.

Mr. President, this list could go on and on. NASA personnel have prepared a brief chronology of 15 years at the cutting edge of science and technology. I ask unanimous consent that the chronology be printed in the RECORD.

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

MAJOR MILESTONES OF NASA PROGRAM

(Background: On Nov. 21, 1957, NASA's predecessor, the National Advisory Committee for Aeronautics (NACA), appointed a special committee on space technology. During the following January, President Eisenhower proposed that the Soviet Union and the U.S. "agree that outer space should be used only for peaceful purposes," a timely suggestion in view of the fact that Russia, with the Sputnik satellite, had taken the lead in the space effort. As that month ended, Explorer 1, America's first satellite, weighing 30 pounds, was launched and led to discovery of the Van Allen radiation belts around the Earth.

(Quickly, the Senate and House of Representatives established committees on space and aeronautics. The President proposed establishment of a National Aeronautics and Space Agency, into which NACA would be absorbed, and Congress acted promptly. On July 29, the President signed into law the National Aeronautics and Space Act of 1958.)

1958

Oct. 1—First official day of NASA, with Dr. T. Keith Glennan as Administrator and Dr. Hugh L. Dryden as Deputy Administrator.

Oct. 7—NASA formally approved Project Mercury to send man into orbit around the Earth, investigate his capabilities and reactions to space, and return him safely to Earth.

Oct. 11—The 84-pound Pioneer 1, launched from Cape Canaveral as NASA's first deep space probe, reached an altitude of 70,714 miles.

1959

Feb. 17—Vanguard 2, NASA's first Earth satellite, launched to demonstrate feasibility of global weather data acquisition.

Mar. 3—World's first six-stage, solid-fuel rocket launched from Wallops Station.

Mar. 10—First captive flight of X–15 rocket airplane.

Apr. 2—Seven astronauts selected for Project Mercury—Captains L. Gordon Cooper, Jr., Virgil I. Grissom and Donald K. Slayton, USAF; Lt. Scott Carpenter, Lt. Cmdr. Alan B. Shepard, Jr., and Walter M. Schirra, Jr., USN, and Lt. Col. John H. Glenn, USMC.

May 28—Jupiter experiment spacecraft is sent to altitude of 300 miles with monkeys "Able" and "Baker" on board. Primate passengers recovered unharmed.

Aug. 7—Explorer 6, placed in an elliptical Earth orbit, returned first crude TV photo of the Earth.

Aug. 17—First of Nike-ASP sounding rockets to provide geophysical information on wind activity at altitudes of 50 to 150 miles launched from Wallops Station.

Sept. 18—Vanguard 3, last of series to gather data on the magnetic field, radiation belts, and micrometeoroids, launched to end program.

Dec. 14—Little Joe 3, part of the Project Mercury test program, is sent 55 miles into space with a monkey on board and recovered safely.

1960

Jan. 20—NASA presented to Congress a 10-year program of space activities, including plans for 25 major vehicle launchings per year.

Mar. 11—Pioneer 5 launched to measure radiation and magnetic fields between Earth and Venus.

Apr. 1—Tiros 1, first known weather observation satellite, launched and took pictures of Earth's cloud cover from altitude of 450 miles.

July 29—Project Apollo, advanced manned spacecraft program, announced.

Aug. 4—Test Pilot Joseph Walker, in X–15, makes first manned flight at speed of 2,196 mph.

Aug. 12—Echo 1, first passive communication satellite, reflected a radio message from President Eisenhower across the nation.

Nov. 3—Explorer 8, containing instrumentation for detailed measurements of the ionosphere, orbited.

Dec. 9—X–15, with Neil Armstrong as pilot, made first flight with ball-shaped "hot nose," reaching an altitude of 50,000 feet and speed of 1,254 mph.

1961

Jan. 1—President Eisenhower issued statement that "the early establishment of a communications satellite system which can be used on a commercial basis is a national objective."

Jan. 30—President Kennedy, newly inaugurated, invited the Soviet Union and other nations to cooperate in invoking "the wonders of science instead of its terrors," especially in developing a weather prediction program.

Jan. 30—James E. Webb nominated as NASA Administrator by President Kennedy to succeed Dr. T. Keith Glennan, retired.

Feb. 10—Voice message sent from Washington to Australia by way of the Moon.

Mar. 10—NASA announced first success in immediate detection real time of radar signals off planet Venus.

Apr. 14—NASA informed House Science and Astronautics Committee it will take $20 to $40 billion to achieve a lunar landing.

May 5—Freedom 7, manned Mercury spacecraft carrying Astronaut Alan B. Shepard, Jr., as pilot, launched at Cape Canaveral as first American manned space flight. Flight lasted 14.8 minutes and reached an altitude of 115 miles.

May 19—Cape Canaveral opened to general public for first time in its history.

May 25—President Kennedy called for speedup in American space effort and declared a national space goal of "landing an American on the Moon in this decade."

July 21—Mercury Astronaut Virgil I. Grissom made a 15-minute, 118-mile-high and 303-mile long flight in Liberty Bell 7, second successful manned suborbital flight.

Dec. 7—Plans for the development of a two-man Mercury capsule were announced.

1962

Feb. 20—Mercury spacecraft Friendship 7, with Lt. Col. John H. Glenn, Jr., as astronaut, launched on first U.S. manned orbital space flight, covering 81,000 miles in 4 hours and 56 minutes.

Mar. 7—OSO–1 (Orbiting Solar Observatory), NASA's first scientific observatory spacecraft, successfully launched to study the Sun.

Apr. 19—X–15 made its 50th successful flight from Edwards Air Force Base.

Apr. 26—Ariel–1, first international satellite, carrying 6 British experiments, launched from Cape Canaveral.

May 24—Aurora 7, with Astronaut M. Scott Carpenter as pilot, launched on orbital mission from Cape Canaveral on the second U.S. manned orbital and fourth U.S. manned space fight, was recovered after three orbits, Mission lasted nearly 5 hours.

June 8—NASA and Soviet Academy of Science agreed on coordinated projects in satellite meteorology, communications and magnetic survey.

June 19—Tiros 5, designed to chart the origin and movement of tropical storms, launched.

July 10—Telstar 1, first privately-financed satellite, put into orbit.

July 23—Telstar relayed two 20-minute live TV shows, first formal exchange of programs across the Atlantic.

Aug. 27—Mariner 2 launched from Cape Canaveral on 180-million-mile, four-month flight to Venus, later transmitting first data from that planet's vicinity.

Aug. 21—President Kennedy signed into law the communications satellite bill to establish a private corporation to be in charge of the U.S. portion of future global communications satellite network.

Sept. 17—Nine more astronauts named at Houston—Neil A. Armstrong and Eliot M. See, Jr., civilian test pilots; Maj. Frank Borman, Capt. James A. McDivitt, Capt. Thomas P. Stafford and Capt. Edward H. White II, all of the USAF, and Lt. Charles Conrad, Jr., Lt. Comdr. James A. Lovell, Jr., and Lt. Comdr. John W. Young, all of the USN.

Oct. 3—Sigma 7 spacecraft, with Astronaut Walter M. Schirra, Jr., as pilot, launched from Cape Canaveral to travel 160,000 miles and make nearly six orbits in 9 hours and 14 minutes.

Oct. 18—Ranger 5 lunar probe launched.

Oct. 25—First live two-way radio broadcast conducted via Telstar.

1963

Mar. 19—Goddard Space Flight Center, in cooperation with NBC and RCA, accomplished first known transmission of television in color via Relay communications satellite.

Apr. 2—Explorer 17 atmospheric structure satellite launched.

Apr. 11—X-15 flew at speed of 2,500 mph and altitude of 70,000 feet in its first test as an aerial mapping plane.

May 7—Telstar 2 communications satellite placed in elliptical orbit.

May 15—Mercury spacecraft Faith 7, with Astronaut Gordon Cooper as pilot, made successful orbital flight, the longest U.S. manned mission to date, making 22 orbits in 34 hours and 20 minutes.

May 19—With publication of first applications note, NASA inaugurated new phase of its technology utilization program.

June 12—Project Mercury officially ended, having achieved its goals.

June 18—Tiros 7 meteorological satellite launched.

July 26—Syncom 2 communications satellite put in orbit, providing telephone, teletype and photo facsimile communications between U.S. and Africa.

Sept. 2—Two flight tests of M-2 wingless lifting body conducted by Flight Research Center.

Nov. 23—First live transmission of television signals across the Pacific Ocean accomplished by Relay 1.

Nov. 26—Explorer 18, the Interplanetary Monitoring Probe, successfully launched.

1964

Jan. 25—Echo 2 passive communications satellite, used in the first joint US/USSR space experiment, placed in near-polar orbit.

Jan. 30—Ranger 6 lunar probe launched.

Mar. 25—First TV transmission from Japan to the U.S. made via Relay 2 communications satellite.

Apr. 8—Unmanned Gemini spacecraft launched into orbit in first Project Gemini flight.

July 14—Mariner 4 launched on 228-day, 325-million-mile flight to Mars, sending back first close photos of that planet.

July 20—Space flight of Sert 1 spacecraft marked first successful operation in space of an electric rocket engine.

July 28—Ranger 7 spacecraft launched from Cape Kennedy on its way to the Moon, sending back 4,316 clear photos before it impacted on lunar surface.

Sept. 4—OGO 1 satellite, designed to perform 20 space experiments at once, placed in orbit.

1965

Feb. 3—OSO 2, second of eight spacecraft planned for direct observation of the Sun, launched from Cape Kennedy.

Feb. 17—Ranger 8 spacecraft, equipped with six television cameras to photograph part of the Moon's surface, launched.

Mar. 23—Gemini 3 spacecraft, with Astronauts Virgil I. Grissom and John W. Young on board, launched and made three orbits in 4 hours and 53 minutes, during which a manned spacecraft was maneuvered in orbit for first time.

Mar. 24—After transmitting 5,814 close-up lunar pictures to Earth, Ranger 9 was impacted on Moon.

Apr. 6—Intelsat 1, first commercial communications satellite, placed in synchronous equatorial orbit above Atlantic Ocean.

May 30—A modified Convair 990A jet transport, NASA's new high-altitude research laboratory, carried 30 scientists from five countries and a million dollars' worth of delicate instruments in a race with a total eclipse over the South Pacific.

June 3—Gemini 4 spacecraft, with Astronauts James A. McDivitt and Edward H. White as pilots, launched to make 62 revolutions around the Earth in 97 hours and 56 minutes, during which White became the first American to walk in space.

July 14—Mariner 4, launched the preceding Nov. 28, approached within 5,500 miles of Mars and took the first close-up pictures of that planet.

Aug. 21—Gemini 5, piloted by Astronauts L. Gordon Cooper and Charles Conrad, Jr., launched on eight-day mission, lasting 190 hours and 56 minutes, during which 120 revolutions of the Earth were made.

Sept. 28—In its 150th flight, the X-15, piloted by John B. McKay, flew to an altitude of 295,600 feet and a speed of 3,682 mph.

Oct. 8—Test model of the Lunar Landing Research Vehicle designed to simulate lunar landing was flown by former X-15 pilot Joseph Walker to 300-foot altitude.

Nov. 6—Explorer 29 geodetic satellite launched from Eastern Test Range by an Improved Thrust-Augmented Delta in first use of a gravity-gradient system for stabilization.

Dec. 4—Gemini 7, piloted by Astronauts Frank Borman and James A. Lovell, Jr., launched on 14-day mission, longest U.S. flight to date, lasting 330 hours and 35 minutes. Eleven days after launch, the spacecraft achieved its historic rendezvous in orbit with Gemini 6, launched Dec. 15 and piloted by Astronauts Walter Schirra, Jr., and Thomas P. Stafford.

1966

Mar. 16—Astronauts Neil Armstrong and David R. Scott, in Gemini 8, performed world's second rendezvous and first docking experiment with an unmanned Gemini Agena Target Vehicle (GATV). Mission lasted 10 hours and 42 minutes.

Apr. 29—One of world's largest and most sensitive automatic space tracking and telemetry antennas was officially dedicated at Goldstone, CA.

May 19—XB-70A operational aircraft successfully made sustained 2,000-mph flight at 70,000-foot altitude for 32 minutes.

May 30—Surveyor 1 launched to become first U.S. spacecraft to softland in Moon when it touched down in the Ocean of Storms and began sending back pictures.

June 3—Gemini 9, with Astronauts Thomas P. Stafford and Eugene A. Cernan as pilots, launched on three-day flight to overtake Augmented Target Docking Adapter, during which Cernan performed a spacewalk of more than two hours, longest to date.

July 18—Gemini 10, eighth manned flight in Gemini series, launched on successful rendezvous and docking mission to overtake GATV. Astronauts John W. Young and Michael Collins were pilots and performed first docked-spacecraft maneuver, also rendezvousing with Gemini 8's GATV target.

Aug. 10—Lunar Orbiter 1, unmanned, launched to become first U.S. spacecraft to enter lunar orbit, taking first pictures of Earth from vicinity of Moon. Orbiter intentionally crashed into far side of Moon.

Sept. 12—Three-day Gemini 11 mission, ninth in the series began with Astronauts Charles Conrad, Jr., and Richard F. Gordon, Jr., as pilots and became first spacecraft to achieve first-revolution rendezvous and docking with GATV, using tether to link two spacecraft.

Nov. 11—Gemini 12, last of the series, launched with Astronauts James A. Lovell, Jr., and Edwin A. Aldrin, Jr., on board. Aldrin performed two standup EVAs. Mission lasted nearly four days.

1967

Jan. 27—Three-man crew training for first Apollo flight—Virgil I. Grissom, Edward H. White II, and Roger B. Chaffee—died when flash fire swept through Command Module at KSC.

Jan. 27—Representatives of 62 nations signed the United Nations treaty on the exploration and use of outer space.

Apr. 17—Surveyor 3 launched on mission to Moon to land in Ocean of Storms and excavate with surface sampler trenches up to six inches deep.

June 14—Mariner 5 spacecraft launched on four-month 212-million-mile flyby mission to Venus.

Sept. 8—Surveyor 5 softlands in Moon to take photographs of possible landing sites for Apollo spacecraft and begins first on-site chemical analysis of an extraterrestrial body.

Nov. 9—Apollo 4 spacecraft was successfully sent aloft in first Saturn V flight and first launch from Complex 39 at Kennedy Space Center, making first all-up test of three-stage launch vehicle and reentering at lunar-return velocity.

1968

Jan. 7—Surveyor 7 launched to softland in Moon's highlands, return TV pictures, perform lunar-digging experiments, and detect laser beams directed from Earth.

Jan. 22—Apollo 5 launched from KSC on unmanned Earth orbital mission to verify operation of Lunar Module ascent and descent propulsion system. Adjudged successful.

Apr. 4—Apollo 6 was successfully launched on mission to qualify Saturn V launch vehicle, demonstrating rocket and spacecraft subsystem and heat shield performance.

Oct. 6—Administrator James E. Webb retired and was succeeded by Dr. Thomas O. Paine, formerly Deputy Administrator.

Oct. 11—Apollo 7, first manned CSM operation in Apollo lunar landing program, successfully launched from KSC with Astronauts Walter M. Schirra, Jr., Donn F. Eisele and R. Walter Cunningham. Crew appeared on TV in initial telecast from space. Mission lasted 10 days, 20 hours, accomplishing rendezvous with S-IVB stage. Earth circled 168 times.

Dec. 21—Apollo 8, second manned mission in program and first to orbit Moon, launched. Astronauts: Frank Borman, James A. Lovell and William Anders. Mission duration 6 days,

3 hours. Twenty hours in lunar orbit. Circled Moon 10 times. Support facilities tested. Photographs taken of Earth and Moon. Live TV broadcasts.

1969

Feb. 9—NASA announced supercritical wing, a new airfoil shape developed in four years of wind-tunnel studies at Flight research Center, will be flight tested.

Mar. 3—Apollo 9, first manned flight of all lunar hardware in Earth orbit, launched. Astronauts: James A. McDivitt, David R. Scott and Russell L. Schweickart. Mission duration 10 days, 1 hour. Schweickart performed 37-minute EVA. Human reactions to space and weightlessness tested in 152 orbits. First manned flight of Lunar Module (LM).

May 18—Apollo 10 launched for dress rehearsal of Moon landing. Astronauts: Eugene A. Cernan, John W. Young and Thomas P. Stafford. Mission duration 8 days, 3 minutes. First manned CSM/LM operations in cislunar and lunar environment; simulation of first lunar landing profile. In lunar orbit 61.6 hours, with 31 orbits. LM taken to within 47,000 feet of lunar surface. First live color TV from space. LM ascent stage jettisoned in orbit

July 16—Apollo 11 launched on first lunar landing mission and lunar surface EVA. Astronauts: Neil A. Armstrong, Michael Collins and Edwin E. Aldrin, Jr. Landed on Sea of Tranquility. One EVA—2 hours, 31 minutes. Mission duration 8 days, 3 hours, 18 minutes. Armstrong and Aldrin landed on Moon July 20. Flag and instruments deployed. Lunar surface stay time 21.6 hours; 59.5 hours in lunar orbit, with 30 orbits. LM ascent stage left in lunar orbit. Forty-four pounds of material gathered. President Nixon made first long-distance phone call to Moon to congratulate astronauts.

Mission achieved the goal set on May 25, 1961, by President Kennedy of landing an American on the Moon within the decade.

July 29—First pictures of Mars, taken by Mariner 6, received at JPL.

Sept. 12—NASA began distributing 18 pounds of lunar material from the Apollo 11 mission to scientific investigators in U.S. and 8 other countries.

Nov. 14—Apollo 12, second manned lunar landing mission launched. Astronauts: Charles Conrad, Jr., Richard F. Gordon, Jr., and Alan L. Bean, Landed on Ocean of Storms. Two EVAs 15½ hours. Mission duration 10 days, 4 hours, 36 minutes. First demonstration of pinpoint landing capability. Candidate landing sites photographed. Parts taken from Surveyor 2, unmanned spacecraft sent to Moon in April 1967, Lunar stay time 32.5 hours. In lunar orbit 89 hours, with 45 orbits. LM accent stage impacted on Moon. Seventy-five pounds of material gathered.

1970

May 31—Explorer 1, first U.S. satellite, launched Jan. 31, 1958, reentered Earth atmosphere after completing 58,408 revolutions and traveling 2.67 billion miles.

Apr. 11—Apollo 13, third lunar landing mission attempt, launched. Astronauts: James A. Lovell, John L. Swigert, Jr., and Fred W. Haise, Jr. Mission duration 5 days, 22.9 hours. Mission aborted after rupture of Service Module oxygen tank. Classed as "successful failure" because of experience in rescuing crew. Spent S–IVB stage successfully impacted on Moon.

Sept. 15—Dr. Thomas O. Paine resigned as NASA Administrator. Dr. George M. Low, Deputy Administrator, assumed responsibility to carry on as Acting Administrator.

Dec. 12—Explorer 42 launched into equatorial orbit from the San Marco platform off the coast of Kenya by an Italian crew, the first American spacecraft to be sent aloft by men of another country.

1971

Jan. 31—Apollo 14, third lunar landing mission, launched. Astronauts: Alan B. Shepard, Jr., Stuart A. Roosa and Edgar D. Mitchell. Landed on Frau Mauro, rocky upland area. Two EVAs, 8 hours, 29 minutes. Mission duration 9 days. Docking and other difficulties experienced demonstrated value of manned flight over unmanned flight. ALSEP and other instruments deployed. Lunar surface stay time 33.5 hours; 67 hours in lunar orbit, with 34 orbits. Third stage impacted on Moon. Ninety-four pounds of material gathered, using hand cart for first time to transport rocks.

Apr. 27—Dr. James C. Fletcher is sworn in as NASA Administrator to succeed Dr. Paine.

July 26—Apollo 15, fourth lunar landing mission and first of "J" series using Lunar Roving Vehicle (LRV), launched. Astronauts: David R. Scott, James B. Irwin and Alfred M. Worden. Landed in Hadley-Apennine region near Apennine Mountains. Three EVAs, 10 hours, 36 minutes. Worden performed 38-minute EVA on way back to Earth. Mission duration 12 days, 7 hours, 12 minutes. First to carry orbital sensors in Service Module. ALSEP deployed Scientific studies begun on Apollo 11, 12 and 14 missions continued. Improved spacesuits gave increased mobility and staytime. Scientific payload landed on Moon doubled. Lunar surface stay time 66.9 hours. LRV traversed total of 27.9 km. In lunar orbit 145 hours, with 74 orbits. Small sub-satellite left in lunar orbit for first time.

One hundred and sixty pounds of materials gathered.

Sept. 29—OSO—7 launched to make first X-ray observations of a beginning solar flare and of solar "streamers".

Nov. 13—Mariner 9, launched May 30, went into orbit of Mars, first to circle another planet, and took first close photos of Mars' moons Deimos and Phobos and of a Mars dust storm.

1972

Jan. 5—President Nixon announced decision that U.S. should develop Space Shuttle system.

Mar. 2—Pioneer 10 Jupiter probe launched to become first man-made object to escape solar system, first spacecraft to use orbital velocity and gravity of Jupiter for escape, and first NASA spacecraft powered entirely by nuclear energy.

Apr. 16—Apollo 16, fifth lunar landing mission, launched. Astronauts: John W. Young, Thomas K. Mattingly II, and Charles M. Duke, Jr. Landed in Descartes, highlands area. Three EVAs, 20 hours, 14 minutes. Mattingly performed in-flight EVA lasting one hour. Mission duration 11 days, 1 hour, 51 minutes. First study of highlands area. Selected surface experiments deployed. Tests started by Apollo 15 crew continued. Ultraviolet camera/spectograph used second time. Lunar surface stay time 71 hours. LRV traversed total of 27 km. In lunar orbit 126 hours, with 64 orbits. Two hundred and thirteen pounds of material gathered.

May 24—President Nixon and USSR Premier Kosygin in Moscow signed an agreement providing for cooperation in the exploration of outer space for peaceful purposes and the docking in space in 1975 of a U.S. and a Soviet spacecraft.

May 26—NASA announced retirement of Dr. Wernher von Braun, Deputy Associate Administrator for Planning and a pioneer in the space effort, effective July 1.

July 23—ERTS 1 launched to acquire information for investigations in agriculture, forestry, minerals, etc.

Dec. 7—Apollo 17, sixth lunar landing and final mission in Apollo series, launched. Astronauts: Eugene A. Cernan, Ronald B. Evans and Harrison H. Schmitt, the last named the first geologist on the Moon. Landed in Taurus-Littrow area, valley floor pockmarked with craters and littered with boulders. Three EVAs, 22 hours, 5 minutes, 6 seconds. Mission duration 12 days, 13 hours, 51 minutes. Lunar surface stay time 74 hours, 59 minutes, 38 seconds. LRV traversed 35 km. In lunar orbit 147 hours, 48 minutes. Two hundred and twenty-five pounds of material gathered.

1973

May 14—Skylab 1, the nation's first orbiting laboratory, was launched from Cape Kennedy, with a three-man crew, Charles Conrad, Jr., Joseph P. Kerwin and Paul J. Weitz, scheduled to rendezvous with it the next day. Twelve minutes after launch, signals revealed the meteoroid shield had been torn away and one of two solar panels only partially deployed. The spacecraft was maneuvered to keep its interior from becoming too hot and Centers were alerted to start searching for a solution to the emergency.

May 25—After 11 days during which technicians worked around the clock to develop a parasol as a substitute for the heat shield and tools with which astronauts would cut the metal strap found to be keeping the solar wing from deploying the crew was launched and rendezvoused with Skylab. Next day, the parasol was deployed and, on June 7, an EVA to free the solar array was performed. A 28-day mission was completed on June 22.

July 28—The second Skylab crew, Alan L. Bean, Jack R. Lousma and Owen K. Garriott, was launched. En route, a rocket thruster on the spaceship conveying them aloft began leaking. On August 2, a second thruster developed leaks, leaving only two in operable condition. A rescue ship was readied at Cape Kennedy, but officials decided to allow the astronauts to complete a 59-day mission and return to Earth via their disabled craft on September 25.

CHILDREN OF VIETNAM WEEK

Mr. HASKELL. Mr. President, the week of October 22 has been declared Friends of Children of Vietnam Week by the Governor of Colorado.

The Friends of Children of Vietnam is a Denver-based, national organization. It has recently been granted a contract by the Government of South Vietnam to arrange, among other things, adoptions for Vietnamese children.

FCVN is an outstanding example of what a group of citizens, without fanfare or Government funding, can do. The results of FCVN's work over the past year are striking.

The group has quietly completed almost 300 adoptions. Working without official recognition, this agency carefully researched each case to assure the best possible chance of a successful match between parents and child. Now that FCVN has been officially recognized, I believe we can expect even more impressive help for Vietnamese children.

We are all well aware of the precarious existence these youngsters lead. They are the most visible victims of a tragic war. While our involvement in that conflict is finally over, our humane and moral responsibility continues. One to assist such groups as FCVN which have been the prime benefactors of these war victims.

A clause in the legislation we are considering today, proposed amendments to the Foreign Assistance Act of 1961, gives us the mechanism for that support. Section 803 will allow Government aid for FCVN and similar groups which are fighting to secure a decent life for South Vitnamese children. I cosponsored this provision as a separate bill and I support it in its present form.

I congratulate the Friends of Children of Vietnam and I commend to my colleagues the provision in this bill which will help them continue their work.

FOREIGN AID ASSISTANCE ACT PROVISIONS FOR VIETNAMESE ORPHANS

Mr. MOSS. Mr. President, I rise to commend the Committee on Foreign Relations for including in S. 2335, the Foreign Aid Assistance Act of 1973, the special provisions relating to the care of South Vietnamese children whose lives and future have been blighted by the war. The plight of these children is deeply etched on the conscience of the American people.

I refer to the provisions included in the bill at the insistence of Senator WILLIAMS to earmark $7.5 million of funds to provide: First, for the establishment and expansion of day care centers, orphanages, and hostels, and for educational instruction, school feeding, health and other welfare programs for the children; and second, to facilitate the adoption by American citizens of orphaned or abandoned children in Vietnam.

This latter provision—to make it easier for American citizens to adopt South Vietnamese children—has long been an objective of mine. I am especially concerned about the orphaned or abandoned children who have been fathered by Americans and who are therefore both South Vietnamese and American by heritage.

Last session I introduced a bill (S. 2071, 92d Cong.) to authorize the establishment of a special program to provide for the care, housing education and training of these American-fathered children, with emphasis upon the establishment of agreements and machinery to make it easier for people of the United States to adopt such children as are abandoned or deserted, or for whom the sole surviving parent is willing to relinquish irrevocably all parental rights.

I was advised by the Defense Department at the time I introduced my bill that there were an estimated 5,400 American-fathered children scattered throughout the country, some of them living with their mothers or other relatives, and others living in orphanages or hostels.

Since that time I have received various other estimates of the number of children involved, and of the smaller number who have actually been abandoned. But whatever their number or circumstances, I think we all agree that these children who are particularly and tragically the result of our involvement in Vietnam are our special responsibility, and that we owe them special consideration. They are half-American, and if they have no established place or future in Vietnam, then we should give them the opportunity to come here.

Because I could get no assurance from the State Department that the Government of South Vietnam was willing to work with representatives of the Government of the United States to make these children more easily available for adoption, and because legislation increasing U.S. efforts did not, therefore, seem to offer any solution to the problem unless we could get more cooperation from the Vietnamese Government—I decided with some reluctance—not to introduce my bill again in this Congress.

However, with the passage of S. 2335, now imminent, containing the provisions of section 903 which earmarks funds for the children's programs—we are offered a fresh opportunity to try to do something for American-fathered children—as well as for all other South Vietnamese children—who have less security and future than they otherwise would have, had they not been born into a war-ravaged country, and orphaned or abandoned because of the circumstances of that war.

I would hope that officials of the Agency for International Development in administering section 903, and in allocating the $7.5 million which this section provides, will make every attempt to get assurance from the South Vietnamese Government that they will cooperate in facilitating the adoption of abandoned or orphaned children—and especially those who are American-fathered by citizens in the United States.

I well recognize that the United States has no legal claim on these children. In the eyes of the Vietnamese Government all children born of Vietnamese mothers in Vietnam are Vietnamese citizens regardless of the nationality of their fathers. I am sure that the Government will make every effort, as would any other nation, to see that these children receive the greatest amount of care and attention as possible with the resources available to them.

But I would hope that in the cases where the children are sought for individual adoption in the United States, and where it is clear that such adoption would be in the best interests of the child, that the South Vietnamese Government will strive to make procedures less complex so that more children can be made available for those thousands of families in the United States who seek such children.

Since I first proposed S. 2071 some 2 years ago, I have received letters from literally hundreds of families in the United States who seek to adopt Vietnamese children. In many instances, they have been unable to make any headway whatsoever, and they beg for assistance. There has been little I could do to help, of course, and that is why I welcome so warmly the action of the committee earmarking special funds for assistance to South Viatnamese children, and in specifying that at least 10 percent of those funds can be spent for adoption procedures. Passage of this bill, and funding and implementation of section 903, will give some measure of hope to many households seeking to adopt a South Vietnamese child.

A recent letter I received from the Agency for International Development, signed by Matthew J. Harvey, Assistant Administrator for Legislative Affairs, clarifies greatly the situation regarding South Vietnamese orphans, and the attitude of South Vietnamese officials toward them. I ask that several pertinent paragraphs from this letter be included in the RECORD at this point.

I would like to take this opportunity to provide you with some general information on the situation of orphans, and particularly American-Vietnamese children in Vietnam.

Through dealing with this question over a period of time, we have come to realize that many Americans misunderstand the legal status of these youngsters. In the eyes of the Vietnamese Government, and indeed of the international community, all children born of Vietnamese mothers in Vietnam are Vietnamese citizens regardless of the nationality of their fathers. The United States has no claim to these children. The Vietnamese Government regards all of its citizens as equal before the law and possessed of equal claim on government support in times of need. The Government of Vietnam (GVN) is concerned over the plight of children who have been disadvantaged by the war, and accepts full responsibility for them, as evidenced by their social and child wefare programs discussed below.

The GVN does not favor removal of orphans from their Vietnamese environment in cases other than individual adoption because mass emigration does not provide a sufficient assurance that the best interests and welfare of each child are being fully met. We accept the Government's position that large-scale immigration of Vietnamese-American orphans from institutions in Vietnam to orphan homes in the United States is not in the best interest of these children. We believe that, short of formal adoption, the best way to help American-fathered children in Vietnam is to help strengthen welfare services for all needy Viatnamese children.

The Government of Vietnam, through its Ministry of Social Welfare (MSW) is providing support to some 133 orphanages and 201 day care centers. Approximately 42,000 children receive assistance through these institutions. Additionally, approximately 590,000 orphans of deceased military personnel receive allowances from the Ministry of War Veterans, which also provides them the same medical, educational and employment benefits as those received by disabled veterans.

Of the estimated ten to fifteen thousand racially mixed children in Vietnam, almost all of them are being taken care of by their Vietnamese mothers and their extended families. A recent estimate by the GVN indicated that among approximately 19,000 children presently in officially recognized orphanages, there are only about 1,200 (approximately six percent) racially mixed children.

For U.S. adoptions, the GVN has granted an exception to the general requirement that all adoption formalities be completed before a child is permitted to emigrate. Children are now permitted to depart for the United States, providing the American adopting couple have assigned power of attorney to a Vietnamese lawyer to complete the proxy adoption. During 1972, there were about 500 intercountry adoptions, of which approximately 400 were by U.S. citizens. This recent liberalization of Vietnamese procedures has facilitated adoptions to the United States.

As this letter indicates, there has already been some liberalization in procedures for adoption, and this new program should provide a further easing in the situation.

I would hope that with this liberalization that we would not again hear, as we have heard in the past, that AID officials were not perhaps doing everything they could to clear eligible children for adoption—that they were turning the wheels very slowly, or not turning them at all. I would hope that with the new emphasis placed on accelerating adoptiong procedures, and the special funds allocated for this purpose, the whole procedure would become easier and more certain of success. Surely it should not ever be said that an American couple seeking to adopt a Vietnamese child, who has no home or future in his own country, should be thwarted because other Americans do not give every iota of assistance they are in

a position to give. I would say the same to the international agencies working in the field. Leave no stone unturned. If there are children—racially mixed or otherwise—who have no home or special ties in Vietnam, be sure they are made available for individual adoption by the thousands of American families earnestly seeking them.

Again, I commend the committee—and Senator WILLIAMS—for the farsighted effort this bill offers to help solve a tragic situation—the plight of the children of Vietnam because of war in whose midst they just happened to be born.

PHASE IV PETROLEUM PRICE CONTROLS—A CONTINUING DILEMMA

Mr. McINTYRE. Mr. President, after experiencing several weeks of the ill-conceived phase IV petroleum retail price guidelines, the Cost of Living Council last Friday apparently realized the inherent inequity that phase IV petroleum regulations were having on the retail segment of the industry and modified the program. The problem is that the modification only addresses itself to part of the unfairness inherent in phase IV petroleum price regulations. While the action taken by Dr. Dunlop does bring partial relief, it will only be temporary in nature. The same basic program remains intact and the Cost of Living Council refuses to recognize the simple fact that in the petroleum industry you cannot allow production, refining and wholesale costs to increase and freeze the retail price at the same time. This basic flaw will again force the retail segment of the industry to operate at a loss when their price increases.

While Friday's action was certainly welcome news to the petroleum retailers, it in no way addresses the basic problem. If the goal of the Cost of Living Council is to control price increases in the petroleum industry, it must be realized that freezing retail price in no way removes upward price pressure. Its only effect is to discriminate against the small business marketing segment of the industry. If the Cost of Living Council, for whatever reason, decides that it cannot put strict price controls on the production, refining and wholesaling of oil products, then it must also come to its senses and face the reality of the unjust discrimination inherent in forcing the small business retailer to carry the whole burden.

Mr. President, in last Sunday's Washington Post a well-written editorial appeared pointing out the basic injustice of the present Cost of Living Council regulations. I urge my colleagues and particularly the Cost of Living Council to read this article and request unanimous consent that it be printed in the RECORD.

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

THE PRICE OF GASOLINE

Price controls create excruciating dilemmas, as the current troubles of the gasoline retailers very clearly illustrate. The country is going to need controls for some time to come, but there is no dodging the unhappy truth that they weigh very unfairly on the service station operators. The controls establish fixed ceilings for retail prices, while the wholesale prices of gasoline float upward under entirely different rules. President Nixon has temporarily alleviated the squeeze on the service stations by ordering his price controllers to move the ceiling up a bit, as they did on Friday. But it is no real remedy. It still leaves the service stations caught in a system that limits their retail prices much more rigidly than the wholesale prices at which they must buy their gasoline.

But the dilemma is a real one. To see how these rules came to be written, it is necessary to turn the question around and look at it from the perspective of the Cost of Living Council. Fuel prices have been a major contributor to inflation this year, second only to food in forcing the cost of living up. The impact of gasoline price fluctuations is staggering. An increase of one cent a gallon costs motorists $1 billion a year. But the government is forced to let wholesale petroleum prices move upward to encourage imports and expanded production. Otherwise the present shortages would only get worse.

The Cost of Living Council is doing here what it has done elsewhere: It knows that rising prices are going to have to be passed along, but is fighting a delaying action to hold off the impact on the consumer as long as possible. In this case it has been a matter of upholding a questionable rule until the political pressure became unbearable.

The price controllers have now raised the ceiling as little as they dared, and the cycle of protest and pressure will doubtless be repeated. It is just everybody's bad luck—the controllers', the administration's and especially the service station operators'—that this strategy works more harshly and unjustly in the gasoline business than in most others.

The relationship between the major oil companies and the service stations is abrasive and painful in the best of times. The present times are far from the best. The typical service station operator leases his station from an oil company—Texaco, Exxon, Mobil or whatever. He must pay his rent, pay his own bills and taxes, hire his own help and meet his own payroll. He is independent in the sense that it is up to him to make his own profit. But his lease usually runs only a year at a time, which makes it easy for the company to get rid of him if it chooses. In that sense, he is anything but independent.

Retailers will now be permitted to charge whatever prices they charged last May 15, plus the increases in wholesale costs up to last Friday. This formula is a considerable improvement over the previous one, but it again imposes a fixed limit with no consideration for the wholesale price increases that are obviously coming in the future. The service station operators suspect the Cost of Living Council of trying to use the retailers as an indirect pressure on the big oil companies to hold down their wholesale prices. In many industries, dealer resistance could be a formidable force on the manufacturers. But, unlike retailers in other goods, the service station operator cannot switch suppliers to buy at the lowest price. His supplier is also his landlord, and a very jealous one.

All of these complaints are aggravated by the further point that, in this monstrously complicated industry, some filling stations are operated directly by the major oil companies. These stations, being integral parts of the companies, are permitted to pass on to the customer their wholesale price increases as well as a wide range of other costs, like wage increases, that the leased station operators must absorb.

The reader must not suppose that the preceding paragraphs contain the full litany of the service station operators' grievances. Nor do they offer the complete catalog of the price controllers' justifications, or the oil companies' positions, or the commentaries of the various eminent politicians who have taken a hand in the matter. But the reader who has got this far will doubtless perceive that oil retailing is a highly intricate business to which large simple rules do not adequately apply.

In economc regulation, fairness is always at war with simplicity. The simpler and broader the rules, the more anomalies and injustices they produce. The harder the legislators struggle to make the rules fair, the more fantastically complicated they become. The income tax laws are the great monument to this principle, but the price control system is rapidly developing in the same direction.

The country is going to require controls on some parts of the economy for quite a long time. That is all the more reason to begin making the rules more durable by making them more flexible. If the service stations are going to be controlled, like the big companies, then they will have to be permitted to pass through their costs on the same terms. It will be more complicated to administer. But if the control system is going to survive as long as we need it, it will have to ensure that big companies do not prosper at the expense of small ones.

WORLD FOOD RESOURCES

Mr. McGOVERN. Mr. President, skyrocketing food prices in the United States, and rationing and famine in many poor countries, have raised public awareness of the world's food problem. Many experts believe that the global food scarcity we are now experiencing is not merely a temporary aberration, but that it reflects important long-term trends, and may augur an era of chronic global food scarcity.

A careful analysis of the global supply and demand trends which may produce an era of scarcity has just been completed by Lester R. Brown, senior fellow at the Overseas Development Council and an internationally recognized authority on the world food situation. Mr. Brown's study is particularly timely because it underlines the important link between the precarious state of the world food economy and the new foreign assistance legislation now under consideration by the Senate.

The world's greatest untapped reservoir of food production potential now lies in the poor countries, and the reorganization of the American aid program to substantially increase support for rural and agricultural development could help unleash this great potential. As Mr. Brown makes clear, the "new look" in foreign assistance now being considered is more than cosmetics—it "seeks to capitalize on the unique capacity of the United States to lead an enlarged effort to expand the world's food supply."

Reducing global food scarcity in the decades to come will serve our national self-interest in the form of lower food prices and hence lower inflation at home. It will also help reduce the ominous threat of famine in the poorest nations. The modest funding called for in this bill can be used with greater effect today than at any time in the past.

Mr. President, as my colleagues consider the new aid legislation, I urge them to carefully read Mr. Brown's important study. I ask that it be printed into the RECORD.

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

POPULATION AND AFFLUENCE: GROWING PRESSURES OF WORLD FOOD RESOURCES

(By Lester R. Brown with foreword by James P. Grant)

FOREWORD

Lester Brown breaks important new ground in this analysis of a problem—food supply—which profoundly affects more citizens in all countries than any other. The current international scarcity of major agricultural commodities reflects important long-term trends as well as the more temporary phenomenon of lack of rainfall in the Soviet Union and large areas of Asia and Africa. In fact, we probably are witnessing in the world food economy a fundamental change from two decades of relative global abundance to an era of more or less chronically tight supplies of essential foodstuffs—despite the return to production of U.S. cropland idled in recent years. A major reason behind this shift is the fact that growing affluence in rich countries is joining population growth in the poor countries as a major cause of increased demand for foodgrains. At the same time, overfishing has interrupted the long period of sustained growth in the world fish catch—thus limiting the supply of another important protein source.

This changing situation suggests that several important policy needs must be emphasized. First, an internationally agreed system of food reserves—on the general pattern proposed in 1973 by Dr. A. H. Boerma, the Director-General of the Food and Agriculture Organization of the United Nations—is now in the self-interest of all nations. In a situation characterized by chronic scarcity and periodic surpluses, the international prices of food commodities could acquire a dangerous volatility, with adverse consequences for consumers and farmers the world over.

Second, there is a similarly urgent need to evolve a cooperative approach to the management of ocean fisheries, which provide so much of the world's protein for both human and animal consumption. Failure to develop more effective cooperative mechanisms will result in the continued depletion of stocks, a reduction in catch, and rapidly rising fish prices.

Third, this analysis of the changing world food situation particularly highlights the urgent need to curb population growth throughout the world. Ever greater pressures are being put on the world's agricultural capacity as a result of continuing rapid population growth—making food more scarce for everyone and rendering difficult the dietary improvements necessary for the basic welfare of the poorest half of humanity.

Finally, an even stronger case now exists for substantially increasing international efforts to aid agricultural development within the developing nations. Many poor countries have a vast unexploited agricultural potential. Those countries which have been able and willing to exploit the Green Revolution potential in wheat and rice have demonstrated that significant increases in food production are possible in many developing nations at far less cost than comparable increases in many of the more agriculturally advanced nations. There is increasing evidence, moreover, that assistance earmarked for agricultural development should give special attention to the role of small farmers in the production effort. In many developing countries, small farmers—when given effective access to needed agricultural inputs as well as health and educational services—have engaged in more intensive cultivation and generally achieved higher per-acre yields than those with large farms. By improving the access of the poor majority to both income and services, this approach to rural development also contributes greatly to the motivation for smaller families that is the prerequisite of a major reduction in birth rates.

Lester Brown's analysis of the new dimensions of the world food problem underlines the direct stake Americans have in the success of the U.N.-sponsored conferences on the Law of the Sea and on World Population that are to take place in 1974. This perception of the global food situation also gives additional importance to the 1973 Congressional initiative to restructure the bilateral economic aid program to focus more directly on such key factors as food production, rural development, population, and the problems of the poorest majority in the developing countries.

JAMES P. GRANT,
President, Overseas Development Council.

INTRODUCTION

The early months of 1973 witnessed a dramatic upsurge in interest in the world food situation, largely in response to global scarcity and rising food prices. Prices for some of man's principal food commodities—wheat, rice, feedgrains, and soybeans—soared to historic highs in international markets. Rationing was in effect for at least some foodstuffs in three of the world's four most populous countries: the People's Republic of China, India, and the Soviet Union.

Food was being airlifted into several countries in sub-Sahara Africa during June 1973 to stave off famine. India and Bangladesh faced critical food shortages. The United States was restricting soybean exports in order to bring internal food prices down. Food scarcity was affecting the entire world, rich countries and poor.

The communications media have drawn attention to several factors contributing to the food scarcities of 1973. Among these are the poor rice harvest in Asia, the shortfall in the Soviet wheat crop, and the temporary disappearance of the anchoveta off the coast of Peru for several months in late 1972 and early 1973. But these are short-term factors, and they should not be permited to obscure other more fundamental long-term trends and forces that are altering the nature and dimensions of the world food problem.

During the 1960s the world food problem was perceived as a food/population problem, a race between food and people. At the end of each year observers anxiously compared rates of increase in food production with those of population growth to see if any progress was being made. Throughout most of the decade it was nip and tuck. During the 1970s rapid global population growth continues to generate demand for more food, but, in addition, rising affluence is emerging as a major new claimant on world food resources. Historically, there was only one important source of growth in world demand for food; there are now two.

At the global level, population growth is still the dominant cause of an increasing demand for food. Expanding at about 2 percent per year world population will double in little more than a generation. Merely maintaining current per capita consumption levels will therefore require a doubling of food production over the next generation. In demographic terms the world currently divides essentially into two groups of countries: the rich countries that have low or declining rates of population growth, and the poor countries, most of which have rapid rates of population growth. Fully four-fifths of the annual increment in world population of an estimated 70 million occurs in the poor countries.

Some of the relatively small poor countries add more to the world's annual population gain than the larger rich ones. Mexico, for example, now contributes more to world population growth than does the United States. The Philippines adds more people each year than does Japan. Brazil adds 2.6 million people in a year, while the Soviet Union adds only 2.4 million.

The effect of rising affluence on the world demand for food is perhaps best understood by examining its effect on grain requirements. Grain consumed directly provides 52 percent of man's food energy intake. Consumed indirectly in the form of livestock products, it provides a sizable share of the remainder. In resource terms, grains occupy more than 70 percent of the world's crop area.

In the poor countries the annual availability of grain per person averages only about 400 pounds per year. Nearly all of this small amount must be consumed directly to meet minimum energy needs. Little can be spared for conversion into animal protein.

In the United States and Canada, per capita grain utilization is currently approaching 1 ton per year. Of this total only about 150 pounds are consumed directly in the form of bread, pastries, and breakfast cereals. The remainder is consumed indirectly in the form of meat, milk, and eggs. The agricultural resources—land, water, fertilizer—required to support an average North American are nearly five times those of the average Indian, Nigerian, or Colombian.

Throughout the world, per capita grain requirements rise with income. The amount of grain consumed directly rises until per capita income approaches $500 per year, whereupon it begins to decline, eventually leveling off at about 150 pounds. The total amount of grain consumed directly and indirectly, however, continues to rise rapidly as per capita income climbs. As yet no ration appears to have reached a level of affluence where its per capita grain requirements have stopped rising.

The impact of rising affluence on the consumption of livestock products is evident in trends in the United States over the past generation. For example, per capita consumption of beef climbed from 55 pounds in 1940 to 117 pounds in 1972, more than doubling. Poultry consumption rose from 18 pounds to 51 pounds during the same period.

There is now a northern tier of industrial countries—beginning with the United Kingdom in the West and including Scandinavia, Western Europe, Eastern Europe, the Soviet Union, and Japan—whose economic advancement and dietary habits more or less approximate those of the United States in 1940. As incomes continue to rise in this group of countries containing some two-thirds of a billion people, a sizable share of the additional income is being converted into demand for livestock products, particularly beef. Many of these countries, such as Japan and those in Western Europe, are densely populated. Others—the Soviet Union, for example—suffer from a scarcity of fresh water. Thus they lack the capacity to satisfy the growth in demand for livestock products entirely from indigenous resources. As a result they are importing increasing amounts of livestock products or of feedgrains and soybeans with which to expand their livestock production.

Throughout the poor countries population growth accounts for most of the year-to-year growth in the demand for food. At best only very limited progress is being made in raising per capita consumption. In the more affluent countries, on the other hand, rising incomes account for most of the growth in the demand for food. In Japan and France, for example, where population is growing at about 1 percent annually and per capita incomes at several percent, year-to-year growth in the demand for food derives principally from rising affluence.

Wherever population has stopped growing, as in West Germany, rising affluence accounts for all the growth in food consumption. In a country such as India, however, where income rises are scarcely perceptible and population continues to grow rapidly, nearly all the growth in demand derives from population growth. In Brazil, which has both rapid population growth and, in recent years at

least, rapid growth in per capita income, both factors loom large in the growth in demand for food.

THE TECHNOLOGICAL BACKDROP

At the time agriculture evolved 10,000 or more years ago, the earth supported roughly 10 million people, no more than now live in London or Afghanistan. Since then a series of technological innovations have brought about an enormous expansion in the earth's food-producing capacity. Following the discovery of agriculture, food production expanded under the influence of six major technological advances: the use of irrigation, the harnessing of draft animals, the exchange of crops between the Old World and the New, the development of chemical fertilizers and pesticides, advances in genetics, and the invention of the internal combustion engine.

The earliest of these innovations was irrigation. By obstructing the flow of streams and rivers, man was able to divert water onto land under cultivation. This intervention in the hydrological cycle, closely associated with the emergence of early civilizations in the Middle East, has greatly boosted the productivity of land. Today close to one-seventh of the world's cropland is irrigated.

A thousand years after learning to irrigate, man began to harness draft animals for tilling the soil. This breakthrough enabled him to convert grass and hay into a form of energy he could use to increase his food supply. By harnessing draft animals man supplemented his limited muscle power and raised the efficiency of his labor to the point where a small segment of the population could be spared from food-producing activities.

The third factor expanding global food production was the exchange of crops set in motion by the linkage of the Old World and the New. Few people would identify Columbus as a major figure in the effort to increase food supplies, yet his contribution in establishing such a linkage was considerable. One of the most interesting results of this exchange of crops was the discovery that some plants could be grown more successfully in their new environment than in their country of origin. For example, several times more potatoes are produced in Europe including the Soviet Union, than in the New World where the potato originated.

The use of agricultural chemicals, both to improve soil fertility and to control pests, has been yet another crucial factor in the effort to meet the global demand for food. The early research on chemical fertilizers was undertaken in Germany by Justus von Liebig, who found that the nutrients removed from the soil by farming could be replaced artificially. Although this discovery was made in the 1840s, it did not become commercially important until well into the twentieth century, largely because the presence of frontiers made it possible to continuously bring new land under the plow. Once the frontiers began to disappear, however, farmers turned to fertilizer as the principal means of expanding production.

Then, as man's ability to alter the genetic composition of domesticated species of plants and animals progressed after the discovery of the principles of genetics, the productivity of these species increased dramatically. Advances in cereal productivity over the past generation have been particularly impressive. Many farmers in the U.S. Midwest now consistently obtain corn yields of 3 tons per acre, making corn the most productive of all the world's grains.

Advances in cereal productivity have at least been matched by those in the livestock and poultry sector. The first domesticated cow probably did not yield more than 600 pounds of milk, barely enough to support a calf until it could forage for itself. In India, milk production remains at about that level today By contrast, the average cow in the United States last year yielded 10,000 pounds of milk. The holder of the world record is a Maryland cow, "Rheinhart's Ballad," which produced 42,000 pounds of milk in a single year. This productive animal could deliver 49 quarts of milk to one's doorstep daily, thus outperforming her early ancestors by a factor of 70 to 1.

In the case of poultry, the first domesticated hens did not lay more than about 15 eggs or one clutch per year. The average American hen produced 227 eggs in 1972. For some time U.S. hens held the world egg-laying title, but a few years ago an industrious Japanese hen set a new record by laying 365 eggs in 365 days. U.S. agricultural analysts project continuing gains in productivity per cow and hen.

And finally, with the development of the internal combustion engine, man has been able to greatly augment the available energy resources for expanding his food supply. Today more than half the world's cropland is tilled with mechanical power; the bulk of the remainder is still tilled by animals. Three distinct forms of agriculture exist today, depending on the form of energy used—human muscle power, draft animals, or internal combustion engines. In some areas of the world all three types can be found within a single country. In Colombia, Andean Indians living in mountainous regions practice hand cultivation, family farmers in the lowlands employ draft animals, and the large commercial farmers use tractors.

Man's achievements in agriculture are impressive. These principal technological advances, coupled with others not discussed here, have increased the earth's food-producing capacity several hundredfold since agriculture began. Despite these advances, hunger remains the daily lot of much of mankind.

Technological advances in agriculture and consequent increases in the food supply have permitted population to increase. Population increases in turn generate pressures for agricultural innovation. Thus trends of expanding food production and growing population have reinforced each other. Population growth continues to absorb all the increases in food production in the great majority of the poor countries, leaving little if any food for upgrading diets.

Expansion of area vs. increased yield

There are essentially two ways of expanding the world food supply from conventional agriculture. One is to expand the area under cultivation. The other, largely made possible by the advancements in the use of agricultural chemicals and in plant genetics, is to raise output on the existing cultivated area. From the beginning of agriculture until about 1950, expanding the cultivated area was the major means of increasing the world's food supply. Since mid-century, however, raising the yield on existing cultivated area has accounted for most of the increase. Intensification of cultivation has increased steadily for an estimated four-fifths of the annual growth in world food output, far overshadowing expansion of the cultivated area.

The timing of the transition from the area-expanding method of increasing food production to the yield-raising method has been very uneven throughout the world. As population pressures built up in Japan in the late nineteenth and early twentieth centuries, the Japanese were forced to intensify cultivation and were very likely the first people to succeed in making the transition. Ironically, some of the technologies used by the Japanese in attaining a yield-per-acre takeoff, notably the use of chemical fertilizer, were introduced from Europe. Several north European countries in which available farmland was limited were close behind and also successfully completed the transition in the early twentieth century.

In the United States the frontier had vanished just before World War I, but a yield-per-acre takeoff was not achieved until World War II when economic conditions made the use of the accumulated technologies profitable. During the intervening period, farm output lagged, but land used to produce feed for horses was released for production when tractors began to displace horses after World War I. A second group of industrial countries, including the United Kingdom, Canada, and Australia, also made the area-to-yield transition during the early 1940s, largely as a result of the strong wartime economic incentives to utilize already available technologies to expand production. Interestingly, U.S. corn yields had remained static for nearly a century from the time of the Civil War until the outbreak of World War II.

Some estimates indicate that the world's cultivated area can be doubled. But much of the potentially cultivable land is in the tropics, and recent experience shows that once the protective forest cover is removed from much of this land, it deteriorates rapidly, losing whatever inherent fertility it has. With a few notable exceptions, such as selected areas in the Amazon Basin in Brazil, the world's most productive farmlands are under cultivation. At the global level, the record of the past two decades suggests it is far cheaper and easier to expand the food supply by intensifying cultivation on the existing cropland area than by bringng new land under the plow.

During the first half of the 1960s, food production in the developing countries as a group began to fall behind population growth, bringing rising food prices, growing food scarcity, and increasing dependence on food aid from the United States. The food crisis in these countries that occurred during the early and mid-1960s was brought into sharp focus by the two consecutive monsoon failures in the Indian subcontinent in 1965 and 1966. It was, however, a direct result of the fact that many of these countries had virtually exhausted the supply of new land that could be readily brought under cultivation but had not yet achieved a takeoff in yield per acre. It was in this context that the Green Revolution—the combination of new cereal technologies and production-oriented economic incentives—came into being.

THE GREEN REVOLUTION

Efforts to modernize agriculture in the poor countries in the 1950s and early 1960s were consistently frustrated. When farmers in these countries attempted to use varieties of corn developed in Iowa, they often failed to produce any corn at all. Japanese rice varieties were not suited either to local cultural practices or to consumer tastes in India. When fertilizer was applied intensively to local cereal varieties, the yield response was limited and occasionally even negative.

It was against this backdrop of frustration that the high-yielding dwarf wheats were developed by the Rockefeller Foundation team in Mexico. Three unique characteristics of these wheats endeared them to farmers in many countries—their fertilizer responsiveness, lack of photoperiod sensitivity (sensitivity to day length), and early maturity.

When farmers applied more than 40 pounds of nitrogen fertilizer per acre to traditional varieties having tall, thin straw, the wheat often lodged or fell over, causing severe crop losses. By contrast, yields of the short, stiff-strawed dwarf varieties of Mexican wheat would continue to rise with nitrogen applications up to 120 pounds per acre. Given the necessary fertilizer and water and the appropriate management, farmers could easily double the yields of indigenous varieties.

Advantages of new cereal varieties

Beyond this, the reduced sensitivity of dwarf varieties to day length permitted them

to be moved around the world over a wide range of latitudes, stretching from Mexico, which lies partly in the tropics, to Turkey in the temperate zone. Because the biological clocks of the new wheats were much less sensitive than those of the traditional ones, planting dates were much more flexible.

Another advantageous characteristic of the new wheats was their early maturity. They were ready for harvest within 120 days after planting; the traditional varieties took 150 days or more. This trait, combined with reduced sensitivity to day length, created broad, new opportunities for multiple cropping wherever water supplies were sufficient.

Within a few years after the spectacular break-through with Wheat in Mexico, the Ford Foundation joined the Rockefeller Foundation to establish the International Rice Research Institute (IRRI) in the Philippines. Its purpose was to attempt to breed a fertilizer-responsive, early-maturing rice capable of wide adaptation—in effect, a counterpart of the high-yielding wheats. With the wheat experience to draw upon, agricultural scientists at IRRI struck pay dirt quickly. Within a few years they released the first of the high-yielding dwarf rices, a variety known as IR–8.

The great advantage of the new seeds was that they permitted developing countries to quickly utilize agricultural research that had taken decades to complete in the United States, Japan, and elsewhere. In those areas of the developing countries where there were requisite supplies of water and fertilizer and where price incentives were offered, the spread of the high-yielding varieties of wheat and rice was rapid. Farmers assumed to be bound by tradition were quick to adopt the new seeds when it was obviously profitable for them to do so.

Effects of the revolution

Early in 1968, the term "Green Revolution" was coined by William Gaud, Administrator of the Agency for International Development, to describe the introduction and rapid spread of the high-yielding wheats and rices. In 1965 land planted with these new varieties in Asia totaled about 200 acres, largely trial and demonstration plots. Thereafter the acreage spread swiftly as follows:

Year	Acres
1965	200
1966	41,000
1967	4,047,000
1968	16,660,000
1969	31,319,000
1970	43,914,000
1971	50,549,000

Acreage figures for Mexico are not included in the series above since the new seeds had largely displaced traditional varieties before the Green Revolution became an international phenomenon in the mid-1960s. Among the principal Asian countries to benefit from using the new seeds are India, Pakistan, Turkey, the Philippines, Indonesia, Malaysia, and Ceylon.

During the late 1960's, the Philippines was able to achieve self-sufficiency in rice, ending a half-century of dependence on imported rice. Unfortunately, this situation was not sustained because of a number of factors, including civil unrest, the susceptibility of the new rices to disease, and the failure of the government to continue the essential support of the rice program.

Pakistan greatly increased its wheat production, emerging as a net exporter of grain in recent years. In India, where advances in the new varieties have been concentrated largely in wheat, progress has been encouraging. During a seven-year span from 1965 to 1972. India expanded its wheat production from 11 million tons to 27 million tons, an increase in a major crop unmatched by any other country in history.

One result of this dramatic advance in wheat production in India was the accumulation of unprecedented cereal reserves and the attainment of cereal self-sufficiency in 1972. This eliminated, at least temporarily, the need for imports into a country that only a few years before had been the principal recipient of U.S. food aid. Economic self-sufficiency in cereals—when farmers produce as much as consumers can afford at prevailing prices—is not to be confused with nutritional self-sufficiency, however, which requires much higher levels of productivity and purchasing power.

During late 1971 and in 1972, India was able to use nearly 2 million tons from its own food reserves, initially to feed nearly 10 million Bengali refugees during the civil war in East Pakistan, and later as food aid for Bangladesh. A poor monsoon in 1972 has temporarily forced India back into the world market as an importer of grain, but on a much smaller scale—4 million tons—than the massive import of nearly 10 million tons that followed the 1965 monsoon failure.

This is not to suggest that the Green Revolution has solved the world's food problems, either on a short- or long-term basis. Last year's drought clearly demonstrated that Indian agriculture is still at the mercy of the vagaries of weather. A second monsoon failure would seriously disrupt the pattern of progress that has characterized Indian agriculture over the past five years. Worldwide, wheat stocks are down below 30 million tons, the lowest level since 1952, according to the Food and Agriculture Organization. In the coming year, a handful of countries—especially the United States—will be called on to make up the shortfalls in world grain production. Yet the United States is already exporting the equivalent of three-fourths of its wheat crop and more than half its soybean production.

Assessing the results

The Green Revolution can be properly assessed only when we ask what things would have been like in its absence. The grim scenario that this question calls forth lends some of the needed perspective. Increases in cereal production made possible by the new needs did arrest the deteriorating trend in per capita food production in the developing countries. But although there have been some spectacular localized successes in rising cereal output, relatively little progress has been made in raising the per capita production of cereals among the poor countries as a whole over the past several years.

Many of those involved working closely with the Green Revolution, including Dr. Norman Borlaug and myself, have stressed from the beginning that the new technologies embodied in the Green Revolution did not represent a solution to the food problem. Rather we noted that it was a means of buying time, perhaps an additional 15 or 20 years during which the brakes could be applied to population growth. Ultimately the only solution to the food problem will be the curbing of world population growth.

Although several years have passed since the Green Revolution began, the success stories in national family planning programs in the poor nations are all too few. Among the population giants of Asia, the People's Republic of China appears to be substantially reducing its birth rates; but reductions in India, Indonesia, Pakistan, and Bangladesh are scarcely perceptible. Without a sharply accelerated effort to curb birth rates, the battle to feed Asia's massive and rapidly growing population may yet be lost.

Another question persistently raised concerning the Green Revolution is: Who benefits from the adoption of these new technologies? The new seeds can be used with equal success by both large- and small-farm owners if the farmers have equal access to the requisite inputs and supporting services. In many countries and locales, however, the owners of large farms have easier access to credit and to technical advisory services than the owners of smaller ones. Where these circumstances prevail, there is a disturbing tendency for the rich farmers to get richer and the poor ones poorer.

But many other factors determine which farmers will benefit from the new seeds. One is the crop they grow. Widely adapted, high-yielding varieties exist only for wheat and rice. Thus, in Mexico, wheat farmers have benefited grandly, but corn farmers, most of them small subsistence farmers, have gained little from technological progress. Likewise, in India the principal beneficiaries of the Green Revolution are the wheat farmers, since successful adoption of the high-yielding rices has been exceedingly modest by comparison.

Perhaps the most important single factor determining whether a given farmer can use the new seeds is whether or not he has an adequate supply of water. Wheat farmers on the high-rainfall coastal plain of Turkey have benefited enormously from the new seeds, while those on the arid Anatolian Plateau have scarcely been touched.

The impact of Green Revolution technology on unemployment also is often questioned. If properly managed, this technology can be highly beneficial. The new high-yielding varieties of wheat and rice require much more labor than the traditional varieties they replace. Realizing the full yield potential of the new seeds requires frequent fertilization and irrigation. This in turn requires careful and frequent weeding lest the fertilizer and water be converted into weeds rather than food. Higher yields require more labor at harvest time.

The risk is that farmers profiting from the use of the new seeds will want to invest their profits in Western-style mechanization. This tendency may be aggravated by low, subsidized interest rates on agricultural loans for farm mechanization. Rates that are too low, which is often the case, encourage farmers to substitute machinery for labor rather than to use the maximum amount of labor.

AGRICULTURAL STRESSES ON THE ECOSYSTEM

New signs of agricultural stress on the earth's ecosystem appear almost daily as the growing demand for food presses against our ecosystem's finite capacities. Interventions by early agricultural man were local in effect, but the technological intrusions of modern agriculture often have global consequences. Efforts to expand the food supply, either by expanding the area under cultivation or by intensifying cultivation through the use of agricultural chemicals and irrigation, bring with them troublesome and disturbing ecological consequences.

Accelerating soil loss

As livestock herds are increased to meet the growing demands for food and draft power, they graze over ever-larger areas, stripping the land of its natural cover in many parts of the world. This problem is most serious in North Africa, the Middle East, and the Indian subcontinent. And as expanding population increases the need for new agricultural land and for forest products for fuel—particularly in the poor nations—the countryside is being steadily denuded of trees.

Nature requires centuries to create the earth's thin mantle of life-sustaining topsoil; man can destroy it in a few years. Stripped of its original cover of grass and trees, much of the earth's land surface is vulnerable to erosion by wind and rain. In poor countries, millions of acres of these unproductive lands are abandoned each year by rural people who are forced to go to the already overcrowded cities. Furthermore, deforestation in such countries as India and Pakistan is forcing people to use cow dung as fuel, depriving the land of a natural source of fertility.

As the demand for food expands, more and more land that is too steep or too dry to sustthe level land is already cultivated, farmers tain cultivation is being brought under the plow. In the poor countries, where most of are moving up the hillsides. Accelerated erosion is the result.

Irrigation problems

In West Pakistan the recently completed $600 million Mangla irrigation reservoir, which originally had a life expectancy of 100 years, is now expected to be nearly filled with silt in half that time. The clearing of steep slopes for farming, progressive deforestation, and overgrazing in the reservoir's watershed are responsible for its declining life expectancy.

Efforts to expand the area of farmland in one locale is reducing the water for irrigation in another. Farmers moving up the hillsides in Java are causing irrigation canals to silt at an alarming rate.

Damming the Nile at Aswan expanded the irrigated area for producing cereals but largely eliminated the annual deposits of rich alluvial silt on fields in the Nile Valley, forcing farmers to rely more on chemical fertilizers. In addition, interrupting the flow of nutrients into the Nile estuary caused a precipitous decline in the fish catch there. Intensive farming in the Philippines with chemical fertilizers is expanding the rice supply but causing freshwater lakes and streams to eutrophy, destroying fish and depriving local villagers of their principal source of animal protein.

One of the most costly and tragic side effects of the spread of modern irrigation in Egypt and other river valleys in Africa, Asia, and northeastern South America is the great increase in the incidence of schistosomiasis. This debilitating intestinal and urinary disease, produced by the parasitic larvae of a blood fluke that burrows into the flesh of those working in water-covered fields, affects a sizable number of the Egyptian people.

The Chinese call this disease "snail fever" and are waging an all-out campaign against it. Unfortunately, schistosomiasis is environmentally induced by conditions created by man. The incidence of the disease is rising rapidly as the world's large rivers are harnessed for irrigation. Schistosomiasis is estimated to afflict 250 million people, or 1 out of 14 people living today. It surpasses malaria which is declining, as the world's most prevalent infectious disease.

The virgin-lands project in the Soviet Union, which was launched in the late 1950s, involved plowing up an estimated 100 million acres of drylands. Only after the land was plowed was it realized that much of it lacked sufficient precipitation to sustain continuous cultivation. Eventually some of the land was returned to grass but not before it became known as the drylands fiasco.

An historic example of the effect's of man's abuse of the soil is all too visible in North Africa, once the fertile granary of the Roman Empire and now largely a desert or near-desert whose people are fed with the aid of food imports from the United States. Once-productive land was eroded by continuous cropping and overgrazing until much of it would no longer sustain agriculture. Irrigation systems silted, depriving land of the water needed for cultivation. Similar situations are being created in semiarid parts of Asia, such as western India, that are experiencing a rapid buildup of population during this century.

EUTROPHICATION

Efforts to intensify agricultural yields also have adverse environmental consequences. If the effect of chemical fertilizer could be confined to agriculture, it would be fine; but unfortunately it cannot. The water runoff from agricultural land carries chemical fertilizer with it, raising the nutrient content of streams and lakes throughout the world, causing them to eutrophy.

Thousands of fresh-water lakes are threatened throughout North America and Europe and increasingly in many poor countries where fertilizer use is beginning to climb. Filipino villagers are finding that rising fertilizer use in rice paddies is resulting in the eutrophication of local lakes and ponds, depriving them of fish, a traditional source of animal protein. No one has calculated the cost to mankind of losing these freshwater lakes, but it is staggering.

COUNTING THE COSTS

The preceding analysis shows that the market price of food represents only one of the costs associated with its production. Unfortunately, there is no complete inventory of what it would cost to expand the world food supply continuously to meet the ever-increasing needs. There is no calculation of the tradeoff between increases in population and improvements in diet, a choice that is being forced on man as he presses against the finite limits of the ecosystem.

An unwillingness to tolerate some of the environmental costs of indefinitely expanding the food supply is beginning to translate into constraints on food production. Many countries have banned or seriously limited the use of DDT, dieldrin, and other chlorinated hydrocarbons, a group of cheap, highly effective pesticides. In some parts of the world, conservationists are objecting to the construction of new irrigation reservoirs.

In the United States, a growing number of local and state governments are banning the use of phosphates in detergents because of eutrophication. It may be only a matter of time until the use of phosphate fertilizer is regulated in some communities. The conflicts between economic efficiency and ecological soundness are myriad. DDT is a potent, low-cost pesticide, but it threatens some species of wildlife with extinction. Chemical fertilizer is far cheaper than organic fertilizer, but runoff is a more serious problem; and beef finished in large commercial feedlots is cheaper than that finished in family-farm feedlots, but waste disposal is much more difficult.

We do not know how many species of birds, fish, and mammals must be sacrified in order to achieve a 5 percent increase in the world's food supply. We do know that as the number of people in the world goes up, the number of extant species goes down. Over time, willingness to pay all the costs for expanding the world food supply surely will diminish.

WORLD FISHERY PROSPECTS

Until recently, the oceans were viewed as an almost limitless source of protein, either in the form of fish or algae. The outlook today, however, contrasts sharply with that of five years ago because world fisheries are in serious trouble, largely because of overfishing.

From 1950 to 1968, the world fish catch reached a new record each year, tripling from 21 million to 63 million tons. The average annual increase in the catch of nearly 5 percent (far exceeding the annual rate of world population growth) greatly increased the average supply of marine protein per person. Then suddenly, in 1969, the long period of sustained growth was interrupted by a decline in the catch, which has been fluctuating rather unpredictably, while the amount of time and money expended to bring in the catch continue to rise every year. Many marine biologists now feel that the global catch of table-grade fish is at or near the maximum sustainable level. A large number of the 30 or so leading species of commercial-grade fish may currently be overfished; that is, stocks will not sustain even the current level of catch.

International conflicts

These new and disturbing trends, at a time when the world demand for protein is soaring, have intensified competition in world fisheries. In the North Atlantic, Great Britain and Iceland are in continuous conflict over the fishery resources off the coast of Iceland. The Icelandic economy is closely tied to its fisheries, as evidenced by two devaluations of the krona following two poor fishing years in 1967 and 1968. Aware of this dependence on fishing, Iceland has extended its offshore limits to 50 miles in order to prevent British ships from depleting its offshore fishery resources.

Soviet fishing trawlers operating just beyond the 12-mile offshore limits along the East Coast of the United States are exploiting fisheries that American fishermen formerly considered their exclusive domain. The state of Massachusetts is threatening to extend its offshore limits to 200 miles in order to prevent the demise of its once vigorous fishing industry. In the North Pacific, the Soviet and Japanese fishing fleets find themselves in direct competition with each other. U.S. fishermen off the west coast face stiff competition from Soviet, Japanese, and Korean trawlers. Off the west coast of Latin America, the United States is in continual conflict with Peru and Ecuador. During a recent 12-month period Ecuador seized 56 U.S. fishing trawlers found within its unilaterally imposed 200-mile offshore limit, fining them a total of $2.3 million dollars.

Importance of fish as protein

World fishery resources represent an important source of protein. The 1971 catch of 69 million tons amounted to nearly 40 pounds (live weight) per person throughout the world. Of this catch roughly 60 percent was table-grade fish, the remainder consisting of inferior species used for manufacturing fish meal, which in turn is used in poultry and hog feed in the industrial countries. For Americans, fish are important in the diet, but direct consumption averages only about 14 pounds per year, compared with 50 pounds of poultry, 73 pounds of pork, and 117 pounds of beef. These data on direct consumption understate the importance of fish in the diet since a significant share of the poultry and pork consumed are produced with fish meal.

In two of the world's more populous countries, Japan and the Soviet Union, fish are significant as a direct source of protein in the national diet. As population pressure built up in Japan during the late nineteenth and early twentieth centuries, the Japanese were forced to turn to the oceans for their animal protein, using their very limited land resources to produce rice to meet minimal food energy needs. As a result, the Japanese evolved a "fish and rice" diet. Fish consumption per person in Japan totals 70 pounds per year, the highest of any major country.

The Soviet Union, experiencing difficulties in expanding its livestock industry at a satisfactory rate, has also turned to the oceans during the past 15 years for much of its animal protein. It has invested heavily not only in fishing fleets, but also in floating fish-processing factories and sophisticated fishing technologies that enable those fleets to fish extensively throughout the world. The direct consumption of fish by the average Soviet consumer is probably at least double that of his American counterpart. Accordingly, as growth in the world catch of table-grade fish slows, and as some important species begin to decline from overfishing, the Soviet and Japanese populations are particularly vulnerable. If they find themselves increasingly unable to meet protein needs from oceanic resources, they may be forced to offset this decline by substantially stepping up imports of feed-grains and soybeans to expand their indigenous livestock production.

Aquaculture

In examining world fishery prospects, the possibility of aquaculture, or fish farming, must always be considered. There have been local successes in various forms of aquaculture in both fresh water and salt water in a

number of countries throughout the world, including Norway, Germany, Israel, the Soviet Union, China, Japan, Australia, and the United States. U.S. aquaculture has become important for two species of fish, catfish and trout. The combined production of these two, which is expanding steadily, now amounts to several ounces per person per year in the United States. But because of many unresolved technical problems there is no immediate prospect that fish farming will be able to provide more than a small percentage of the world's fish supplies, at most. This is not to rule out the possibility a decade or so hence of sufficient expansion in this activity to enable it to became an important global source of protein. Active research programs continue in a large number of countries.

U.S. AGRICULTURE AND WORLD FOOD NEEDS

Over the past generation the United States has achieved a unique position as a supplier of food to the rest of the world. Before World War II, both Latin America, particularly Argentina, and North America (including Canada) were major exporters of grain. During the late 1930s, net grain exports from each of these continents averaged about 5 million tons per year. Since then, however, the failure of most Latin American countries to reform and modernize agriculture and the unprecedented population growth in the region have largely eliminated the net export surplus. With a few exceptions Latin American countries are now food importers. Over the past three decades, North America has emerged as the world's bread-basket. Australia, the only other net exporter of importance, exports about one-sixth as much grain as North America.

The period since World War II has been characterized by excess capacity in world agriculture, much of it concentrated in the United States. Immediately following the war the United States made a unilateral decision to use its impressive food-producing capcity, which was expanded vastly in response to war-time demands, to intervene anywhere in the world whenever famine threatened. During the quarter century since then, the United States has been remarkably successful in staving off famine, even when one-fifth of the exportable U.S. wheat crop was required during 1966 and 1967 to feed some 60 million Indians over a two-year period.

Dowaward trend for grain reserves

In many ways the world was fortunate to have, in effect, two major food reserves during this period. One was in the form of grain reserves in the principal exporting countries and the other in the form of cropland idled under farm programs, virtually all of it in the United States.

Grain reserves, including substantial quantities of both foodgrains and feedgrains, are most commonly measured in terms of carryover stocks—the amount in storage at the time the new crop begins to come in. World carryover stocks are concentrated in a few of the principal exporting countries—namely the United States, Canada, Australia, and Argentina.

Since 1960, world grain reserves have fluctuated from a high of 155 million metric tons to a low of about 100 million metric tons. When reserves drop to 100 million tons, severe shortages and strong upward price pressures develop. Although 100 million tons appears to be an enormous quantity of grain, it represents a mere 8 percent of annual world grain consumption, an uncomfortably small working reserve and a perilously thin buffer against the vagaries of weather or plant diseases. As world consumption expands so should the size of working reserves; but the trend over the past decade has been for reserves to dwindle while consumption has climbed.

In addition, one-seventh of U.S. cropland, or roughly 50 million acres out of 350 million acres, has been idled for the past dozen years or so. Though not as quickly available as the grain reserves, most of this acreage can be brought back into production within 12 to 18 months once the decision is made to do so.

In recent years the need to draw down grain reserves and to dip into the reserve of idled cropland has occurred with increasing frequency. This first happened during the food crisis years of 1966 and 1967 when world grain reserves were reduced to a dangerously low level and the United States brought back into production a small portion of the 50 million idle acres. Again, in 1971, as a result of the corn blight, the United States both drew down its grain reserves and brought another portion of the idled acreage back into production. In 1973, in response to growing food scarcities, world grain reserves once more declined, and the United States dipped into its idled cropland, but to a much greater degree than on either of the two previous occasions. Government decisions in early 1973 permitted all but a small fraction of the idled cropland to come back into production.

Since the end of World War II until recently world prices for the principal temperate zone farm commodities such as wheat, feedgrains, and soybeans, have been remarkably stable. In part, this is because throughout much of this period world prices have rested on the commodity support level in the United States. Since world food reserves may become chronically low and the idled crop acreage in the United States may decline sharply or even disappear entirely in the years ahead, there is the prospect of very volatile world prices for the important food commodities. Indeed, in recent months prices of most principal food stuffs have soared to historic highs. This situation could be made far more serious by a prolonged drought of several years like those that have occurred roughly every 20 years in the United States, most recently during the 1950s.

CONSTRAINTS ON EXPANDING THE WORLD FOOD SUPPLY

The prospects for expanding the food supply depend on a wide range of economic, ecological, and technological factors. The traditional approach to increasing production—expanding the area under cultivation—has only limited scope for the future. Indeed some ports of the world face a net reduction in agricultural land because of the growth in competing uses, such as industrial development, recreation, transportation, and residential development. Few countries have well-defined land use policies that protect agricultural land from other uses. In the United States, farmland has been used indiscriminately for other purposes with little thought to the possible long-term consequences.

Some more densely populated countries, such as Japan and several in Western Europe, have been experiencing a reduction in the land used for crop production for the past few decades. This trend is continuing and may well accelerate. Other parts of the world, including particularly the Indian subcontinent, the Middle East, North Africa, the Caribbean, Central America, and the Andean countries, are losing disturbingly large acreages of cropland each year because of severe erosion.

The area of land available for food production is important, but perhaps even more important in the future will be the availability of water for agricultural purposes. In many regions of the world, fertile agricultural land is available if water can be found to make it produce. Yet most of the rivers that lend themselves to damming and to irrigation have already been developed. Future efforts to expand freshwater supplies for agricultural purposes will increasingly focus on such techniques as the diversion of rivers (as in the Soviet Union), desalting sea water, and the manipulation of rainfall patterns to increase the share of rain falling over moisture-deficient agricultural areas.

The need for capital inputs, particularly in the form of chemical fertilizer and pesticides, is projected to grow at an unprecedented rate over the remainder of this century. If the U.N. medium population projection materializes by the end of the century (giving the world a population of 6.5 billion), far more than a doubling in the use of chemical fertilizer would be required, and the eutrophication of freshwater lakes and streams would become a far more serious problem than it is today.

One of the disturbing questions associated with future gains in agricultural production is the extent to which the trend of rising per acre yields of cereals in the more advanced countries can be sustained. In some countries increases in per acre yields are beginning to slow down, and the capital investments required for each additional increase may now start to climb sharply. In agriculturally advanced countries, such as Japan, the Netherlands, and the United States, the cost per increment of yield per acre for some crops is rising. For example, raising rice yields in Japan from the current 5,000 pounds per acre to 6,000 pounds could be very costly. Raising yields of corn in the United States from 90 to 100 bushels per acre requires a much larger quantity of nitrogen than was needed to raise yields from 50 to 60 bushels.

What impact the energy crisis will have on food production costs and trends remains to be seen. With a substantial rise in the cost of energy, farmers engaged in high-energy agriculture, as in the United States, will tend to use less, thus perhaps reducing future production increases below current expectations. For other inputs used in modern agriculture—nitrogen fertilizer, for example—the rising cost of energy can be important. In part, this is because one of the principal raw materials for the synthesis of nitrogen fertilizer is natural gas, and in part, because one of the dominant costs in manufacturing nitrogen fertilizer is energy.

Constraints on protein production

In looking ahead one must be particularly concerned about the difficulties in expanding the supply of world protein to meet the projected rapid growth in demand, which is now being fueled both by population growth and rising affluence. At present mankind is faced with technological and other constraints in increasing the supply of three principal sources of protein.

The first—fish—is constrained, in the short run at least, by natural or ecological limitations. In an unmanaged state, the world's oceans produce only a certain amount of fish each year. The recent fall-off in the growth in the world fish catch indicates the existing catch is pressing against the limits for some species. It does not augur well for the future.

A second important source of protein is beef. Here two constraints are operative. Agricultural scientists have not been able to devise any commercially viable means of getting more than one calf per cow per year. For every animal that goes into the beef production process, one adult must be fed and otherwise maintained for a full year. There does not appear to be any prospect of an imminent breakthrough on this front.

The other constraint on beef production is that the grazing capacity of much of the world's pastureland is now almost fully utilized. This is true, for example, in most of the U.S. Great Plains area, in East Africa, and in parts of Australia. Most of the industrial countries in which beef consumption is expanding rapidly, from Ireland through the Soviet Union and Japan, are unable to meet all the growth in demand from indigenous resources. Either some of the beef, or the feedgrains and soybeans to produce it, must be imported.

A third, potentially serious constraint on

efforts to expand supplies of high-quality protein is the inability of scientists to achieve a breakthrough in per acre yields of soybeans. Soybeans are a major source of high-quality protein for livestock and poultry throughout much of the world and are consumed directly as food by perhaps a billion people throughout densely populated East Asia. The economic importance of soybeans is indicated by the fact that they have become the leading export product of the United States, surpassing export sales of wheat, corn, and high-technology items such as electronic computers and jet aircraft.

In the United States, which now produces three-fourths of the world's soybean crop and supplies more than 90 percent of all soybeans entering the world market, soybean yields per acre have increased by about 1 percent per year since 1950; corn yields, on the other hand, have increased by nearly 4 percent per year. One reason why soybean yields have not climbed very rapidly is that the soybean, being a legume with a built-in nitrogen supply, is not very responsive to nitrogen fertilizer. The way the United States produces more soybeans is by planting more soybean acreage. Close to 85 percent of the dramatic fourfold increase in the U.S. soybean crop since 1950 has come from expanding the area devoted to it. As long as there was ample idled cropland available, this did not pose a problem, but, if this cropland reserve continues to diminish or disappears entirely it could create serious global supply problems.

Although there are substantial opportunities for expanding the world's protein supply, it now seems likely that the supply of animal protein will lag behind growth in demand for some time to come, resulting in significantly higher prices for livestock products during the remainder of the 1970s than prevailed during the 1960s. The world protein market may be transformed from a buyer's market to a seller's market, much as the world energy market has been transformed over the past few years.

ALLEVIATING PRESSURES OF POPULATION GROWTH AND RISING AFFLUENCE

In this decade the overriding objectives of a global food strategy in an increasingly interdependent world should be the elimination of hunger and malnutrition among that large segment of humanity whose food supply simply is inadequate. To be successful, such a strategy must be designed to alter existing trends in food production and population growth while seeking a more equitable distribution of food supplies both among and within societies.

REDUCING POPULATION GROWTH

The prospect of an emerging chronic global scarcity of food as a result of growing pressures on available food resources underlines the need to reduce and eventually halt population growth in as short a period of time as possible. One can conceive of this occurring in the industrial countries as a result of current demographic trends. In the United States, attitudes toward childbearing have changed dramatically in recent years, and U.S. fertility has fallen below the replacement level of 2.1 children. If the recent precipitous decline in the U.S. birth rate continues, and this is a big if, it will bring U.S. population growth to a halt by 1980.

Despite this voluntary movement toward zero population growth, however, there has been no official U.S. statement of population policy—even while the United States is urging other nations to drastically reduce their birth rates. An official policy statement at this time would strengthen the U.S. position at the World Population Conference in 1974, greatly improving U.S. credibility and the climate and prospects for a successful conference.

Three European countries—East Germany, Luxembourg, and West Germany—have stabilized their population within the past few years. Indeed the growth of the German-speaking population of Europe—90 million people who live in East Germany, Berlin, West Germany, Austria, and part of Switzerland—has very nearly ceased. Although this is a beginning toward reaching the goal of reducing or halting world population growth, it unfortunately is only a beginning in a world containing 3.8 billion people.

Many other European countries have relatively low birth rates and appear to be moving toward zero population growth. These countries—including Hungary, Scandinavia, and the United Kingdom—plus the Soviet Union and Japan, could easily achieve a zero rate of population growth within the next decade or so, particularly if both policy makers and the people put their minds to it.

In the poor countries, however, it is much more difficult to reduce growth rates within an acceptable time frame, at least as things are going now. For one thing, the historical record indicates that birth rates do not usually decline in the absence of a certain improvement in well-being—an assured food supply, a reduced infant mortality rate, literacy, and at least rudimentary health services—which provides the basic motivation for smaller families.[1]

Attacking global poverty

In short, it may well be in the self-interest of affluent societies, such as the United States, to launch an attack on global poverty, not only to narrow the economic gap between rich and poor nations, but also to meet the basic social needs of people throughout the world in an effort to provide incentives for lowering birth rates. Population-induced pressures on the global food supply will continue to increase if substantial economic and social progress is not made. Populations that double every 24 years—as many are doing in poor nations—multiply 16-fold in scarcely three generations!

Athough the costs of promoting economic and social progress cannot be accurately predicted, there is reason to believe they might be less than imagined. UNESCO estimates show, for example, that in a developing country the cost of making a person literate is about $8—slightly less for an adult, slightly more for a school-age youngster. Given a billion illiterates in the world, universal literacy would require an outlay of $8 billion. If the funds could be mobilized and were spread over five years, the cost would come to $1.6 billion a year. If the costs were allocated among the principal industrial countries, each would have to put out only a few hundred million dollars a year.

Similarly, the cost of providing a minimum nutritional diet for most of mankind may be less than commonly thought. In some ways the Chinese experience is instructive. Development efforts in that country have had a strong social focus, with overall economic growth rates being secondary in importance. Despite an unimpressive economic growth rate averaging below 4 percent yearly, the Chinese approach has apparently been successful in providing adequate nutrition and near-universal literacy, even though incomes per person average only about $140 a year. And birth rates are declining steadily.

Following World War II, the U.S. government decided it would share its food resources whenever famine threatened anywhere in the world. As a result the world has been spared famine caused by natural disasters. Given the level of affluence that exists in many nations today, the time is ripe to take another positive step forward, recognizing that it is both necessary and humane to provide people with a diet that at least meets minimum nutritional needs. In effect, better nutrition could mean lower birth rates by decreasing infant and child mortality and thus reducing the number of pregnancies required to assure the desired number of surviving children in families in poor nations. (In *Population Bulletin* No. 1, 1973, Alan Berg has discussed in detail the relationship between poor nutrition and high fertility.)

Altering consumption patterns

As the world shrinks under the impact of advancing communications and transportation technologies and the continuing integration of national economies into a single global economy, the contrast in food consumption levels between rich and poor countries sharpens. As indicated earlier, those living in the poor countries are sustained on 400 pounds or less of grain a year, while those in the wealthier ones require nearly a ton of grain. It is difficult to envisage a situation in which all of mankind could progressively increase per capita claims on the earth's food-producing resources until everyone reached the level now enjoyed by the average North American. Thus thought should be given to how diets could be simplified in the wealthy nations in order to reduce per capita claims on the earth's scarce resources of land and water. What are the possibilities of substituting less costly, more efficient forms of protein for, say, beef?

Consumption patterns in the United States suggest that there are two broad approaches to reducing per capita resource requirements for food. One is to substitute vegetable oils for animal fat; the other is to substitute vegetable protein for animal protein.

Over the past three decades, vegetable oils have been extensively replacing animal fats in the American diet. In 1940, for example, the average American consumed 17 pounds of butter and 2 pounds of margarine. By 1971 the average American was consuming 11 pounds of margarine and 5 pounds of butter. Lard has been almost pushed off supermarket shelves by the hydrogenated vegetable shortenings. At least 65 percent of the whipped toppings and more than 35 percent of the coffee whiteners in the United States today are of nondairy origin. This pervasive trend has economic, ecological, and nutritional advantages. It reduces both per capita food costs and per capita claims on agricultural resources, and it reduces the intake of saturated animal fats now widely believed to be a factor contributing to heart disease.

The widespread substitution of vegetable oils for animal fats in the U.S. diet over the past generation has reduced per capita claims on agricultural resources, but this has been more than offset by the simultaneous increase in beef consumption from 55 to 117 pounds. Stimulated by sharp rises in meat prices in late 1972 and early 1973, attention is now focusing on the substitution of high-quality vegetable protein for animal protein. Technology for the substitution of vegetable for animal proteins has made considerable progress, mainly in the area of a soya-based meat substitutes. The development of a technique for spinning soya protein into fibers, duplicating the spinning of synthetic textile fibers, permits the close emulation of the fibrous qualities of meat. Food technologists can now compress soya fibers into meat form and, with the appropriate flavoring and coloring come up with reasonable substitutes for beef, pork, and poultry. With livestock protein, particularly beef, becoming more costly, this technique is likely to gain a string commercial foothold in the near future.

The first major meat product for which substitution is succeeding commercially is bacon. The soya-based substitute looks and tastes like bacon, and, while the extent of substitution for bacon is still small, it is growing. The substitute product has the

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[1] See William Rich, *Smaller Families through Social and Economic Progress*, Overseas Development Council, Monograph No. 7 (Washington, D.C.: January 1973).

advantage of being high in protein, low in fat, and storable without refrigeration.

The greatest single area of protein substitution promises to be the use of vegetable protein to augment meat proteins in ground meats. Soya protein "extenders," as they are known, are being added to a variety of processed and ground meat products, frequently improving flavor, cooking qualities, and nutrition as well as reducing prices. Soya protein extenders are already widely used in institutions throughout the United States, and limited supermarket sales to the public have also begun.

Although the average American already consumes nearly 1 ton of grain per year, either directly or indirectly, indications are that this could climb even higher in the years ahead. Projections of the U.S. Department of Agriculture show per capita beef consumption reaching 140 pounds by 1985, but a continuing rise in the cost of beef could alter this trend downward as consumers seek more economic substitutes. If the substitution of high-quality vegetable protein becomes as widespread as that of vegetable oils for animal fats, it is not inconceivable that, in the United States, per capita claims on agricultural resources could eventually begin to decline. A combination of convergent economic and ecological forces and health considerations could lead in this direction.

SOME IMMEDIATE STEPS

In addition to the actions designed to ameliorate long-term pressures on food resources caused by population growth and rising affluence, the circumstances of the mid-1970s also argue for some specific actions to offset immediate pressures. If, as this analysis suggests, the world is moving from a situation of chronic excess agricultural production capacity to one of chronic scarcity, particularly of protein, a reassessment of the world food production potential may be in order. International competition for available food supplies could become much more intense than any previously experienced.

World food reserve system

These new circumstances call for serious consideration of the creation of an internationally agreed system of food reserves as a means of maintaining some order and stability in the world food economy. Just as the U.S. dollar can no longer serve as the foundation of the international monetary system, U.S. agriculture may no longer have sufficient excess capacity to ensure reasonable stability in the world market for food. A world reserve could be built up in times of relative abundance and drawn down in times of acute scarcity. In effect, the cushion that surplus American agricultral capacity has provided for a generation would be provided at least partially by a world food bank.

An important first step would be international adoption of the concept of "minimum world food security" proposed in early 1973 by A. H. Boerma, Director General of the U.N. Food and Agriculture Organization (FAO). Under the FAO plan all governments—exporters and importers—would be asked to hold certain minimum levels of food stocks to meet international emergencies. The governments of participating countries would consult regularly to review the food situation, judge the adequacy of existing stocks, and recommend necessary actions. International agencies such as the World Bank, the International Monetary Fund, and the FAO would help poor countries to establish and maintain the reserve stocks necessary for self-protection against crop failures.

Any system of global food reserves, whether a single, centrally managed food bank or the proposed FAO plan of coordinated national reserve policies, would provide a measure of stability in the world food economy that would be in the self-interest of all nations. The world community also, of course, has a basic humanitarian interest in ensuring that famine does not occur in the densely populated low-income countries following a poor crop year—an assurance the affluent nations may be less able to provide in the future if the current system of autonomous nationally oriented planning is allowed to continue without modification.

Cooperative approach to fisheries

A close examination of the extent of overfishing and stock depletion in many of the world's fisheries underlines the urgency of evolving a cooperative global approach to the management of oceanic fisheries. Failure to do this will result in a continuing depletion of stocks, a reduction in catch, and soaring seafood prices that will make those of the early 1970s seem modest by comparison. Prices of some table fish could double within the next few years. In the absence of cooperation, world fishery resources could dwindle in the same way the world catch of whales has over the past two decades. It is in this context that all nations have a direct interest in the success of the Law of the Sea Conference, which is being organized by the United Nations for late 1973 and early 1974. Among other things, delegates to the conference will deal with the need to devise an institutional mechanism for cooperatively managing global fishery resources.

The potential of the poor countries

One of the most immediate means of expanding the food supply is to return all of the idled U.S. cropland to production. Over the longer run, however, the greatest opportunities lie in the developing countries, where the world's greatest reservoir of unexploited food potential is located.

In those countries having the appropriate economic incentives, fertilizer, water, and other required agricultural inputs, the introduction of new wheat and rice varieties has increased production. The jump in per acre yields in developing countries appears dramatic largely because their yields traditionally have been so low relative to the potential. But today rice yields per acre in India and Nigeria still are only one-third those of Japan; corn yields in Thailand and Brazil are less than one-third those of the United States. Large increases in food supply are possible in these countries at far less cost than in agriculturally advanced nations if farmers are given the necessary economic incentives and the requisite inputs.

When global food scarcity exists and the capacity of the international community to respond to food emergencies has deminished, a convincing case can be made for strengthened support of agricultural development in such populous food-short countries as Bangladesh, India, Indonesia, and Nigeria, India and the United States, for example, have about the same crop area with many similar characteristics. If India's yield levels equalled those of the United States, its current annual cereal production would be 230 million metric tons rather than the present total of aproximately 100 million tons. If rice farmers in Bangladesh attained Japanese yield levels, rice production would jump fourfold from 10 million to 40 million tons. Brazil, by doubling its present cultivated area, could produce an additional 22 million tons of grain even if its currently low yield levels were not improved.

A bipartisan legislative proposal has been introduced in the U.S. Congress in 1973 that would restructure the U.S. Agency for International Development to focus more sharply on solving the problems of the poor majority, and increase by 50 percent the Agency's support for agricultural and rural development in the years immediately ahead. This proposal seeks to capitalize on the unique capacity of the United States to lead an enlarged effort to expand the world's food supply and to spur rural development. If implemented, this strategem would enable the United States to respond to the most devastating consequences of population growth—widespread malnutrition and the threat of famine—by strengthening support for modernizing the processes and structure of agriculture in the developing world, and to provide more effective support for health and education services that reach the poorest majority and thereby increase the motivation for limiting family size.

Concentrating efforts on expanding food production in the poor countries could reduce upward pressure on world food prices, create additional employment in countries where continuously rising unemployment poses a serious threat to political stability, raise income and improve nutrition for the poorest portion of humanity (the people living in rural areas of the developing countries), and increase motivation for smaller families. If these efforts were to succeed, the countries most affected by population growth would simultaneously gain both additional time in which to cope more effectively with the demographic components of hunger, and additional help with their efforts to stabilize population growth.

The urgency of the food problem is underscored by increasingly frequent reports of starvation in sub-Sahara Africa and of food riots in Asia. Solving the problem is a complex task—one that requires thoughtful analysis and determined action by both rich and poor nations. Assuring adequate food supplies at reasonable prices within individual countries may now be possible only through international cooperation. The disappearance of surplus food stocks and the return of idled cropland to production has removed the cushions that once existed as partial insurance against catastrophe.

IS BUSING THE ANSWER?

Mr. GRIFFIN. Mr. President, an article in the May 1973 issue of the Indiana Law Journal, by Jeffrey J. Leech, deserves the attention of all who wonder whether court-ordered busing actually works. I ask unanimous consent that the article be printed in the RECORD.

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

BUSING AS A JUDICIAL REMEDY: A SOCIO-LEGAL REAPPRAISAL

I. INTRODUCTION

The origins of the current national controversy over desegregation of the public schools through court-ordered busing of school children are rooted in the landmark case of *Brown v. Board of Education*.[1] In *Brown I* a unanimous Supreme Court relied primarily on the "scientific" findings of sociologists and psychologists in concluding that racial segregation in the public schools deprived black children of equal educational opportunities.[2] The key socialogical underpinnings of that decision emphasized that segregation solely because of race generated among black students a "feeling of inferiority as to their status in the community that may affect their hearts and minds in a way unlikely ever to be undone."[3] The Court concluded that this sense of inferiority seriously impaired the educational and mental development of black children.[4] The Court's heavy reliance on sociological and psychological evidence not only supplanted the "separate-but-equal" doctrine of *Plessy v. Ferguson*,[5] but also imparted added prestige to social science research.[6]

In spite of the fact that the sociological evidence cited in *Brown I* is vulnerable to academic criticism,[7] the vast majority of both

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plaintiffs and defendants in the hundreds of desegregation cases litigated since *Brown I* have failed to question the fundamental "evidence" underlying that decision. Later sociological studies have further buttressed *Brown I's* findings by hypothesizing that school integration would raise black achievement levels, would have positive psychological effects on black children, and would generally improve relations between the races.[8]

Federal judges also have widely accepted the assumption that integration would educationally and socially benefit black children and have increasingly ordered massive busing of school children to achieve racial balance even in the face of significant social, political, and financial costs. This Note submits that the federal judiciary should reexamine its recent push toward massive busing in light of more current sociological evidence which indicates that busing to achieve integration may in fact produce no educational gains, may hinder the psychological development of black children, and may intensify racial misunderstanding.

II. DEVELOPMENTS SINCE BROWN I

A brief examination of judicial and sociological developments since Brown I is necessary to place the current controversy over school busing into proper perspective. In Brown II the Supreme Court mandated that desegregation proceed with "all deliberate speed." [9] However, through prolonged court battles, various evasion schemes, and other forms of resistance, the pace of desegregation moved slowly.[10] Finally, the passage of the Civil Rights Act of 1964,[11] along with the distribution of large-scale federal aid to education, enabled the Departments of Justice and Health, Education, and Welfare to effectively force compliance with desegregation requirements by using the club of withdrawal of federal funds.[12]

In 1965 through 1966, the United States Office of Education commissioned a massive investigation to survey educational opportunity in the United States. The resulting "Coleman Report," named after its chief sociologist, James Coleman, found that extensive racial segregation existed in all parts of the nation, that black students were performing from two to six years behind white students in reading and mathematics, and that black students had lower educational aspirations and a lower sense of control over their own destinies. [13] Its most controversial finding was that while school facilities had little impact on educational achievement, the predominant social class of the child's school had a significant impact on achievement.[14] This finding suggested the conclusion that a lower-class black child's education could best be improved by attendance at a predominantly white middle-class school.[15]

In 1967, the United States Commission on Civil Rights reevaluated the Coleman data and concluded that black children suffered serious harm when they were educated in whether or not they were compelled to do so by law.[16] The Commission argued that all-black schools lowered academic achievement and reinforced negative self-concepts. Conversely, integrated education raised black achievement levels, reduced racial prejudice, and produced lasting improvements in interacial attitudes. To remedy the problem, the Commission recommended that the federal government establish a uniform standard for racial balance, with no more than fifty percent black in any single school.[17]

These studies bolstered the educational premises of Brown I and led to the general acceptance by federal courts that justice required that black children attend integrated schools.[18] In Green v. County School Board [19] the Supreme Court struck down ineffective "freedom-of-choice" plans and imposed upon school officials an affirmative duty to take all necessary steps to eliminate state-imposed segregation "root and branch." In Alexander v. Holmes County Board of Education [20] the Court ruled that the "al deliberated speed" standard of Brown II was outdated and that positive and immediate desegregation was required to convert all remaining dual school systems into unitary systems.

The combined efforts of the federal courts and Departments of Justice and Health, Education, and Welfare applied the necessary pressure to force compliance in most areas of the rural and small-town South. However, it soon became evident that desegregation in the large cities of the South and North was possible only through massive transportation of large numbers of school children.[21]

Finally, in 1971, the Supreme Court held in *Swann v. Charlotte-Mecklenburg Board of Education* [22] that busing was a legitimate tool for desegregating schools unless "the time or distance of travel is so great as to either risk the health of the children or significantly impinge on the educational process." [23] Subsequently, federal courts rushed to order large-scale busing plans for scores of cities.[24] Moreover, in 1972, federal courts considered cross-district, metropolitan busing plans as a possible solution to increasing racial separation in large cities. The Court of Appeals for the Fourth Circuit overruled a district court order requiring massive cross-town busing between city and suburban schools in Richmond, Virginia.[25] The Court of Appeals for the Fifth Circuit ordered Atlanta to devise and implement a broad new desegregation plan requiring extensive busing.[26] The Court of Appeals for the Sixth Circuit is currently reviewing a district court order involving the massive busing of pupils between Detroit and its fifty-two suburban districts.[27] A district court in Indianapolis continues to consider extensive busing between that city and nineteen adjoining suburban school districts,[28] while other courts review urban-suburban busing programs in Boston, Massachusetts, Grand Rapids, Michigan, Hartford, Connecticut, and Wilmington, Delaware.[29]

Public controversy over court-ordered busing has also stirred significant political-social action and reaction. Vociferous groups have picketed, conducted mock funeral processions, blocked buses, and staged boycotts and demonstrations.[30] Mrs. Irene McCabe, head of the Natitonal Action Group (NAG), achieved national prominence during her 620-mile anti-busing march from Pontiac, Michigan, to Washington, D.C.[31] Some black leaders, including Roy Innis of the Congress of Racial Equality, have condemned busing as detrimental to the learning of black children.[32]

Busing became the dominant political issue in many of the 1972 primary elections. Strong voter repudiation of "forced busing" played an important role in Governor George Wallace's favorable showings in the Florida, Alabama, Tennessee, North Carolina, Maryland, and Michigan primaries.[33] Pushed by public discontent, Congress hurried to draft anti-busing legislation while some Congressmen pushed for a constitutional amendment to prohibit school assignments based upon race.[34] Presidnt Nixon summoned a group of anti-busing Senators to the White House and promised executive support for a strong anti-busing statute [35] and later proposed a moratorium on busing which directed the Justice Department to intervene in those cases in which lower federal courts had ordered excessive busing.[36] Congressional debate on the anti-busing legislation raged for several months, until a lengthy filibuster by Senate liberals fatally stalled the anti-busing forces.[37] In the fall of 1972, many communities voted out of office candidates who had supported busing. Meanwhile, the busing controversy distracted America's attention from other important issues such as the Vietnam war, the welfare system, crime, and drug abuse.

Busing has led to other consequences. School officials have closed many black schools across the nation.[38] Particularly in the South, this has resulted in the demotion, forced resignation, and dismissal of hundreds of black principals, supervisory personnel, athletic coaches, and classroom teachers.[39] Racial disorders and disciplinary problems have plagued many schools affected by busing.[40]

Costly busing programs have also intensified the financial difficulties faced by many school districts. For example, Pontiac, Michigan, must spend $665,000 this year on busing and at least $350,000 more each year until 1977.[41] The resulting financial pinch has forced the school board to cut the overall budget by ten percent, reduce instructional facilities and equipment thirty-three percent, and lay off 122 teachers.[42] Nashville, Tennessee, forced to spend about $2,000,000 a year on busing, had to reduce its school day by an hour, abolish field trips, and significantly cut back on extracurricular activities.[43] The annual cost of busing exceeds $1,000,000 in Charlotte [44] and $330,000 in Jacksonville,[45] while the proposed Los Angeles program would transport 240,000 students at an estimated cost of $40,000,000 in the first year.[46]

Thus, court-ordered busing has resulted in significant social and political upheaval, intensified public criticism of our judicial system, adversely affected black educators, and increased funding problems for already hard-pressed school districts. If in fact busing will lead to significant social and educational benefits for black and white children, it can be reasonably argued that the cost of busing is worth the price. Unfortunately, social science research does not lead to this conclusion.

III. SOCIOLOGICAL STUDIES ON BUSING

In recent years, sociologists have conducted a substantial amount of research studying the effects of busing to achieve integration on school children. Most of the studies focus upon busing experiments in northern schools where black children were voluntarily transported to predominantly white classrooms. The objectives, research designs, control over variables, and consequently the quality of the reports, vary considerably.[47]

St. John,[48] Armor,[49] and Pettigrew [50] have conducted three of the most comprehensive evaluations of these busing experiments. Armor's study has aroused considerable comment in the academic and legal communities,[51] has been repeatedly cited in the Senate debates over anti-busing legislation,[52] and has formed one basis of a recent court of appeals decision overturning a court-ordered busing program in Chattanooga, Tennessee.[53]

In spite of the methodological shortcomings of social science research, these studies may be judiciously used to test three premises underlying the rationale for school busing as a judicial remedy: busing will significantly raise the academic performance of black children; busing will have positive psychological effects on black students; busing will improve relations between the races.[54]

A. Achievement Levels

In 1965, the Ann Arbor, Michigan, public schools closed a predominantly black school, bused its students to predominantly white schools in other parts of the city, and retained a school with equal proportions of whites and blacks as a control group.[55] After one year, the achievement against gains for bused blacks in reading, arithmetic, and scholastic aptitude were not significantly higher than those for the black control group, and the achievement gap between blacks and whites widened.[56] A follow-up study done three years

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later showed that the bused pupils had fallen even further behind white students in achievement than before the busing program was initiated.[57]

In 1968, Berkeley, California, became the first city of its size to voluntarily desegregate its public schools through the use of two-way, cross-town busing.[58] While Berkeley school superintendent Richard Foster reported slight gains in black achievement levels to the Mondale Committee in 1971, he noted that whit gains far outdistanced black gains.[59] Thus by the eighth grade, white children were reading at the eleventh grade level while blacks were still at the fifth grade level.[60] A 1972 study by Dambacher indicates that black student achievement is as far behind white achievement as before busing.[61] The most recent journalistic report confirms this lack of progress.[62]

Since 1966, Boston's Metropolitan Council for Educational Opportunity (METCO) has coordinated the voluntary busing of approximately 1,500 black students from Boston to twenty-eight participating suburban communities.[63] Some bias in the choice of children to be bused is possible since students were bused only at their parent's request.[64] Recent students have utilized siblings of the bused students as a control group. A 1969 study by Walberg found no significant differences in achievement between the two groups in grades 2–12 except for mathematics at grades 5 and 6, where the bused children gained significantly less.[65] The latest study by Armor and Genova in 1970 concluded that bused students showed no significant gains in either reading or mathematics as compared with the control group.[66]

In 1965, the Buffalo, New York, school board bused 1,200 black fifth, sixth, and seventh graders from six segregated innercity schools to twenty-two integrated schools.[67] A 1967–68 study by Banks and DiPasquale found that the bused pupils made greater gains in paragraph meaning than their counterparts who remained in segregated schools.[68] However, the achievement gap between the integrated white and black students at all three grade levels grew even wider.[69] Moreover, fifty percent of the schools principals and thirty-one percent of the teachers surveyed rated pupil achievement lower or significantly lower. Only six percent of each group rated achievement higher or significantly higher.[70] Unfortunately, the lack of controls on socio-economic status and other variables may contaminate the Buffalo research.[71]

Beginning in 1967, the affluent Chicago suburb of Evanston, Illinois, voluntarily initiated a limited busing program to desegregate its elementary public schools. A three-year study by the educational Testing Service revealed that bused black pupils from formerly segregated schools showed slightly greater group mean gains than their non-bused former classmates. However, the absence of a constant control group, the lack of correlation between pre- and post-test scores for bused black pupils, and the differences in socio-economic status among black students make meaningful conclusions difficult.[72]

Starting in 1966, Project Concern in Connecticut each year bused more than 300 black and Puerto Rican elementary students from Hartford and New Haven to neighboring suburban schools.[74] The program provided extra remedial and guidance services for most of the bused pupils, while a control group of minority children continued to attend inner-city schools. In Hartford, bused pupils in the lower grades showed significantly greater growth in mental ability and school achievement than the nonbused pupils for the 1967–68 school year.[75] However, differences were consistently in favor of the nonbused pupils in the upper grades.[76] In New Haven, second and third graders were tested in arithmetic, language, and reading for the 1967–68 school year. In only two of the six comparisons possible did the bused pupils make significantly greater gains than non-bused students.[77]

In 1965, Riverside, California, closed three predominantly minority schools and bused the black and Mexican-American students to predominantly white schools in the district.[78] A five-year study of the program by Purl and Dawson in 1969 compared the bused pupils with the city-wide mean and concluded that desegregated schooling had little, if any, effect on the academic achievement of the bused pupils.[79] A follow-up study in 1971 confirmed these finds.[80] St. John criticized the studies' lack of controls on social class and other variables,[81] but reevaluation of the data, taking account of social class factors, showed only minor differences.[82]

In 1967, the Rochester, New York, Board of Education adopted an extensive plan to reduce racial segregation in its public schools.[83] By 1970, nine inner-city schools were sending more than 1,200 black pupils to predominantly white outer-city schools through voluntary transfers.[84] After three years of busing, academic achievement comparisons favored the black segregated pupils in grade 2 and the black integrated pupils in grades 6 and 5. No significant differences were found in grades 4 and 6.[85] Teacher perceptions of pupils' social growth and work habits favored the black segregated pupils in grade 5.[86] The use of different pre- and post-tests and the generally lower pre-test scores for the control groups may impair the study's results.[87]

Between 1966 and 1969, the Sacramento City Unified School District voluntarily initiated Project Aspiration to eliminate de facto segregation in that city's schools.[88] The school board closed three black elementary schools and reassigned black pupils from a total of six predominantly black schools to nineteen predominantly white receiving schools. All transferred students received additional supportive assistance including after-school study centers and special in-service teacher training.[89] Nontransferred pupils from predominantly black sending schools were used as a control group. During the 1970–72 school years, the bused group significantly outscored the nonbused group in four of five grades in reading and in all five grades in arithmetic.[90] However, after two years of busing, the bused black pupils still were not achieving at normal grade levels and were as far behind their fellow white classmates as when the busing began.[91]

In 1964, the White Plains, New York, school district closed one inner-city black school and bused about 900 black pupils from that school and two other racially imbalanced schools to six predominantly white inner-city schools. The achievement scores of thirty-three bused black pupils were compared with those of thirty-six blacks attending inner-city segregated schools in 1960. The bused students gained slightly more in arithmetic and paragraph meaning than the earlier segregated students, but the segregated black pupils gained more in word meaning.[92] These differences were not statistically significant, and the achievement gap between white and black students did not diminish during the period studied.[93] However, methodological problems, including the lack of a contemporaneous control group and the small number of students tested, may render these findings inconclusive.[94]

In summary, of the ten cities which have systematically studied the effects of busing on the achievement levels of school children, one shows moderate gains (Sacramento), two show mixed results (Hartford/New Haven, Rochester), three are inconclusive (Buffalo, Evanston, White Plains), and four show either losses or no significant gains (Ann Arbor, Berkeley, Boston, Riverside). In every city studied, busing failed to reduce the gap between black and white achievement. In fact, most cities reported that the achievement gap had grown even larger after busing. Scholars who have reviewed the evidence, including Armor,[95] Bell,[96] Edmonds,[97] Glazier,[98] and St. John,[99] have concluded that busing has little if any effect on the academic achievement of either black or white children.[100] Thus, the most recent sociological evidence fails to confirm a basic premise underlying the rationale for court-ordered busing, *i.e.*, that it will positively affect the academic performance of minority children.

B. Psychological effects

Brown I emphasized the "feeling of inferiority" that black children suffered when they were legally prohibited from attending white schools.[101] The elimination of segregation would presumably remove these inferiority feelings, raise educational aspirations, and enhance the self-esteem of minority students.[102]

In his existence study of the psychological impact of desegregation upon black children, Katz noted that a black child's exposure to higher academic standards in an integrated school was likely to lower his expectancy of academic success and consequently lower his achievement motivation.[103] Katz further argued that a black child's exposure to a higher degree of social threat in an integrated classroom would tend to lower his self-esteem and harm his academic performance.[104] This analysis seems particularly appropriate to the busing situation in which black children are frequently bused out of their neighborhood schools into suburban schools containing a majority of higher-achieving white children. While most of the busing studies have focused on academic achievement, reports from a few cities provide some evidence of the psychological impact of busing upon black children.

In Ann Arbor, Carrigan concluded that the significantly lower levels of self-esteem of black pupils were generally unaffected by the busing experience.[105] Veroff and Peele found that bused black males attending predominantly white schools demonstrated significantly lower levels of educational aspiration, but significantly higher achievement motivation than nonbused black males attending racially balanced schools.[106] On the other hand, black females showed no significant differences in either aspiration levels or achievement motivation as compared with the nonbused black females.[107]

In the Boston METCO study, bused students' educational aspiration significantly declined after integration. The percentage of bused pupils who wanted a college degree decreased from seventy-four percent in 1968 to sixty percent in 1970. During the same period, the control group indicated no significant change in their college aspirations.[108] More importantly, the bused students reflected a substantially lower academic self-concept than the control group. Specifically, a significantly higher percentage of bused students than control group students consistently related their classmates as more intelligent.[109]

In Evanston, researchers reported significant decreases in the academic self-concepts of transferred black pupils. Black males in particular showed a lower sense of control over their environment than white males after busing.[110] Moreover, teachers reported more psychological referrals of black males and less favorable written comments on black females after busing.[111]

In Hartford, bused Project Concern students demonstrated significantly higher anxiety levels than the suburban receiving students. However, no significant differences were found between the bused pupils and the inner-city control group.[112] In New Haven, Samuels found that the bused children evidenced stronger self-image mean

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scores than the nonbused inner-city control group, but these differences were not statistically significant.[113]

Although the Riverside study reported that black and Mexican-American children tended to choose white students as the ones with better grades, the data indicated no significant changes in either achievement motivation or self-esteem of the minority students.[114] However, Dr. Jane Mercer, sociologist at the University of California at Riverside, noted a tendency for the bused students in Riverside to face a more hostile environment and more negative teacher attitudes in the desegregated school which produced a drop in the grades of bused pupils.[115]

In summary, researchers have found that busing for racial integration significantly lowered black students' educational aspirations in Ann Arbor and Boston, the only two cities which studied this problem. At the same time, the academic self-concepts of black students were significantly lowered in Boston and Evanston, raised in Ann Arbor (males), and not significantly altered in Ann Arbor (females), New Haven, and Riverside. Viewing this evidence in its most favorable light, busing for racial integration would appear to lower black students' educational aspirations and have no consistent effect on their academic self-concepts.[116]

It may be reasonably argued, however, that more negative consequences might result in cities where courts or school boards have forced busing on unreceptive white communities. In Brooklyn, New York, for example, white parents have conducted continuing school boycotts and demonstrations. Police have had to quell shouting matches between black and white students. Reports indicate that black students suffered substantial psychological damage from this busing experience.[117] Incidents such as this raise the possibility that black children may suffer psychological harm from being prohibited from attending neighborhood schools in the black community.

Certainly, the white and black communities have not equally shared the burdens of desegregation through busing. In Ann Arbor, Buffalo, Riverside, Sacramento, and White Plains, school officials closed down black schools and bused black children to white schools. Similarly, in Boston and Hartford/New Haven, only token numbers of blacks were bused to white suburban schools. Only the Berkeley and Evanston school boards preserved both black and white schools and used extensive cross-town busing to desegregate the schools.

When communities have blatanly discriminated against the blacks in desegregation plans, federal courts have taken prompt action against it.[118] However, one still finds the basic pattern of closing black schools and busing blacks far from their homes to white schools in such cities as Little Rock, Orlando, Tulsa, Mobile, and Jacksonville.[119] The resulting consequences to the black community have been devastating. The closing of black schools has accelerated the process of neighborhood decay, resulted in the "retirement" or demotion of black principals and teachers, decreased the opportunity for bused black children to participate in after-school programs, and made involvement in school affairs by black parents more difficult.[120]

The busing experience thus seems to impart a very clear psychological message to black children: black institutions and personnel must be inferior to white ones. William Raspberry, a prominent black political columnist, has noted the traumatic effect this message must have upon the developing personality of black children. While agreeing that legal segregation of the races is psychologically destructive for black children, Raspberry has opposed the massive busing of blacks to white schools on grounds that it reinforces racial superiority feelings in white children and "says to black children that they are somehow improved by the presence of white schoolmates." [121] This "humiliating" experience, says Raspberry, only suggests to black children that there is something inherently wrong with them that only whites can cure.[122] In short, the evidence reveals that the busing experience imparts few psychological benefits to black children and may inflict harmful psychological consequences upon them.

C. Improved race relations

The third premise underlying the rationale for school busing is that integration of the public schools will improve relations between the races. Such influential writers as Allport and Deutsch have hypothesized that interracial contact would reduce prejudice, decrease discrimination, and eliminate racial stereotyping.[123] Proponents of busing impliedly rely upon this "contact" hypothesis as a fundamental rationale for massive transportation to achieve school desegregation.[124]

However, a number of recent studies indicate that interracial contact may lead to greater cleavage between white and blacks. Anderson reported that desegregated black pupils showed greater antisocial attitudes than segregated black pupils at the same grade level.[125] Bronfenbrenner observed the tendency of black male students to feel inadequate in an integrated classroom and concluded that this resulted in increased aggressive and disruptive behavior between both white and black students.[126] Dentler and Elkins found children in naturally unsegregated schools expressed more antiblack prejudice than children in white segregated schools.[127] Drake and Cayton wrote that interracial contact may lead to some degree of understanding, but may also produce tension and reinforce folk-prejudices.[128] Gottlieb and TenHouten found little cross-racial interaction in extracurricular activities in three desegregated northern high schools. Moreover, as the number of blacks equaled the number of whites, separatism increased.[129] Proshansky pointed out that even cooperative and equal-status interracial contacts in a desegregated school did not necessarily reduce ethnic prejudice.[130] Singer reported that desegregated whites viewed blacks as more aggressive and nonachieving. This implies that desegregation may reinforce racial stereotypes.[131] Webster found that white students were significantly less willing to accept blacks after than before integration.[132] Carither's extensive review of the literature on school desegregation and racial cleavage concluded that interracial contact per se will not bring about increased tolerance or acceptance.[133]

Unfortunately, since most busing programs have been in operation only a short period of time, and since interracial attitudes frequently do not become crystalized until at least junior high school, social scientists have had little opportunity to test the "contact hypothesis" in busing situations. Nevertheless, studies in at least seven cities provide some evidence as to the effect of busing upon interracial attitudes. Since the studies used different testing methods, meaningful comparisons among the studies are difficult.

In Ann Arbor, teachers' ratings of pupil behavior in school indicated the highest incidence of problem behavior among bused students. Aggression was rated consistently higher among bused students and a significant increase in aggression was reported for bused fourth and fifth grade males.[134] Moreover, sociometric tests revealed that black second and third grade females as well as fourth and fifth grade males suffered statistically significant losses of peer status after they were bused from a segregated to an integrated school.[135] This means that their new white classmates liked them less than their previous black classmates. A follow-up study three years later revealed that bused students had suffered further declines in peer acceptance.[136]

In Berkeley, students who testified before the Mondale Committee reported only minimal contact among members of different racial and ethnic groups.[137] The student body president testified that white students boycotted the class elections and did not attend school dances or eat lunch with blacks, and that white teachers consistently discouraged black students from taking college preparatory courses. He concluded that integration at Berkeley was a "failure" and that true integration existed only when students passed through the hallways between classes.[138]

In his study of the Boston METCO program, Armor found that busing heightened black students' feelings of racial consciousness and solidarity and promoted ideologies that encouraged racial separation. Utilizing a Separatist Ideology Index, Armor discovered that bused students were significantly more likely to support the idea of black power than the control group of black students who remained in the inner-city schools.[139] Although overt racial incidents were infrequent, bused pupils reported spending a greater portion of their free time with other blacks, greater feelings of white prejudice, less frequent interracial dating, and less support for integrated schooling.[140] Interracial contact also negatively affected white students. Although the vast majority of white students in suburban schools consistently favored the busing program and supported its continuance, those white students with the greatest classroom contact with blacks showed the least support for the program.[141]

In Buffalo, seventy-four percent of the school principals and forty-seven percent of the classroom teachers reported a higher or significantly higher incidence of disciplinary problems after busing.[142] Moreover, a significant minority of the principals (thirty-three percent) and teachers (twenty-five percent) noted a negative or rebellious attitude on the part of black students toward their new school environment.[143]

Teachers in Evanston reported greater concern over disciplinary problems in desegregated classrooms and greater patterns of aggression among black pupils after busing.[144] Moreover, disagreements among the school board, superintendent, and the community resulted in a series of confrontations with strong racial overtones which threatened to polarize the community.[145]

In the Riverside study, researchers asked students to rate pictures of children's faces reflecting varying racial and ethnic characteristics. The children made fewer cross-racial choices after busing than before.[146] Moreover, after interracial contacts through busing, both black and white children more frequently chose a member of their own race as their likely friend than they had before the busing program had begun. The older the children, the more pronounced was this trend.[147]

Soon after implementation of Rochester's busing program, the major black organization, FIGHT, changed the "I" in its acronym from "Integration" to "Integrity" and in 1971 ran separatist candidates in the school board elections and sought black control over segregated schools.[148] Meanwhile, a coalition of fearful middle-class whites ran a slate favoring better discipline and "neighborhood schools." Fights between black and white students at several high schools aided the anti-busing forces and resulted in the decisive defeat of the pro-busing school board and consequently the early termination of the city's busing program.[149]

In summary, the busing studies available demonstrate rather conclusively that busing for racial integration has produced little or no improvement in race relations. In fact,

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the results appear to be to the contrary. In Ann Arbor and Riverside, interracial peer acceptance declined. In Boston, busing heightened racial consciousness and encouraged separatist ideologies. In Buffalo, Evanston, and Rochester, disciplinary problems, frequently with racial overtones, threatened termination of the busing programs. In no city did busing appear to increase interracial contact or better interracial understanding.

In communities where courts have mandated that school boards utilize busing to integrate the schools, frictions between blacks and whites have led to an even greater polarization of the races.[150] After reviewing the experiences of those communities which have used busing, social scientist Glazer concluded that black children who were bused tended to become more anti-white than those who were not bused. He emphasized that if judges are ordering forced integration of the public schools because they believe that this will improve race relations, "they are acting neither on evidence nor on experience but on faith." [151]

The long-range impact of busing on interracial attitudes is obviously impossible to assess at this time. Sociologists are in disagreement as to whether "natural" integration of the races has resulted in more positive interracial attitudes.[152] Certainly, if busing to achieve integration constitutes an integral part of a more comprehensive program to achieve integration of housing, employment, private clubs, etc., then the chances of better racial attitudes may be improved. However, the evidence does not indicate that busing alone will produce such attitudinal changes. In fact, busing for racial integration appears to have intensified racial differences among students and polarized communities into hostile camps.

D. Conclusions from the studies

The ten busing studies as well as other recent evidence from social scientists fail to support the fundamental assumptions upon which proponents of massive court-ordered busing have relied. Busing has failed to consistently raise black achievement levels or close the gap between white and black pupils. Busing has failed to impart psychological benefits upon black students and may impose seriously harmful psychological consequences. Most clearly, busing has failed to improve race relations. Instead, it has tended to intensify racial stereotyping and polarize affected communities.

These conclusions raise an important question: why has social science research failed to adequately question the underlying premises upon which educators, lawyers, and especially federal judges have relied in support of massive busing as a judicial remedy? At least four reasons may be offered. First, many of the early studies suffered from serious methodological shortcomings.[153] Second, many of the early studies have been misunderstood. James Coleman recently emphasized, for example, that courts have "inappropriately" applied the results of his influential study to support the premise that racial balance in the schools is required to provide equal educational opportunity for blacks.[154] Third, most of the studies on the effects of desegregated schooling have not focused on busing. Since busing to achieve integration is a relatively recent phenomenon, most researchers have studied communities where "natural" integration prevailed or where desegregation involved minimal transportation of children. But logic tells us that studies which focus on the effects upon black children of legally enforced segregation will have one result; those which focus on desegregation with all children attending neighborhood schools may have a different result; and those studies which focus on busing children out of their neighborhood schools as a judicial remedy may have still another result.

Finally, a significant shortcoming of most desegregation studies is their failure to account for the rising racial consciousness in the black community. The integrationalist ideology presupposed that the white school was superior and that blacks could improve themselves only by attending classes with whites.[155] By the mid-1960's, however, many blacks began to question whether integration should any longer be their primary objective.[156]

Today, many blacks oppose both busing and integration and instead seek community control over black institutions, including ghetto public schools. Roy Innis of the Congress of Racial Equality argues that integration of the public schools would place blacks in a "perpetual minority." [157] Blacks can hope to share in the benefits of American society, says Innis, only by controlling as many of the political, economic, and social institutions as possible.[158] Similarly, the recent National Black Convention in Gary, Indiana, adopted a strong plank against the busing of black children to achieve racial balance. A majority of the delegates condemned "forced racial integration of the schools as a bankrupt, suicidal methd of desegregating schools." [159]

Certainly, no single leader can speak for all blacks on this or any other issue. Most blacks and whites still support the goal of an integrated society.[160] However, a substantial minority of blacks oppose busing school children to achieve racial balance.[161] Because many blacks view anti-busing as a "code word" for white racism, even these polls may underestimate the anti-busing sentiment in the black community. Moreover, the most black parents who support busing view it as the only vehicle for quality education for their children and often neglect to consider the possibility of upgrading black schools in their own neighborhoods.[162] Certainly, both social scientists and policy-makers should carefully consider these changing sentiments in the black community before rushing to conclude that busing to achieve racial integration will automatically benefit black pupils.

The shortcomings of the busing studies relied upon in this Note should also be indicated. Since most busing programs have been in effect less than four years, the studies cover relatively short periods of time. Many of the programs involve the busing of small numbers of children. Most importantly, all of the studies deal with communities which voluntarily adopted busing programs. Future studies are needed to determine the academic, psychological, and social effects on school children from large-scale, court-ordered busing programs. In the meantime, however, the legal community should not ignore the available sociological findings derived from voluntary busing programs.

IV. Mapp: A precedent for socio-legal reappraisal

Even though current sociological studies on busing to achieve racial integration contain shortcomings, the legal community should utilize this evidence to make the court-ordered busing of school children a more rational process. The court of appeals' heavy reliance on the recent findings of sociologists and psychologists in *Mapp v. Board of Education* [163] will hopefully rekindle interest in *Brown I's* socio-legal approach. The procedural background of *Mapp* provides a representative chronolog of the difficulties faced by the federal courts in desegregation suits since *Brown I* and *II*.[164]

In *Mapp*, plaintiffs contended that the Chattanooga School Board's desegregation plan did not go far enough in eliminating racially identifiable schools and placed a disproportionate burden on the black community.[165] Defendants argued that the plan went too far by requiring pairing and clustering of schools and the expenditure of large amounts of public funds ($500,000) for busing to achieve racial balance in every school. In a two-to-one decision, the Court of Appeals for the Sixth Circuit rejected both the plaintiffs' alternative plan and the district court's modified plan as requiring fixed racial balances or quotas. Writing for the majority, Judge Weick noted that neither *Swann* nor *Winston-Salem/Forsyth County Board of Education v. Scott* [166] required such quotas.[167]

The court distinguished *Mapp* from *Swann* in terms of the degree of cooperation which the school boards afforded the district courts. While the Charlotte Board had failed to cooperate and was "clearly in default," the Chattanooga Board had made a consistent "good faith" effort to comply with the district court's directives.[168] Such good faith efforts, the court concluded, shifted to plaintiffs the burden of proving that the remaining racial imbalances resulted from discriminatory state action.[169]

By far the most revolutionary aspect of *Mapp* was its repudiation of indiscriminate court-ordered busing as a judicial remedy. The court emphasized the critical importance of the neighborhood school in enabling parents and children to more fully participate in the educational process.[170] The majority distinguished voluntary busing to a neighborhood school from "induced or forced busing" to a distant school in terms of the effects upon school children and their parents.[171] The "feeling-of-inferiority" effect on children noted in *Brown I*, Judge Weick wrote, "would seem to persist still if children of both races are prohibited from attending schools nearest to their residences, merely because of the color of their skin." [172]

In the court's judgment, a quota system, with its companion use of busing, discriminated in favor of one race, lowered the quality of education, and polarized the races.[173] More significantly, the majority suggested that the district court on remand should consider recent sociological findings in evaluating the impact of induced busing upon educational achievement and race relations.[174] The court also recommended that the district court further examine the practicalities of busing in light of its substantial cost and its impact upon the constitutional rights, safety, and educational achievement of bused children.[175]

V. CONCLUSION

Mapp thus constitutes the most recent federal court decision to utilize social science research in analyzing the effects of school busing on the academic, psychological, and social development of black children. This approach should be well-noted, regardless of the final disposition of the case itself. Unfortunately, most lawyers, judges, and legal scholars who have grappled with the ambiguities and complexities of *Swann* over the past two years have ignored this socio-legal approach originated by *Brown I*.[176] But the Court in *Swann* left the door open to such sociological and psychological evaluations when it emphasized that courts may limit busing where "the time or distance of travel is so great as to either risk the health of the children or *significantly impinge on the educational process*." [177] Unfortunately, some federal courts have interpreted *Swann* as a full-fledged constitutional authorization for the massive busing of school children to achieve fixed racial balances in the public schools.[178] Chief Justice Burger cautioned against such an interpretation last year in *Winston-Salem*,[179] and certainly the Denver [180] and Richmond [181] busing cases will provide opportunities for the Court to further define constitutional requirements in this hazy area. At the same time, a full nine-judge panel of the Court of Appeals for the Sixth

Footnotes at end of article.

Circuit is reevaluating its recent decision in the controversial Detroit busing case.[182]

In this period of analysis and reinterpretation, social science research points the way toward a more realistic interpretation of *Swann*. Under certain circumstances, busing may improve the quality of education which a child receives.[183] As the busing studies from Hartford [184] and Sacramento [185] demonstrated, when bused children are integrated from the first grade on, when they receive special supportive assistance at the receiving schools, and when there exists strong support for busing in both the black and white communities, the chances for quality education through busing are increased.[186] This Note asserts, however, that the legal community must encourage additional socio-legal investigations to determine the likelihood of such improvements in special communities before judges indiscriminately order massive busing as a judicial remedy. Certainly, we should not return to the separate-but-equal doctrine under which communities could deny black children the right to attend schools in their own neighborhoods so long as equal physical facilities were provided.[187] But, similarly, we should not bus children from their neighborhood schools unless educational and social gains appear likely.

Mapp's renewed reliance on modern sociology will, thus, hopefully generate an extensive reappraisal of the specific circumstances under which federal courts should or should not order massive busing to desegregate the public schools. In light of the tremendous social, political, and economic costs being paid for busing, the absence of any consistent educational gains, the deleterious psychological impact of busing upon black children, and the increasing polarization of the races, such a reexamination is long overdue.

JEFFREY J. LEECH.

FOOTNOTES

[1] 347 U.S. 483 (1954).

[2] The Court listed the authorities upon which it relied, *id.* at 494–95 n.11: K. Clark, Effect of Prejudice and Discrimination on Personality Development (Midcentury White House Conference on Children and Youth, 1950); E. Frazier, The Negro in the United States 674–81 (1949); G. Myrdal, An American Dilemma (1944); H. Witmer & R. Kotinsky, Personality in the Making ch. 6 (1952); Brameld, *Educational Costs,* in Discrimination and National Welfare 44–48 (R. MacIver ed. 1949); Chein, *What Are the Psychological Effects of Segregation Under Conditions of Equal Facilities?,* Deutscher & Chein, *The Psychological Effects of Enforced Segregation: A Survey of Social Science Opinion,* 26 J. Psych. 259 (1948).

See Borinski, *A Legal and Sociological Analysis of the Segregation Decision of May 17, 1954,* 15 U. Pitt. L. Rev. 622 (1954); *The Effect of Segregation and the Consequences of Desegregation: A Social Science Statement,* 37 Minn. L. Rev. 427 (1953) (statement signed by 31 sociologists, anthropologists, psychologists, and psychiatrists which was filed as an Appendix to Appellants' Briefs in *Brown I.*). *See also* Hodgson, *Do Schools Make a Difference?,* Atlantic, Mar. 1973, at 36–37; Reston, *A Sociological Decision, N.Y. Times,* May 18, 1954, at 14, cols. 4–5.

[3] 347 U.S. at 494.

[4] *Id.* The Court supported this finding by quoting an unidentified Kansas case:

> Segregation of white and colored children in public schools has a detrimental effect upon the colored children. The impact is greater when it has the sanction of the law: for the policy of separating the races is usually interpreted as denoting the inferiority of the Negro group. A sense of inferiority affects the motivation of a child to learn. Segregation with the sanction of law, therefore, has a tendency to [retard] the educational and mental development of Negro children and to deprive them of some of the benefits they would receive in a racial[ly] integrated school system.

Id. In a footnote, the Court further buttressed its argument by citing a Delaware case, Belton v. Gebhart, 32 Del. Ch. 343, 87 A.2d 862 (Ch. 1952):

> I conclude from the testimony that in our Delaware society, State-imposed segregation in education itself results in the Negro children, as a class, receiving educational opportunities which are substantially inferior to those available to white children otherwise similarly situated. 347 U.S. at 494 n.10.

[5] 163 U.S. 537 (1896).

[6] Carithers, *School Desegregation and Racial Cleavage, 1954–1970: A Review of the Literature,* 26 J. Social Issues, Autumn 1970, at 28.

[7] *See generally* P. Carmichael, The South and Segregation (1965); van den Haag, *Social Science Testimony in the Desegregation Cases,* 6 Vill. L. Rev. 69 (1960); *see also* van den Haag, *The Tortured Search for the Cause of Inequality,* Nat'l Rev., Feb. 16, 1973, at 200.

[8] *See* Armor, *The Evidence on Busing,* Pub. Interest, Summer 1972, at 96 [hereinafter cited as Armor, *Evidence*]. Mack H. Jones, in *Black School Board Members in the Deep South,* emphasized the pervasive acceptance of the premises of the integrationist ideology in April 1970:

> Over the last decade or so the educational problems of Black children in the South have been discussed almost exclusively within the constraints of the integrationism-segregation argument. In the process, the real problems of Black scholastics have been obfuscated by the heat generated by this controversy while we waited in vain for that heat to be converted into illumination.

* * * * *

Quoted in Integrated Educ., Nov.–Dec. 1972, at 63.

[9] Brown v. Board of Educ., 349 U.S. 294, 301 (1955).

[10] *See* B. Muse, Ten Years of Prelude: The Story of Integration Since the Supreme Court's 1954 Decision (1964).

[11] 28 U.S.C. §§ 2000c–d (1970).

[12] Glazer, *Is Busing Necessary?,* Commentary, Mar. 1972, at 39.

[13] J. Coleman, Equality of Educational Opportunity 3–7, 21–24 (1966) [hereinafter cited as Coleman Report].

[14] *Id.* at 21–22, 325.

[15] Pettigrew, *Race and Equal Educational Opportunity,* 38 HARV. EDUC. REV. 66 (1968); Pettigrew, *Racially Separate or Together,* 25 J. Social Issues, Jan. 1969, at 43.

[16] U.S. Comm'n on Civil Rights, Racial Isolation in the Public Schools, Summary of Report 3–5, 11–12 (1967).

[17] *Id.* at 16–17. *See also* Pettigrew, *Race and Equal Educational Opportunity,* 38 Harv. Educ. Rev. 66, 70–75 (1968).

[18] Edmonds, *You Can Get Hurt Waiting for the Bus,* 2 J. Intergroup Rel., Oct. 1972, at 13. *See also* Comm'n on School Integration, National Ass'n of Intergroup Relations Officials, Public School Segregation and Integration in the North (1963).

[19] 391 U.S. 430, 437–38 (1968).

[20] 396 U.S. 19 (1969).

[21] Bickel, Busing: What's To Be Done?, New Republic, Sept. 30, 2, at 21.

[22] 402 U.S. 1 (1971).

[23] *Id.* at 30–31.

[24] School boards have implemented extensive court-ordered busing programs in Alabama (Bessemer, Birmingham), Arkansas (Little Rock), California (Oxnard, San Francisco), Florida (Jacksonville), Georgia (Augusta, Savannah), Maryland (Prince George's County), Michigan (Kalamazoo, Pontiac), Mississippi (Jackson), North Carolina (Charlotte, Wilmington,), Oklahoma (Oklahoma City), South Carolina (Columbia), Tennessee (Nashville, Memphis), Texas (Austin, Corpus Christi, Dallas, Fort Worth, Houston), and Virginia (Norfolk, Richmond). Other cities facing desegregation suits to court orders involving busing have included Buffalo, Denver, Las Vegas, Los Angeles, Indianapolis, and Minneapolis. *See* U.S. News & World Rep., Sept 11, 1972, at 58–59.

[25] Bradley v. School Bd., 338 F. Supp. 67 (E.D. Va.), rev'd, 462 F. 2d 58 (4th Cir. 1972), *cert. granted,* 93 S. Ct. 936 (1973), *noted in* 6 Ind. L. v. (1972).

[26] See U.S. News & World Rep., Oct. 29, 1972, at 38.

[27] Indianapolis Star, Feb. 9, 1973, at 13, cols. 7–8; Indianapolis Star, June 17, 1973, at 34, cols. 6–8. For previous case history, see Bradley v. Milliken, Cause Nos. 72–1809 & 72–1814 (6th Cir., Dec. 8, 1972), *aff'g* 338 F. App. p. 582 (Ed. Mich. 1971). On May 24, 1972, Armor gave a deposition for defendants based upon an early draft of his housing article. *See* note 8 *supra,* On June 12, 1972, United States District Court Judge Stephen H. Roth ruled the deposition inadmissible.

[28] United States v. Board of School Comm'rs, 332 F. Supp. 655 (S.D. Ind. 1971). After the circuit court affirmed, 474 F.2d 81 (7th Cir. 1973), the Indianapolis school board initiated an appeal to the United States Supreme Court. *See* Indianapolis Star, Feb. 14, 1973, at 4, cols. 6–8.

[29] U.S. News & World Rep., June 19, 1972, at 19. For an article supporting metropolitan busing, see Strickman, *Desegregation: The Metropolitan Concept,* 6 Urban Rev., Sept.–Oct. 1972, at 18.

[30] *See* Zwerling, *White Militance in Michigan: Block Those Buses.* New Republic, Oct. 23, 1971, at 14; Indianapolis Star, Jan. 15, 1973, at 9, cols. 4–7; Newsweek, Feb. 12, 1973, at 71; Newsweek, Mar. 13, 1972, at 20–21; N.Y. Times, Jan. 25, 1973, at 40, cols. 1–8.

[31] N.Y. Times, Apr. 28, 1972, at 9, cols. 1–2.

[32] See Newsweek, Mar. 13, 1972, at 21.

[33] Wooten, *Again a Gun Alters the Politics of the Republic,* N.Y. Times, May 21, 1972, § 4, at 81; cols. 1–5; N.Y. Times, May 14, 1972, § 1, at 1, col. 5. By the time of Governor Wallace's attempted assassination, he had collected more than 320 Democratic convention delegates and had won more popular votes than any other presidential candidate.

[34] *See* Bickel, *What's Wrong with Nixon's Busing Bills,* New Republic, Apr. 22, 1972, at 19; U.S. News & World Rep., June 19, 1972, at 19. In May 1972, Congress passed a measure prohibiting the use of federal funds for busing not "constitutionally required" and providing that any new busing orders could not become effective until December 31, 1973, or until all appeals had been exhausted. However, some federal courts ignored the moratorium and continued to order busing. *See* Herbers, *A Bus Blocks the Way,* N.Y. Times, May 21, 1972, § 4, at 9, col. 4; U.S. News & World Rep., Oct. 23, 1972, at 37.

[35] U.S. News & World Rep., Oct. 23, 1972, at 37. For a discussion of President Nixon's position on busing, see Bickel, *Untangling the Busing Snarl,* New Republic, Sept. 23, 1972 at 21.

[36] *See also* Harvey & Holmes, *Busing and School Desegregation.* 54 Phi Delta Kappa 540 (1972).

[37] U.S. News & World Rep., Oct. 23, 1972, at 37.

[38] *See* Entin, *The Black Burden in Jacksonville Desegregation,* Integrated Educ., July-Aug. 1972, at 3.

[39] Saturday Rev., Jan. 16, 1971, at 52. *See generally Hearings on the Status of School Desegregation Law Before the Senate Select Comm. on Equal Educational Opportunity,* 92d Cong., 1st Sess., pt. 10 (1971) [hereinafter cited as *School Desegregation Hearings*].

[40] *See* Chesler, *Desegregation and School Crisis,* Integrated Educ., Nov.-Dec. 1972, at 54.

[41] Zwerling, *White Militance in Michigan: Block Those Buses,* New Republic, Oct. 23, 1971, at 14.

[42] *Id.*

[43] *School Desegregation Hearings, supra* note 39, pt. 18, at 9023 (testimony of Dr. Elbert D. Brooks).

[44] Figures *cited in* Brewer v. School Bd., 456 F.2d 943, 947 (4th Cir. 1972).

[45] U.S. News & World Rep., Sept. 11, 1972, at 58.

[46] *Id.* at 50. *See generally School Desegregation Hearings, supra* note 39, pt. 18 (Pupil Transportation Costs).

[47] This Note does not review every busing experiment studied. However, it is contended that the ten cities reviewed represent a fair and adequate sampling of the major studies available. Other studies, by city, not herein discussed include: (1) Goldsboro, N.C.: J. McCullough, Academic Achievement Under School Desegregation in Southern City, Jan. 1972 (Department of City and Regional Planning, University of North Carolina at Chapel Hill); (2) Newark-Verona, N.J.: S. Zdep & D. Joyce, The Newark-Verona Plan for Sharing Educational Opportunity, 1969 (Educational Testing Service, Princeton, N.J.); (3) New Rochelle, N.Y.: J. Kaplan, New Rochelle: Civil Rights U.S.A. Public Schools, Cities in the North and West, A Report to the United States Commission on Civil Rights, 1962; (4) New York, N.Y.: I. Slone, The Effects of One School Pairing on Pupil Achievement, Anxieties, and Attitudes, 1968 (unpublished doctoral dissertation in New York University Library); (5) Philadelphia, Pa.: M. Laird & G. Weeks, The Effects of Busing on Achievement in Reading and Arithmetic in Three Philadelphia Schools, Dec. 1966 (Board of Education, Philadelphia, Pa.); (6) Syracuse, N.Y.: J. Beker, Final Report: A Study of Integration in Racially Imbalanced Urban Public Schools, May 1967 (Youth Development Center, Syracuse University).

[48] St. John, *Desegregation and Minority* Group Performance, 40 Rev. Educ. Res. 111 (1970) [hereinafter cited as St. John].

[49] Armor, *Evidence, supra* note 8; Armor, *The Double Double Standard: A Reply*, Pub. Interest, Winter 1973, at 119 [hereinafter cited as Armor, *Reply*].

[50] Pettigrew, Useem, Normand, & Smith, *Busing: A Review of "The Evidence,"* Pub. Interest, Winter 1973, at 88 [hereinafter cited as Pettigrew, *Busing*].

[51] Editorial, *Dangerous Orthodoxy*, N.Y. Times, July 5, 1972, at 38, cols. 1–2; Farber, *Lawyers' Group Fears an Overreliance on Educational Studies*, N.Y. Times, June 11, 1972, at 37, cols. 1–5; Hodgson, *Do Schools Make a Difference*, Atlantic, Mar. 1973, at 40–41; Pettigrew, *Busing, supra* note 50; Pettigrew, Useem, Normand, & Smith, *Pierced Armor*, Integrated Educ., Nov.–Dec. 1972, at 3; Reinhold, *Study Critical of Busing Scored*, N.Y. Times, June 8, 1972, at 40, cols. 1–3; Strickman, *The Trouble with Armor*, 6 Urban Rev., Sept.–Oct. 1972, at 20.

[52] 118 Cong. Rec. S8189–90, S8214 (daily ed. May 23, 1972) (remarks of Senators Byrd, Griffin, & Brock); 118 Cong. Rec. S9155 (daily ed. June 12, 1972) (remarks of Senator Talmadge); 118 Cong. Rec. S11,095 (daily ed. July 18, 1972) (remarks of Senator Allott); 118 Cong. Rec. S17,698–99, S17,740 (daily ed. Oct. 12, 1972) (remarks of Senators Dominick & Javits).

[53] Mapp v. Board of Educ., Cause No. 71–2006 (6th Cir., Oct. 11, 1972).

[54] *See generally* Brown v. Board of Educ., 347 U.S. 483, 494 (1954); Coleman Report, *supra* note 13; U.S. Comm'n on Civil Rights, *supra* note 16; Armor, *Evidence, supra* note 8; authorities cited note 15 *supra*.

[55] P. Carrigan, School Desegregation via Compulsory Pupil Transfer: Early Effects on Elementary School Children 371–73, Sept. 1969 (Office of Education, Washington, D.C.).

[56] *Id.* at 135–37.

[57] *Id.* at 367–68.

[58] *School Desegregation Hearings, supra* note 39, pt. 9A, at 3978 (testimony of Harriet G. Wood).

[59] *Id.* at 3981 (testimony of Richard L. Foster). Since the entire school population participated in the desegregation plan, no control group was available for comparison.

[60] A. Dambacher, Report of Group Test Results of Intelligence and Academic Achievement, 1970 (Office of Research and Evaluation, Berkeley Unified School District), *reprinted in School Desegregation Hearings, supra,* note 39, pt. 9B, at 4539.

[61] A. Dambacher, Comparison of Selected Group Achievement Test Results for Period 1967 through 1972, 1972 (Office of Research and Evaluation, Berkeley Unified School District). *See also* Armor, *Reply, supra* note 49, at 121–122.

[62] Streshinsky, *Making Integration Work*, Parents' Magazine, Jan. 1973, at 53.

[63] Armor, *Evidence,* supra note 8, at 97.

[64] *See* St. John, *supra* note at 48, at 124. For additional methodological criticisms, *compare* Pettigrew, *Busing, supra* note 50, at 99–103 *with* Armor, *Reply, supra* note 49, at 125–29. During the first year of the program, bused children in grades 3–8 showed improvement in reading, word, and spelling tests, but not arithmetic. Unfortunately, because of the unwillingness of the Boston schools to supply records to researchers, no comparisons with a control group were possible. *See* D. Archibald, Report on Change in Academic Achievement for a Sample of Elementary School Children: Progress Report on METCO, 1967 (METCO Education Program, Roxbury, Mass.), *cited in* St. John, *supra* note 48, at 124.

[65] Paper presented by Herbert J. Walberg, American Educational Research Association Annual Meeting, Feb. 1971. *See also* H. Walberg, An evaluation of an Urban-Suburban School Bussing Program: Student Achievement and Perception of Class Learning Environments, 1969 (METCO Education Program, Roxbury, Mass.).

[66] D. Armor & W. Genova, METCO Student Attitudes and Aspirations: A Three-Year Evaluation, 1970 (unpublished manuscript), *cited in* Armor, *Evidence, supra* note 8, at 99.

[67] R. Banks & M. DiPasquale, A Study of the Educational Effectiveness of Integration 1, Jan. 1969 (Buffalo Public Schools, Buffalo, N.Y.) [hereinafter cited as R. Banks & M. DiPasquale]. For an earlier study, see F. Dressler, Study of Achievement in Reading of Pupils Transferred from Schools 15 and 37 to Peripheral Schools to Eliminate Overcrowding, to Abandon an Obsolete School, and to Achieve a More Desirable Racial Balance in City Schools, Mar. 1967 (Buffalo Public Schools, Buffalo, N.Y.).

[68] R. Banks & M. DiPasquale, *supra* note 67, at 4–5.

[69] *Id.* at 4. For example, before busing, segregated seventh grade blacks were 1.3 years behind whites in paragraph meaning. After one year of integrated schooling, blacks were 1.7 years behind.

[70] *Id.* at 7, 10.

[71] St. John, *supra* note 48, at 123.

[72] J. Hsia, Integration in Evanston, 1967–71: A Longitudinal Evaluation, A Summary of the Major Findings 4, Aug. 1971 (Educational Testing Service, Evanston, Ill.).

[73] *Id.*

[74] The students were randomly selected, but parental approval was required. *See generally* U.S. Dep't of Health, Educ. & Welfare, It Works: Project Concern, Hartford, Connecticut (1969); A. Satz & M. Hoffman, Project Concern: Hartford, Connecticut, Oct. 1971 (Center for Urban Education, New York, N.Y.); Mahan, *The Impact of Schools on Learning: Inner-City Children in Suburban Schools*, 9 J. School Psych. 3 (1971); Samuels, *Is Busing a Viable Alternative?*, Actions, Mar. 1972 (Connecticut State Department of Education newsletter).

[75] U.S. Dep't of Health, Educ. & Welfare, It Works: Project Concern, Hartford, Connecticut 2, 4–10 (1969).

[76] *Id.* A 1970 report by Crane concluded that bused pupils achieved more in reading than nonbused pupils. However, by the fifth grade, bused pupils were still a full year below grade level. The absence of a comparable control group and the high dropout rate for the program may prejudice these results. *See* T. Crane, A Three Year Summary of Hartford Project Concern, Oct. 1970 (Connecticut State Department of Education, Hartford, Conn.).

[77] R. Clinton, A Study of the Improvement in Achievement of Basic Skills of Children Bused from Urban to Suburban School Environment, 1969 (unpublished masters thesis in Southern Connecticut State College Library), *cited in* Armor, *Evidence, supra* note 8, at 100.

[78] M. Purl & J. Dawson, The Effect of Integration on the Achievement of Elementary Pupils, May 1969 (Riverside Unified School District, Riverside, Cal.), *reprinted in School Desegregation Hearings, supra* note 39, pt. 9B, at 4834. Because desegregation was accomplished by eliminating minority schools, no control group was available for comparison.

[79] *Id.* at 4869.

[80] M. Purl & J. Dawson, The Achievement of Pupils in Desegregated Schools, 1971 (Riverside Unified School District, Riverside, Cal.), *cited in* Armor, *Evidence, supra* note 8, at 100. The achievement gap between white and black fourth graders, who had been integrated since kindergarten, was as great as when the busing program began.

[81] St. John, *supra* note 48, at 115.

[82] H. Gerard & N. Miller, Factors Contributing to Adjustment and Achievement in Racially Desegregated Schools 48–65, 1971 (unpublished manuscript, Department of Psychology, UCLA). *See also* Paper presented by Harry Singer, Annual Convention of American Educational Research Association, Minneapolis, Minn., Mar. 3–6, 1970.

[83] In a pilot program starting in 1965, Rochester each year bused twenty-five above-average children from an inner-city school to a high quality suburban school in West Irondequoit. Over a three-year period, bused students made significant gains over a control group of inner-city students in thirteen of twenty-seven achievement comparisons possible. However, pupil transfers resulting from parental objections, high testing mortality, and the high quality of the receiving school render overall conclusions difficult. *See* W. Rock, An Interim Report on a Cooperative Program Between a City School District and a Suburban School Dist., July 1966, July 1967, July 1968 (Board of Education, Rochester, N.Y.), *cited in* St. John, *supra* note 48, at 122.

[84] O. Bowman & R. Green, Final Report: A Three Year Longitudinal Study to Assess a Fifteen Point Plan to Reduce Racial Isolation and Provide Quality Integrated Education for Elementary Pupils 2, 9, Sept. 1970 (City School District, Rochester, N.Y.).

[85] *Id.* at 32–33. Of thirty-five academic achievement comparisons possible, one favored the segregated black pupils, nine favored the integrated black pupils (eight at grade 3), and twenty-five were not significantly different.

[86] *Id.* Of sixteen comparisons possible for teacher perception of pupils' social growth and work habits, none favored the integrated black pupils, two favored the segregated black pupils, and fourteen were insignificant.

[87] Armor, *Evidence, supra* note 8, at 123.

[88] E. Morrison & J. Stivers, A Summary of the Assessments of the District's Integration Programs, 1964–1971, at 1, Sept. 1971 (Sacramento City Unified School District, Sacramento, Cal.).

[89] *Id.* at 2–3.

[90] *Id.* at 11–14.

[91] *Id.* at 7. *See also* Armor, *Reply, supra*

note 49, at 122, in which he points out that the slight achievement gains may be due to differences in instructional services rather than integration through busing. Segregated students who received special compensatory services gained 1.1 years per year in reading, while integrated students gained 1.0 years.

[92] Bd. of Educ., White Plains, New York, A Three-Year Evaluation of the White Plains Racial Balance Plan, Oct. 1967, *cited* in St. John, *supra* note 48 at 122. *See also* A. Bondarin, The Racial Balance Plan: White Plains, New York, 1969 (Center for Urban Education, New York, N.Y.)

[93] Armor, *Evidence, supra* note 8, at 99.

[94] St. John, *supra* note 48, at 122.

[95] Armor, *Evidence, supra* note 8, at 109.

[96] Bell, *Integration: A No Win Policy for Blacks,* Integrated Educ., Sept.–Oct. 1972, at 35.

[97] Edmonds, *supra* note 18, at 14.

[98] Glazer, *supra* note 12, at 50.

[99] St. John, *supra* note 48, at 125–29. *See also* Podhoretz, *School Integration and Liberal Opinion,* Commentary, Mar. 1972, at 7; Wasserman, *Busing As a "Cover Issue"—A Radical View,* 6 Urban Rev., Sept.-Oct. 1972, at 7. *Bus see* Foster, *School Desegregation: Problem or Opportunity for Urban Education?,* Urban Rev., Sept.-Oct. 1972, at 12; Mondale, *Busing in Perspective,* New Republic, Mar. 4, 1972, at 16.

[100] Social scientists generally agree that busing has no effect on the academic achievement of white children. *See, e.g.,* Scudder & Jurs, *Do Bused Negro Children Affect Achievement of Non-Negro Children?,* Integrated Educ., Mar.-Apr. '972, at 30–34.

[101] 347 U.S. at 494.

[102] *See* Armor, *Evidence, supra* note 8, at 96; Clark, *Eighteen Years After Brown,* Integrated Educ., Nov.-Dec. 1972, at 7 (hereinafter cited as Clark, *Eighteen Years*).

[103] Katz, *Review of Evidence Relating to Effects of Desegregation on the Intellectual Performance of Negroes,* 19 Am. Psych. 396 (1964); *cf.* Katz, *Academic Motivation and Equal Education Opportunity,* 38 Harv. Educ. Rev. 57 (1968); Katz, *A Critique of Personality Approaches to Negro Performance With Research Suggestions,* 25 J. Social Issues, Summer 1969, at 13.

[104] *See* authorities cited note 103 *supra.*

[105] P. Carrigan, *supra* note 55, at 162, 368.

[106] Vernoff & Peele, *Initial Effects of Desegregation on the Achievement Motivation of Negro Elementary School Children,* 25 J. Social Issues, Summer 1969, at 71. The authors attributed this seemingly contradictory result to the tendency of bused black males to lower unusually high aspirations to more realistic levels.

[107] *Id.* at 84–85. The authors speculate that the difference between the sexes may result from the black male's competency in athletics which leads to increased social acceptance among his peers. Conversely, they contend that black females are much less likely to gain such peer support. *Id.* at 88. Readers are cautioned, however, that follow-up studies on these children over longer periods of time are necessary before the effects of busing on motivation can be conclusively measured. *Id.* at 90.

[108] Armor, *Evidence, supra* note 8, at 101.

[109] *Id.* at 102.

[110] J. Hsia, *supra* note 72, at 5.

[111] *Id.*

[112] A. Satz & M. Hoffman, Project Concern: Hartford, Connecticut 34, Oct. 1971 (Center for Urban Education, New York, N.Y.).

[113] Samuels, *Busing, Reading, and Self in New Haven,* Integrated Educ., Nov.–Dec., 1972, at 26–27.

[114] H. Gerard & N. Miller, *supra* note 82, at 35–36.

[115] *School Desegregation Hearings, supra* note 39, pt. 9A, at 4502 (testimony of Dr. Jane Mercer).

[116] *Cf.* Jencks, *Busing—The Supreme Court Goes North,* N. Y. Times (Magazine), Nov. 19, 1972, at 120, in which the author wrote that blacks tend to get lower grades in integrated schools and consequently have lower academic self-concepts than blacks in segregated schools. Moreover, he concluded that blacks in segregated schools have basically the same high educational aspirations as those in integrated schools and are just as likely to go to college.

[117] Black Journal (television program, Jan. 9, 1973, Public Broadcasting System, WFYI, Indianapolis, Ind.).

[118] *See, eg.,* Smith v. St. Tammany Parish School Bd., 302 F. Supp. 106 (E.D. La. 1969); Brice v. Landis, 314 F. Supp. 974 (N.D. Cal. 1969). *See also* Entin, *supra* note 28, at 11–15.

[119] *See, e.g.,* Clark v. Board of Educ., 449 F.2d 493 (8th Cir. 1971); Carr v. Montgomery County Bd. of Educ., 429 F.2d 382 (5th Cir. 1970); Choctaw County Bd. of Educ. v. United States, 417 F.2d 945 (5th Cir. 1969); Mims v. Duval County School Bd., 329 F. Supp. 123 (M.D. Fla. 1971). *See also* B. Fancher, Voices in the South, Aug. 1970 (Southern Regional Council, Atlanta, Ga.), *reprinted in School Desegregation Hearings, supra* note 39, pt. 20, at 10276; Entin, *supra* note 38, at 11–15; Gendron, *Busing in Florida: Before and After,* Integrated Educ., Mar.–Apr. 1972, at 3–7; Integrated Educ., July–Aug. 1972, at 21; 83 Harv. L. Rev. 1434 (1970).

[120] Entin, *supra* note 38, at 9–11. *See also* Hamilton, *Race and Education: A search for Legitimacy,* 38 Harv. Educ. Rev. 677 (1968). For arguments in favor of the neighborhood school concept, see Gunning, *Busing Versus the Neighborhood School,* 6 Urban Rev., Sept.–Oct. 1972, at 2–5; Note, *School Desegregation After* Swann, 39 U. Chi. L. Rev. 444 (1972).

[121] Raspberry, *Massive Busing: A Waste,* Washington Post, Feb. 16, 1972, at A15, cols. 6–8.

[122] Raspberry, *School Changes Are Late,* Washington Post, Jan. 26, 1972, at A23, cols. 6–8. *See also* Raspberry, *No Point in Running,* Washington Post, Jan. 21, 1972, at A21, cols. 6–8; Raspberry, *School Integration Bids Rooted in Many Motives,* Indianapolis Star, Feb. 4, 1973, § 2, at 3, cols. 1–6.

[123] *See* G. Allport, the Nature of Prejudice 261–82 (1954); M. Deutsch & M. Collins, Interracial Housing: A Psychological Evaluation of a Social Experiment (1951); Armor, *Evidence, supra* note 8, at 92–93.

[124] Clark, *Eighteen Years, supra* note 102, at 8–9; Pettigrew, *School Research and the Busing Issue,* 6 Urban Rev., Sept.–Oct. 1972, at 24 [hereinafter cited as Pettigrew, *School Research*].

[125] L. Anderson, The Effects of Desegregation on the Achievement and Personality Patterns of Negro Children, 1967 (doctoral dissertation, George Peabody College for Teachers), *cited in* Carithers, *supra* note 6, at 37.

[126] Bronfenbrenner, *The Psychological Costs of Quality and Equality in Education,* 38 Child Development 919 (1967).

[127] Dentler & Elkins, Intergroup Attitudes, Academic Performance, and Racial Composition, in The Urban R's 75 (R. Dentler, B. Mackler, & M. Warshauer eds. 1967).

[128] S. Drake & H. Cayton, Black Metropolis 281–82 (1962).

[129] Gottlieb & TenHouten, *Racial Composition and the Social Systems of Three High Schools,* 27 J. Marriage & Family 204 (1965).

[130] Proshansky, *The Development of Intergroup Attitudes,* in 2 Rev. of Child Development Res. 356 (L. Hoffman & M. Hoffman eds. 1966).

[131] D. Singer, Interracial Attitudes of Negro and White Fifth Grade Children in Segregated and Unsegregated Schools, 1967 (doctoral dissertation, Columbia University Library), *cited in* Carithers, *supra* note 6, at 33.

[132] Webster, *The Influence of Interracial Contact on Social Acceptance in a Newly Integrated School,* 52 J. Educ. Psych. 296 (1961); *cf.* Haggstrom, *Segregation, Desegregation, and Negro Personality,* in Learning Together 40 (M. Weinberg ed. 1964).

[133] Carithers, *supra* note 6, at 41. *See also Eisenman, Comment on Racially Separate or Together,* 25 J. Social Issues, Autumn 1969 at 199; Podhoretz, *supra* note 99, at 7, *See* Carithers, *supra* note 6, at 36–37 for contrary studies.

[134] P. Carrigan, *supra* note 55, at 309–12.

[135] *Id.* at 167–202. Moreover, the level of acceptance of black children was significantly lower than the level of acceptance of whites by blacks. Although black children indicated more positive attitudes toward their white classmates after integration than before, the differences were not statistically significant.

[136] *Id.* at 367.

[137] *School Desegregation Hearings, supra* note 39, pt. 9A, at 4058–84 (testimony of Berkeley Students Panel).

[138] *Id.* at 4058–65 (testimony of Eric Wiley).

[139] Armor, *Evidence, supra* note 8, at 102–03.

[140] *Id.* At the start of the busing program, forty-seven percent of the bused and fifty-one percent of the control group students expressed preferences for nonwhite schools. After two years of busing, eighty-one percent of the bused students said they would prefer attending nonwhite schools, as compared with sixty-six percent of the control groups.

[141] B. Useem, White Suburban Secondary Students in Schools with Token Desegregation, 1971 (unpublished doctoral thesis in Harvard University Library), *cited in* Armor, *Evidence, supra* note 8, at 103–04. While the lower-class white students reflected the highest levels of prejudice toward blacks, the middle-class, high-achieving white students showed the greatest decrease in support for the busing program. *See also* Useem, *White Students and Token Desegregation,* Integrated Educ., Sept.-Oct. 1972, at 46. *But see* Pettigrew, *Busing, supra* note 50, at 108–10. In response, Armor bolsters his thesis that busing increases racial hostility by citing recent data from A Better Chance, a program that places black students in white prep schools. *See* Armor, *Reply, supra* note 49, at 127–29.

[142] R. Banks & M. DiPasquale, *supra* note 67, at 7, 10.

[143] *Id.* at 7, 11.

[144] J. Hsia, *Supra* note 72, at 6–7.

[145] *Id.* at 7–8.

[146] H. Gerard & N. Miller, *supra* note 82, at 66–77.

[147] *Id.*

[148] Zukosky, *Giving Up On Integration,* New Republic, Oct. 14, 1972, at 21.

[149] *Id.* at 20.

[150] *See* B. Fancher, Voices From the South, Aug. 1970 (Southern Regional Council, Atlanta, Ga.), *reprinted in School Desegregation Hearings, supra* note 39, pt. 20, at 10, 276–325; Barrows, *School Busing: Charlotte, N.C.,* Atlantic, Nov. 1972, at 17–20; Bell, *supra* note 96, at 34–35; Dorr, *Ordeal by Desegregation,* Integrated Educ., July-Aug. 1972, at 34. *See also* authorities cited note 30 *supra.*

[151] Glazer, *supra* note 12, at 51.

[152] Jencks, *supra* note 116, at 120; Pettigrew, *School Research, supra* note 124, at 25.

[153] *See generally* Armor, *Evidence, supra* note 8, at 101–12; St. John, *supra* note 48, at 111–20. For evaluations of the Coleman Report, see F. Mosteller & D. Moynihan, On Equality of Educational Opportunity (1972); R. Newman & D. Newman, Evidence 215–17 (1969); Bowles & Levin, *The Determinants of Scholastic Achievement—An Appraisal of Some Recent Evidence,* 3 J. Human Resources 3 (1968); 38 Harv. Educ. Rev. 1, 1–212 (1968) (issue devoted to equality of educational opportunity).

[154] Coleman, *Coleman on "The Coleman Report,"* Pub. Interest, Summer 1972, at 126–27.

[155] Smith, *The Coming of the Black Ghetto-State*, 61 Yale Rev. 173 (1971).

[156] *See* S. Carmichael & C. Hamilton, Black Power (1967); A. Smith, Rhetoric of Black Revolution (1969); Hamilton, *The Nationalist vs. the Integrationist*, N.Y. Times (Magazine), Oct. 1, 1972, at 36; Killian, *School Desegregation: Past, Present, Future*, Integrated Educ., Sept.-Oct. 1972, at 3; Metzger, *American Sociology and Black Assimilation: Conflicting Perspectives*, 76 Am. Soc. Rev. 627 (1971).

[157] Innis, *quoted in* Hamilton, *The Nationalist vs. the Integrationist*, N.Y. Times (Magazine), Oct. 1, 1972, at 36.

[158] *Id.*

[159] Bork, *Quotation Marks: Busing and Forced Integration*, 6 Urban Rev., Sept.-Oct. 1972, at 41; Jaffe, *Coming Together in Gary*, Nation, Apr. 3, 1972, at 422.

[160] Greeley & Sheatsley, *Attitudes Toward Racial Integration*, Sci. Am., Dec. 1971, at 13–18. A number of prominent black leaders continue to support busing. *See* Clark, *In the Matter of Busing*, 6 Urban Rev., Sept.-Oct. 1972, at 11; Jordan, *Busing: A Creative Partnership*, 38 Vital Speeches, May 1, 1972, at 435; N.Y. Times, May 17, 1972, at 9, col. 1, in which Roy Wilkins of the NAACP stated that his organization withdrew from the Black Political Convention because of ideological differences over busing. *But see* Raspberry, *NAACP Shifting Stance on School Integration?* Indianapolis Star, Mar. 6, 1973, at 21, cols. 4–6.

[161] The Harris Poll in April 1972 reported that thirty-four percent of blacks opposed and fifty-two percent favored busing school children to achieve racial balancing. *See* Integrated Educ., July-Aug. 1972, at 20. The Gallup Poll in March 1972 reported that a "sizable proportion" of blacks opposed compulsory busing to achieve school desegregation. *See* Newsweek, Mar. 13, 1972, at 24. For an excellent case study (Beaufort, S.C.) on black opposition to busing for racial balance, see B. Fancher, Voices From the South, Aug. 1970 (Southern Regional Council, Atlanta, Ga.), *reprinted in School Desegregation Hearings, supra* note 39, pt. 20, at 10,287–93.

[162] *See* Teele & Mayo, *School Racial Integration: Tumult and Shame*, 25 J. Social Issues, Jan. 1960, at 137. Bryant Rollins, Executive Editor of the New Amsterdam News, recently emphasized that the busing issue distracted blacks' attention from the importance of community-controlled public schools and added:

Dr. Armor's study is important to black parents in that it arms those of us who feel that the present solution to urban educational problems is not through busing and other methods of integration, but through a massive two-pronged attack to bring quality education to the inner city. . . . One of the major blocks in the development of alternative all-black schools and the struggle for quality education in inner-city public schools has been the way in which blacks in leadership positions and ordinary middle-class blacks as well, have assumed that they had to move out in order for their children to learn well. This has had the effect of fracturing and dividing our energies.

Quoted in N.Y. Times (Magazine), Oct. 1, 1972, at 37. It is possible for all black schools to provide a quality education and also place greater emphasis upon black culture and history. For example, most children attending Black Muslim schools in Washington, D.C. unlike their counterparts attending public schools, are achieving at or above grade level in mathematics and reading. *See* Newsweek, Sept. 25, 1972, at 106–107.

[163] Cause No. 71–2006 (6th Cir., Oct. 11, 1972). (On December 14, 1972, this opinion was withdrawn and the case heard en banc. On April 30, 1973, the Sixth Circuit affirmed the findings of the district court and ordered implementation of the busing plan. *See* Indianapolis Star, May 1, 1973, at 15, col. 1.)

[164] The district court has assumed continuing jurisdiction over this case since plaintiffs filed their original complaint in April 1960 charging unconstitutional segregation in the Chattanooga public schools. In 1961, the court of appeals affirmed a district court order directing the school board to file a desegregation plan. 295 F.2d 617 (6th Cir. 1961). In 1962, the district court ordered the board to implement a gradual desegregation plan for all public schools within eight years. 203 F. Supp. 843 (E. D. Tenn. 1962). In 1963, the court of appeals affirmed except as to technical and vocational courses and remanded for further proceedings. 319 F.2d 571 (6th Cir. 1963). The district court later ordered desegregation of Chattanooga Technical Institute as well as all vocational and technical courses. In 1965, the district court granted plaintiffs' motion for acceleration of the desegregation plan requiring all grades, faculty, and supervisory personnel to be desegregated by September 1966. In 1967, the court of appeals affirmed the district court order except with regard to faculty assignments, with regard to which further proceedings were ordered. 373 F.2d 75 (6th Cir. 1967). In 1968, plaintiffs filed a motion for immediate relief. In 1970, the district court discussed recent Supreme Court and appellate court decisions and ordered an evidentiary hearing. In 1971, the district court conducted hearings on plaintiffs' motions, found the school system to be unconstitutionally segregated, and ordered the board to file new desegregation plans consistent with recent decisions. The district court later approved a modified board plan which basically provided a 70% white/30% black distribution in the elementary and junior high schools. 329 F. Supp. 1374 (E.D. Tenn. 1971). Both parties appealed.

[165] Mapp 1. Board of Educ., Cause No. 71–2006 (6th Cir., Oct. 11, 1972), at 1–2, 11.

[166] 404 U.S. 1221 (1971).

[167] Cause No. 71–2006, at 7.

[168] *Id.* at 8.

[169] *Id.* at 9.

[170] *Id.*

[171] *Id.* at 10.

[172] *Id.* at 10–11.

[173] *Id.* at 12. The court specifically recommended Armor's article, *Evidence*, *supra* note 8.

[174] Cause No. 71–2006, at 11–12. In his dissent, Judge Edwards argued that the majority position represented a repudiation of *Brown I* and *II*, *Swann*, and Davis 1. Board of Comm'rs, 402 U.S. 33 (1971). Mapp v. Board of Educ., *supra* at 14. He contended that any reevaluation of the sociological underpinnings of *Brown I* and *II* was improper and misleading. Describing the majority's reference to Armor's article as "completely irrelevant to our legal problems," he pointed to Pettigrew's reply to Armor which he had printed in the appendix. Mapp v. Board of Educ., *supra* at 34, 38.

[175] Cause No. 71–2006, at 13.

[176] *See* Cook, *School Desegregation: To Brown and Back Again—the Great Circle*, 23 Baylor L. Rev. 398 (1971); Fiss, *The Charlotte-Mecklenburg Case—Its Significance for Northern School Desegregation*, 38 U. Chi. L. Rev. 697 (1971); May, *Busing* Swann v. Charlotte-Mechlenburg, and *the Future of Desegregation in the Fifth Circuit*, 49 Texas L. Rev. 884 (1971); *The Supreme Court, 1970 Term*, 85 Harv. L. Rev. 3, 74 (1971); Note, *From* Brown *to* Swann—*The New Role of Equity in Integration*, 23 Baylor L. Rev. 555 (1971); Note, *Civil Rights v. Individual Liberty:* Swann, and *Other Monsters of Impetuous Justice*, 5 Ind. Legal F. 368 (1972); Note *Schools, Busing and Desegregation: The Post-*Swann *Era*, 46 N.Y.U.L. Rev. 1079 (1971); Note, Swann v. Charlotte-Mecklenburg Board of Education: *Roadblocks to the Implementation of Brown*, 12 Wm. & Mary L. Rev. 838 (1971); 21 DePaul L. Rev. 562 (1971); 49 J. Urban L. 399 (1971); 3 Texas Tech. L. Rev. 99 (1971); 24 Vand. L. Rev. 1243 (1971).

[177] 402 U.S. at 30–31(emphasis added).

[178] *See* Northcross v. Memphis Bd. of Educ., 446 F.2d 890 (6th Cir. 1972); Kelley v. Metropolitan County Bd. of Educ., 463 F.2d 732 (6th Cir. 1972); Dowell v. Board of Educ., 338 F. Supp. 1256 (W.D. Okla. 1972); Bradley v. Milliken, 338 F. Supp. 582 (E.D. Mich. 1971); Mims v. Duval County School Bd., 329 F. Supp. 123 (M.D. Fla. 1971).

[179] 404 U.S. 1221 (1971). The specific language used by Chief Justice Burger is noteworthy:

The Board's resolution that it was adopting the revised plan under protest on an undertsanding that it was *required* to achieve a fixed "racial balance" that reflected the total composition of the school district is disturbing. It suggests the possibility that there may be some misreading of the opinion of the Court in the *Swann* case. If the Court of Appeals or the District Court read this Court's opinion as requiring a fixed racial balance or quota, they would appear to have overlooked specific language of the opinion in the *Swann* case to the contrary. *Id.* at 1227.

[180] Keyes v. Denver School Dist., 445 F. 2d 990 (10th Cir. 1971), *cert. granted*, 404 U.S. 1036 (1972). For excerpts from a memorandum submitted to the Court by Justice Department attorneys, see U.S. News & World Rep., Oct. 23, 1972, at 39. *See also* Alsop, *The Constitutional Precipice*, Newsweek, Apr. 3, 1972, at 88; Kirk, *Salvation By Bus*, Nat'l Rev. Sept. 29, 1972, at 1065.

[181] Bradley v. School Bd., 338 F. Supp. 67 (E.D. Va.), *rev'd* 462 F. 2d 1058 (4th Cir. 1972), *cert. granted*, 93 S. Ct. 936 (1973).

[182] *See* authorities cited note 27 *supra*.

[183] The vast majority of American children outside our central cities ride buses to school daily for nonracial reasons. In 1971, 20 million children rode 256,000 buses more than 2 billion miles. *See* Mondale, *Busing in Perspective*, New Republic, Mar. 4, 1972, at 18.

[184] *See* authorities cited note 74 *supra*.

[185] See E. Morrison & J. Silvers, *supra* note 88.

[186] *See generally* A. Myers, Factors Relating to the Acceptance of Negro Children in a Busing Integration Program, 1968 (unpublished manuscript, University of Delaware); Deutsch, *The School's Role in the Problems of Integration*, in The Disadvantaged Child 293–94 (M. Deutsch ed. 1967); Katz, *Review of Evidence Relating to Effects of Desegregation on the Intellectual Performance of Negroes*, 19 Am. Psych. 395–97 (1964); St. John, *Desegregation: Voluntary or Mandatory*, Integrated Educ., Jan.-Feb. 1972, at 7.

[187] Plessy v. Ferguson, 163 U.S. 537 (1896). *See* Berea College v. Kentucky, 211 U.S. 45 (1908).

QUORUM CALL

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

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

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

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

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER (Mr. Hathaway). Is there further morning business? If not, morning business is concluded.

MESSAGES FROM THE PRESIDENT

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

EXECUTIVE MESSAGES PREFERRED

As in executive session, the Presiding Officer (Mr. HATHAWAY) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the Committee on Armed Services.

(For nominations received today, see 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 without amendment the bill (S. 2419) to correct typographical and clerical errors in Public Law 93–86.

The message also announced that the House had disagreed to the amendment of the Senate to the amendment of the House to the amendment of the Senate to the bill (H.R. 7645) to authorize appropriations for the Department of State, and for other purposes; had agreed to the further conference requested by the Senate on the disagreeing votes of the two Houses thereon; and that Mr. HAYS, Mr. MORGAN, Mr. ZABLOCKI, Mr. MAILLIARD, and Mr. THOMSON of Wisconsin were appointed managers of the conference on the part of the House.

FOREIGN ASSISTANCE ACT OF 1973

The PRESIDING OFFICER. Under the previous order the Senate will now proceed to the consideration of S. 2335, which the clerk will state.

The assistant legislative clerk read as follows:

A bill (S. 2335) to amend the Foreign Assistance Act of 1961, and for other purposes.

The Senate proceeded to consider the bill which had been reported from the Committee on Finance with amendments on page 9, line 20, after the word "part", strike out "and for the purposes specified under part V of this Act"; on page 17, at the beginning of line 11, strike out 1961 is amended—

"(1) by striking out "Peace Corps Assistance" and inserting in lieu thereof "Exclusions"; and

"(2) by inserting immediately after the last semicolon thereof the following: 'part V of this Act;'." and insert "1961" is amended by striking out "Peace Corps Assistance" and inserting in lieu thereof "Exclusions"."; on page 19, after line 11, strike out:

UNITED STATES EXPORT DEVELOPMENT CREDIT FUND

SEC. 16. (a) The Foreign Assistance Act of 1961 is amended by adding at the end thereof the following new part:

"PART V

"SEC. 801. GENERAL AUTHORITY. (a) In the interest of increased United States exports to the lowest income countries, thereby contributing to high levels of employment and income in the United States and to the establishment and maintenance of long range, growing export markets, while promoting development of such countries, the President shall establish a fund, to be known as the 'United States Export Development Credit Fund', to be used by the President to carry out the authority contained in this part.

"(b) The President is authorized to provide extensions of credit and to refinance United States export credits, for the purpose of facilitating the sale of United States goods and services to the lowest income countries which advance their development. The authority contained in this part shall be used to extend credit in connection with the sale of goods and services which are of developmental character, with due regard for the objectives stated in section 102(b) of this Act.

"(c) Any extension of credit made under this part shall—

"(1) not be for a period exceeding thirty years from the date such credit is extended;

"(2) require that annual repayments of principal on extensions of credit commence not later than the first day of the sixth year after the credit is extended; and

"(3) provide for a rate of interest of not less than 3 per centum per annum payable annually during the entire period such credit is extended.

"(d) The receipts and disbursements of the Fund in the discharge of its functions shall be treated for purposes of the budget of the United States Government in the same fashion as the receipts and disbursements of the Export-Import Bank of the United States under section 2(a)(2) of the Export-Import Bank Act of 1945, as amended.

"SEC. 802. FINANCING. (a) As may hereafter be provided in annual appropriation Acts, the President is authorized to borrow from whatever source he deems appropriate, during the period from the effective date of this part through December 31, 1977, and to issue and sell such obligations as he determines necessary to carry out the purposes of this part. However, the aggregate amount of such obligations outstanding at any one time shall not exceed 15 per centum of the amount specified in section 7 of the Export-Import Bank Act of 1945, as amended, in effect on July 1, 1973. The dates of issuance, the maximum rates of interest, and other terms and conditions of the obligations issued under this subsection will be determined by the Secretary of the Treasury with the approval of the President. Obligations issued under the authority of this section shall be obligations of the Government of the United States of America, and the full faith and credit of the United States of America is hereby pledged to the full payment of principal and interest thereon. For the purpose of any purchase of the obligations issued under this part, the Secretary of the Treasury is authorized to use as public debt transaction the proceeds from the sale of any securities issued under the Second Liberty Bond Act, as now or hereafter in force, and purposes for which securities may be issued under the Second Liberty Bond Act, as now or hereafter in force, are extended to include any purchases of the obligations issued under this part. The Secretary of the Treasury may, at any time, sell any of the obligations acquired by him under this section. All redemptions, purchases, and sales by the Secretary of such obligations shall be treated as public debt transactions of the United States.

"(b) Except as otherwise provided in section 806, the amounts borrowed under subsection (a) of this section shall be paid into the Fund and used to carry out the purposes of this part. Any difference between the interest to be repaid on export credits made under this part and the interest paid by the Fund on obligations incurred under subsection (a) of this section shall be paid into the Fund out of receipts specified in section 203 of this Act.

"(c) Receipts from loans made pursuant to this part are authorized to be made available for the purposes of this part. Such receipts and other funds made available for the purposes of this part shall remain available until expended.

"SEC. 803.—LENDING CEILING AND TERMINATION.—(a) The United States Export Development Credit Fund shall not have outstanding at any one time loans in an aggregate amount in excess of 15 per centum of the amount specified in section 7 of the Export-Import Bank Act of 1945, as amended, in effect on July 1, 1973.

"(b) The Fund shall continue to exercise its functions in connection with and in furtherance of its objectives and purposes until the close of business on December 31, 1977, but the provisions of this section shall not be construed as preventing the Fund from acquiring obligations prior to such date which mature subsequent to such date or from assuming prior to such date liability as acceptor of obligations which mature subsequent to such date or from issuing either prior or subsequent to such date, for purchase by the Secretary of the Treasury or any other purchasers, its obligations which mature subsequent to such date or from continuing as an agency of the United States and exercising any of its functions subsequent to such date for purposes of orderly liquidation, including the administration of its assets and the collection of any obligations held by the Fund.

"SEC. 804. REPORTS TO THE CONGRESS. The President shall transmit to the Congress semiannually a complete and detailed report of the operations of the United States Export Developpment Credit Fund. The report shall be as of the close of business on June 30 and December 31 of each year.

"SEC. 805. ADMINISTRATION OF FUND.—The President shall establish a committee to advise him on the exercise of the functions conferred upon him by this part. The Committee shall include the Secretary of Commerce, the Secretary of Agriculture, the Secretary of the Treasury, the Secretary of State, the President of the Export Import Bank, and the head of the agency primarily responsible for administering part I of this Act.

"SEC. 806. PROVISION FOR LOSSES.—Ten per centum of the amount authorized to be borrowed under subsection 802(a) shall be reserved and may be used to cover any losses incurred on loans extended under this part. Receipts specified in section 203 of this Act may also be paid into the Fund for in section 203 of this Act may also be paid into the United States Export Development Credit Fund for the purpose of compensating the Fund for any such losses.

"SEC. 807. EXPORT-IMPORT BANK POWERS. Nothing in this part shall be construed as a limitation on the powers of the Export-Import Bank of the United States.

"SEC. 808. PROHIBITION ON LOANS FOR DEFENSE ARTICLES OR SERVICES. The authority contained in this part shall not be used to extend credit in connection with the sale of defense articles or defense services. This provision may not be waived pursuant to section 614 of this Act or pursuant to any other provision of this or any other Act.

"SEC. 809. DEFINITION, EFFECTIVE DATE, AND PLAN OF IMPLEMENTATION.—As used in this part, 'lowest income countries' are those countries with per capita national product of less than $375 a year which need concessional foreign exchange financing from the United States or other international donors to finance goods and services on terms they can reasonably afford, with particular emphasis on countries in which per capita national product is less than $200 a year."

(b) The amendment made by subsection (a) of this section is effective July 4, 1974.

(c) The President shall, not later than April 15, 1974, submit to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a detailed plan describing the proposed organizational and operational methods for implementation of the United States Export Development Credit Fund established by the amendment made by subsection (a) of this section;

On page 25, at the beginning of line 21, change the section number from "17" to "16"; in line 22, after the word "adding", strike out "after V thereof, as added by section 16(a)" and insert "at the end thereof"; on page 26, at the beginning of line 1, strike out "PART VI" and insert "PART V"; at the beginning of line 4, strike out "SEC. 901." and insert "SEC. 801."; at the beginning of line 12, strike out "SEC. 902." and insert "SEC. 802."; at the beginning of line 18, strike out "SEC. 903." and insert "Sec. 803."; on page 27, line 9, after the word "section", strike out "902" and insert "802"; at the beginning of line 20, strike out "SEC. 904." and insert "SEC. 804."; on page 28, at the beginning of line 3, strike out "parts I and VI" and insert "part I, this part,"; at the beginning of line 5, change the section number from "18" to "17"; at the beginning of line 10, change the section number from "19" to "18"; at the beginning of line 20, change the section number from "20" to "19"; on page 29, at the beginning of line 4, change the section number from "21" to "20"; at the beginning of line 10, change the section number from "22" to "21"; and, on page 30, at the beginning of line 4, change the section number from "23" to "22"; 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 this Act may be cited as the "Foreign Assistance Act of 1973".

POLICY; DEVELOPMENT ASSISTANCE AUTHORIZATIONS

SEC. 2. Chapter 1 of part I of the Foreign Assistance Act of 1961 is amended as follows:

(1) In the chapter heading, immediately after "CHAPTER 1—POLICY" insert "; DEVELOPMENT ASSISTANCE AUTHORIZATIONS".

(2) In section 102, relating to statement of policy—

(A) insert "(a)" immediately after "STATEMENT OF POLICY.—"; and

(B) add at the end thereof the following:

"(b) The Congress further finds and declares that, with the help of United States economic assistance, progress has been made in creating a base for the economic progress of the less developed countries. At the same time, the conditions which shaped the United States foreign assistance program in the past have changed. While the United States must continue to seek increased cooperation and mutually beneficial relations with other nations, our relations with the less developed countries must be revised to reflect the new realities. In restructuring our relationships with these countries, the President should place appropriate emphasis on the following criteria:

"(1) Bilateral development aid should concentrate increasingly on sharing American technical expertise, farm commodities, and industrial goods to meet critical development problems, and less on large-scale capital transfers, which when made should be in association with contributions from other industrialized countries working together in a multilateral framework.

"(2) United States assistance should concentrate in particular on the development of employment-intensive technologies suitable to the less developed countries.

"(3) Future United States bilateral support for development should focus on critical problems in those functional sectors which affect the lives of the majority of the people in the developing countries: food production; rural development and nutrition; population planning and health; and education, public administration, and human resource development.

"(4) United States cooperation in development should be carried out to the maximum extent possible through the private sector, including those public service institutions which already have ties in the developing areas, such as educational institutions, cooperatives, credit unions, and voluntary agencies.

"(5) Development planning must be the responsibility of each sovereign country. United States assistance should be administered in a collaborative style to support the development goals chosen by each country receiving assistance.

"(6) United States bilateral development assistance should give the highest priority to undertakings submitted by host governments which directly improve the lives of the poorest of their people and their capacity to participate in the development of their countries.

"(7) Under the policy guidance of the Secretary of State, the agency primarily responsible for administering this part shall have the responsibility for coordinating all United States development-related activities. The head of that agency should advise the President on all United States action affecting the development of the less-developed countries, and should keep the Congress informed on the major aspects of United States interests in the progress of those countries."

(3) At the end thereof, add the following new sections:

"SEC. 103. FOOD AND NUTRITION.—In order to alleviate starvation, hunger, and malnutrition, and to provide basic services to poor people, enhancing their capacity for self-help, the President is authorized to furnish assistance, on such terms and conditions as he may determine, for agriculture, rural development, and nutrition. There are authorized to be appropriated to the President for the purposes of this section, in addition to funds otherwise available for such purposes, $282,000,000 for each of the fiscal years 1974 and 1975, which amounts are authorized to remain available until expended.

"SEC. 104. POPULATION PLANNING AND HEALTH.—In order to increase the opportunities and motivation for family planning, to reduce the rate of population growth, to prevent and combat disease, and to help provide health services for the great majority, the President is authorized to furnish assistance on such terms and conditions as he may determine, for population planning and health. There are authorized to be appropriated to the President for the purposes of this section, in addition to the funds otherwise available for such purposes, $141,000,000 for each of the fiscal years 1974 and 1975, which amounts are authorized to remain available until expended.

"SEC. 105. EDUCATION AND HUMAN RESOURCES DEVELOPMENT.—In order to reduce illiteracy, to extend basic education and to increase manpower training in skills related to development, the President is authorized to furnish assistance on such terms and conditions as he may determine, for education, public administration, and human resource development. There are authorized to be appropriated to the President for the purpose of this section, in addition to funds otherwise available for such purposes, $94,000,000 for each of the fiscal years 1974 and 1975, which amounts are authorized to remain available until expended.

"SEC. 106. SELECTED DEVELOPMENT PROBLEMS.—The President is authorized to furnish assistance on such terms and conditions as he may determine, to help solve economic and social development problems in fields such as transportation, power, industry, urban development, and export development. There are authorized to be appropriated to the President for the purposes of this section, in addition to funds otherwise available for such purposes, $47,000,000 for each of the fiscal years 1974 and 1975, which amounts are authorized to remain available until expended.

"SEC. 107. SELECTED COUNTRIES AND ORGANIZATIONS.—The President is authorized to furnish assistance on such terms and conditions as he may determine, in support of the general economy of recipient countries or for development programs conducted by private or international organizations. There are authorized to be appropriated to the President for the purposes of this section, in addition to funds otherwise available for such purposes, $28,000,000 for each of the fiscal years 1974 and 1975, which amounts are authorized to remain available until expended.

"SEC. 108. APPLICATION OF EXISTING PROVISIONS.—Assistance under this chapter shall be furnished in accordance with the provisions of titles I, II, VI, or X of chapter 2 of this part, and nothing in this chapter shall be construed to make inapplicable the restrictions, criteria, authorities, or other provisions of this or any other Act in accordance with which assistance furnished under this chapter would otherwise have been provided.

"SEC. 109. TRANSFER OF FUNDS.—Notwithstanding section 108 of this Act, whenever the President determines it to be necessary for the purposes of this chapter, not to exceed 15 per centum of the funds made available for any provision of this chapter may be transferred to, and consolidated with, the funds made available for any other provision of this chapter, and may be used for any of the purposes for which such funds may be used, except that the total in the provision for the benefit of which the transfer is made shall not be increased by more than 25 per centum of the amount of funds made available for such provision. The provisions of sections 610(a) and 614(a) of this Act shall not apply to this chapter.

"SEC. 110. SHARING OF COSTS.—No assistance shall be furnished by the United States Government to a country under sections 103–107 of this Act until the country provides assurances to the President, and the President is satisfied, that such country will provide at least 25 per centum of the costs in any fiscal year of the entire program, project, or activity with respect to which such assistance is to be furnished, except that such costs borne by such country may be provided on an 'in-kind' basis.

"SEC. 111. USE OF RECEIPTS.—Not more than one-third of the receipts made available under section 203 of this Act may be used for purposes of any one of sections 103–107 of this Act in any fiscal year.

"SEC. 112. LIMITATION ON GRANTS.—Not more than 50 per centum of the aggregate of the funds appropriated each year under sections 103–107 of this Act shall be used for making grants.

"SEC. 113. DEVELOPMENT AND USE OF COOPERATIVES.—In order to strengthen the participation of the urban and rural poor in their country's development, not less than $20,000,000 of the funds made available for the purposes of this chapter shall be available during the fiscal years 1974 and 1975 only for assistance in the development of cooperatives in the less developed countries

which will enable and encourage greater numbers of the poor to help themselves toward a better life.

"SEC. 114. MULTILATERAL APPROACHES TO DEVELOPMENT.—Greater efforts should be made to promote and support sound multilateral approaches to the development of foreign countries. Therefore, the Secretary of State shall undertake consultations with multilateral organizations (including the United Nations) for the purpose of determining (1) how soon and which such multilateral organizations would be able to administer foreign assistance funds transferred to them by the United States Government for programs, projects, and activities for the development of foreign countries, (2) the kinds of such programs, projects, and activities which those organizations are able and will be able to administer, (3) likely methods for the administration of those programs, projects and activities, and (4) the expectation of increased contributions by other countries to such organizations for those programs, projects, and activities. Not later than six months after the date of enactment of this section, the Secretary shall make a report to the President and the Congress with respect to his consultations, including such recommendations as the Secretary considers appropriate.

"SEC. 115. PROHIBITING POLICE TRAINING.—No part of any appropriation made available to carry out this or any other provision of law shall be used to conduct any police training or related program for a foreign country."

DEVELOPMENT LOAN FUND

SEC. 3. Section 203 of the Foreign Assistance Act of 1961 is amended by striking out "for the fiscal year 1970, for the fiscal year 1971, for the fiscal year 1972, and for the fiscal year 1973 for use for the purposes of this title, for loans under title VI and for the purposes of section 232" and inserting in lieu thereof "for the fiscal years 1974 and 1975 for use for the purposes of making loans under chapter 1 of this part".

AMERICAN SCHOOLS AND HOSPITALS ABROAD

SEC. 4. Section 214 of the Foreign Assistance Act of 1961 is amended by striking out subsections (c) and (d) and inserting in lieu thereof the following:

"(c) To carry out the purposes of this section there are authorized to be appropriated to the President for the fiscal year 1974, $19,--000,000, which amount is authorized to remain available until expended.

"(d) There are authorized to be appropriated to the President to carry out the purposes of this section, in addition to funds otherwise available for such purposes, for fiscal year 1974, $6,500,000 in foreign currencies which the Secretary of the Treasury determines to be excess to the normal requirements of the United States.

"(e) On or before the termination of thirty days after the convening of the second regular session of the Ninety-third Congress, the Secretary of State shall submit to the Congress, for consideration in connection with Department of State authorization legislation, such recommendations as he considers desirable for assistance to schools, libraries, and hospital centers for medical education and research, outside the United States, founded or sponsored by United States citizens and serving as study and demonstration centers for ideas and practices of the United States."

HOUSING GUARANTIES

SEC. 5. Title II of chapter 2 of part I of the Foreign Assistance Act of 1961 is amended as follows:

(1) In section 221, relating to worldwide housing guarantees, strike out "$205,000,000" and insert in lieu thereof "$349,900,000".

(2) In section 223(1), relating to general provisions, strike out "June 30, 1974" and insert in lieu thereof "June 30, 1975".

ALLIANCE FOR PROGRESS

SEC. 6. Section 252(b) of the Foreign Assistance Act of 1961, relating to authorization, is amended to read as follows:

"(b) There are authorized to be appropriated to the President for each of the fiscal years 1974 and 1975, $900,000 for grants to the National Association of the Partners of the Alliance, Inc."

PROGRAMS RELATING TO POPULATION GROWTH

SEC. 7. Section 292 of the Foreign Assistance Act of 1961, relating to authorization, is amended by striking out "1972 and 1973" and inserting in lieu thereof "1974 and 1975".

INTERNATIONAL ORGANIZATIONS AND PROGRAMS

SEC. 8. Section 302 of the Foreign Assistance Act of 1961, relating to authorization, is amended as follows:

(1) In subsection (a), relating to authorization, strike out "for the fiscal year 1972, $138,000,000 and for the fiscal year 1973, $138,000,000" and insert in lieu thereof "for each of the fiscal years 1974 and 1975, $120,000,000".

(2) In subsection (b) (2), relating to Indus Basin development grants, strike out "for use in the fiscal year 1972, $15,000,000, and for use in the fiscal year 1973, $15,000,000" and insert in lieu thereof "for use in each of the fiscal years 1974 and 1975, $14,000,000".

CONTINGENCY FUND

SEC. 9. Section 451(a) of the Foreign Assistance Act of 1961 is amended by striking out "for the fiscal year 1972 not to exceed $30,000,000, and for the fiscal year 1973 not to exceed $30,000,000" and insert in lieu thereof "for each of the fiscal years 1974 and 1975, not to exceed $23,500,000".

INTERNATIONAL NARCOTICS CONTROL

SEC. 10. Section 482 of the Foreign Assistance Act of 1961, relating to authorization, is amended by striking out "$42,500,000 for the fiscal year 1973, which amout is" and inserting in lieu thereof "$40,000,000 for the fiscal year 1974, and $30,500,000 for the fiscal year 1975, which amounts are".

PROHIBITIONS AGAINST FURNISHING ASSISTANCE

SEC. 11. The first full paragraph of section 620(e)(1) of the Foreign Assistance Act of 1961 is amended by striking out "no other provision of this Act shall be construed to authorize the President to waive the provisions of this subsection." and inserting in lieu thereof "the provisions of this subsection shall not be waived with respect to any country unless the President determines and certifies that such a waiver is important to the national interests of the United States. Such certification shall be reported immediately to Congress."

EMPLOYMENT OF PERSONNEL

SEC. 12. Section 625 of the Foreign Assistance Act of 1961 is amended by adding at the end thereof the following new subsection:

"(k)(1) In accordance with such regulations as the President may prescribe, the following categories of personnel who serve in the agency primarily responsible for administering part I of this Act shall become participants in the Foreign Service Retirement and Disability System:

"(A) persons serving under unlimited appointments in employment subject to subsection (d)(2) of this section as Foreign Service Reserve officers and as Foreign Service staff officers and employees; and

"(B) a person serving in a position to which he was appointed by the President, whether with or without the advice and consent of the Senate, if (i) such person shall have served previously under an unlimited appointment pursuant to such subsection (d)(2) or a comparable provision of predecessor legislation to this Act, and (ii) following service specified in clause (i) of this subparagraph, such person shall have served continuously with such agency or its predecessor agencies only in positions established under the authority of sections 624(a) and 631(b) or comparable provisions of predecessor legislation to this Act.

"(2) Upon becoming a participant in the Foreign Service Retirement and Disability System, any such officer or employee shall make a special contribution to the Foreign Service Retirement and Disability Fund in accordance with the provisions of section 852 of the Foreign Service Act of 1946, as amended. Thereafter, compulsory contributions will be made with respect to each such participating officer or employee in accordance with the provisions of section 811 of the Foreign Service Act of 1946, as amended.

"(3) The provisions of section 636 and title VIII of the Foreign Service Act of 1946, as amended, shall apply to participation in the Foreign Service Retirement and Disability System by any such officer or employee.

"(4) If an officer who becomes a participant in the Foreign Service Retirement and Disability System under paragraph (1) of this subsection is appointed by the President, by and with the advice and consent of the Senate, or by the President alone, to a position in any agency of the United States Government, any United States delegation or mission to any international organization, in any international commission, or in any international body, such officer shall not, by virtue of the acceptance of such an appointment, lose his status as a participant in the system.

"(5) Any such officer or employee who becomes a participant in the Foreign Service Retirement and disability System under paragraph (1) of this subsection shall be mandatorily retired (A) at the end of the month in which he reaches age seventy, or (B) earlier if, during the third year after the effective date of this subsection, he attains age sixty-four or if he is over age sixty-four; during the fourth year at age sixty-three; during the fifth year at age sixty-two; during the sixth year at age sixty-one; and thereafter at the end of the month in which he reaches age sixty. However, no participant shall be mandatorily retired under this paragraph while serving in a position to which appointed by the President, by and with the advice and consent of the Senate. Any participant who completes a period of authorized service after reaching the mandatory retirement age specified in this paragraph shall be retired at the end of the month in which such service is completed.

"(6) Whenever the President deems it to be in the public interest, he may extend any participant's service for a period not to exceed five years after the mandatory retirement date of such officer or employee.

"(7) This subsection shall become effective on the first day of the first month which begins more than one year after the date of its enactment, except that any officer or employee who, before such effective date, meets the requirements for participation in the Foreign Service Retirement and Disability System under paragraph (1) of this subsection may elect to become a participant before the effective date of this subsection. Such officer or employee shall become a participant on the first day of the second month following the date of his application for earlier participation. Any officer or employee who becomes a participant in the system under the provisions of paragraph (1) of this subsection, who is age fifty-seven or over on the effective date of this subsection may retire voluntarily at any time before mandatory retirement under paragraph (5) of this subsection and receive retirement benefits under section 821 of the Foreign Service Act of 1946, as amended.

"(8) Any officer or employee who is separated for cause while a participant in the Foreign Service Retirement and Disability System pursuant to this subsection, shall

be entitled to benefits in accordance with section 637 (b) and (d) of the Foreign Service Act of 1946, as amended. The provisions of subsection (e) of this section shall apply to participants in lieu of the provisions of sections 633 and 634 of the Foreign Service Act of 1946, as amended."

ADMINISTRATIVE EXPENSES

SEC. 13. Section 637(a) of the Foreign Assistance Act of 1961, relating to authorizations, is amended by striking out "for the fiscal year 1972, $50,000,000 and for the fiscal year 1973, $50,000,000" and inserting in lieu thereof "for each of the fiscal years 1974 and 1975, $49,000,000".

PEACE CORPS ASSISTANCE

SEC. 14. Section 638 of the Foreign Assistance Act of 1961 is amended by striking out "Peace Corps Assistance" and inserting in lieu thereof "Exclusions".

COORDINATION

SEC. 15. Chapter 2 of part III of the Foreign Assistance Act of 1961 is amended by adding at the end thereof the following new section:

"SEC. 640B. COORDINATION.—(a) The President shall establish a system for coordination of United States policies and programs which affect United States interests in the development of low-income countries. To that end, the President shall establish a Development Coordination Committee which shall advise him and the Congress with respect to coordination of United States policies and programs affecting the development of the developing countries, including programs of bilateral and multilateral development assistance. The Committee shall include the head of the agency primarily responsible for administering part I of this Act, who shall be the Chairman; the Under Secretary for Economic Affairs, Department of State; the Assistant Secretary for International Organization Affairs, Department of State; the Assistant Secretary for International Affairs, Department of the Treasury; the Assistant Secretary for International Affairs and Commodity Programs, Department of Agriculture; the Assistant Secretary for Domestic and International Business, Department of Commerce; the President, Export-Import Bank of the United States; the President, Overseas Private Investment Corporation; the Special Representative for Trade Negotiations, Executive Office of the President; and the Executive Director, Council on International Economic Policy.

"(b) The President shall prescribe appropriate procedures to assure coordination among representatives of the United States Government in each country, under the direction of the Chief of the United States Diplomatic Mission, and the President shall keep the Congress advised of his actions under this subsection.

"(c) Programs authorized by this Act shall be undertaken with the foreign policy guidance of the Secretary of State.

"(d) The Chairman of the Development Coordination Committee shall report annually to the President and the Congress, and at such other times as requested by the Congress or any appropriate committee thereof, on United States actions affecting the development of the low-income countries."

POSTWAR RELIEF AND RECONSTRUCTION IN SOUTH VIETNAM, CAMBODIA, AND LAOS

SEC. 16. The Foreign Assistance Act of 1961 is amended by adding at the end thereof the following new part:

"PART V—POSTWAR RELIEF AND RECONSTRUCTION IN SOUTH VIETNAM CAMBODIA, AND LAOS

"SEC. 801. GENERAL AUTHORITY.—The President is authorized to furnish, on such terms and conditions as he may determine, assistance for relief and reconstruction of South Vietnam, Cambodia, and Laos, including humanitarian assistance to refugees, civilian war casualties, and other persons disadvantaged by hostilities or conditions related to those hostilities in South Vietnam, Cambodia, and Laos.

"SEC. 802. AUTHORIZATION.—There are authorized to be appropriated to the President to carry out the purposes of this chapter, in addition to funds otherwise available for such purposes, for the fiscal year 1974 not to exceed $376,000,000, which amount is authorized to remain available until expended.

"SEC. 803. ASSISTANCE TO SOUTH VIETNAMESE CHILDREN.—(a) It is the sense of Congress that inadequate provision has been made (1) for the establishment, expansion, and improvement of day care centers, orphanages, hostels, school feeding programs, health and welfare programs, and training related to these programs, which are designed for the benefit of South Vietnamese children, disadvantaged by hostilities in Vietnam or conditions related to those hostilities, and (2) for the adoption by United States citizens of South Vietnamese children, who are orphaned or abandoned, or whose parents or sole surviving parent, as the case may be, has irrevocably relinquished all parental rights.

"(b) The President is therefore authorized to provide assistance, on terms and conditions he considers appropriate, for the purposes described in subsection (a) of this section. Of the funds appropriated pursuant to section 802 of this Act for the fiscal year 1974, $7,500,000 shall be available until expended solely to carry out the purposes described in such subsection (a). Not more than 10 per centum of the funds made available to carry out such subsection (a) may be expended for the purposes referred to in clause (2) of such subsection. Assistance to carry out the purposes referred to in such subsection (a) shall be furnished, to the maximum extent practicable, under the auspices of and by international agencies or United States or South Vietnamese voluntary agencies.

"SEC. 804. CONSTRUCTION WITH OTHER LAWS.—All references to part I of this Act, whether heretobefore or hereafter enacted, shall be deemed to be references also to this part unless otherwise specifically provided. The authorities available to administer part I of this Act shall be available to administer programs authorized in this part. The provisions of section 655(c) of this Act shall not apply with respect to funds made available for fiscal year 1974 under part I, this part and section 637 of this Act."

TERMINATION OF INDOCHINA WAR

SEC. 17. No funds authorized or appropriated under this or any other law may be expended to finance military or paramilitary operations by the United States in or over Vietnam, Laos, or Cambodia.

LIMITATION ON USE OF FUNDS

SEC. 18. No funds authorized or appropriated under any provision of law shall be made available for the purpose of financing directly or indirectly any military or paramilitary operations by foreign forces in Laos, Cambodia, North Vietnam, South Vietnam, or Thailand unless (1) such operations are conducted by the forces of the government receiving such funds within the borders of that country, or (2) specifically authorized by law enacted after the date of enactment of this Act.

WEST AFRICAN FAMINES

SEC. 19. In regard to the famine in West Africa, the President shall consult with international relief organizations and other experts to find the best way to forestall future famine conditions in West Africa, and he shall report to Congress as soon as possible on solutions to this problem of famine and further propose how any of these solutions may be carried out by multilateral organizations.

POLITICAL PRISONERS

SEC. 20. It is the sense of Congress that the President should deny any economic or military assistance to the government of any foreign country which practices the internment or imprisonment of that country's citizens for political purposes.

TERMINATION OF ASSISTANCE IN INDOCHINA

SEC. 21. (a) It is the sense of the Congress that Agreements on Ending the War and Restoring Peace in Vietnam, and protocols thereto, signed in Paris, France, on January 27, 1973, will be effective only to the extent that the parties to such agreements and protocols carry out the letter as well as the spirit of those agreements and protocols. It is further the sense of Congress that the United States should not furnish economic or military assistance to any such party, or make any sale, credit sale, or guaranty to or on behalf of any such party, unless that party agrees to comply, and does comply, with those agreements and protocols.

(b) This section shall not apply to the provision of food and other humanitarian assistance which is administered and distributed, under international auspices or by United States voluntary agencies, directly to persons and not through any government.

ACCESS TO INFORMATION

SEC. 22. (a) After the expiration of any thirty-five-day period which begins on the date the Committee on Foreign Relations of the Senate or the Committee on Foreign Affairs of the House of Representatives has delivered to the office of the head of the Department of State, the United States Information Agency, the Agency for International Development, the United States Arms Control and Disarmament Agency, ACTION, or the Overseas Private Investment Corporation, a written request that it be furnished any document, paper, communication, audit, review, finding, recommendation, report, or other material in its custody or control relating to such department, agency, or corporation, none of the funds made available to such department, agency, or corporation, shall be obligated unless and until there has been furnished to the committee making the request the document, paper, communication, audit, review, finding, recommendation, report, or other material so requested.

(b) The provisions of subsection (a) of this section shall not apply to any communication that is directed by the President to a particular officer or employee of any such department, agency, or corporation or to any communication that is directed by any such officer or employee to the President.

(c) Subection 634(c) of the Foreign Assistance Act of 1961 (22 U.S.C. 2394(c)) is amended—

(1) by striking out "(1)"; and

(2) by striking out all after the phrase "so requested" and inserting in lieu thereof a period and the following: "The provisions of this subsection shall not apply to any communication that is directed by the President to a particular officer or employee of the United States Government or to any communication that is directed by any such officer or employee to the President."

The PRESIDING OFFICER. The time for debate on this bill is limited to 3 hours to be divided and controlled by the majority leader and the minority leader or their designees, with time on any amendment limited to 1 hour, and 30 minutes on any amendment, debatable motion, or appeal.

Mr. MANSFIELD. Mr. President, I yield to the Senator from Minnesota.

Mr. ABOUREZK. Mr. President, will the Senator yield for a unanimous-consent request?

Mr. HUMPHREY. I yield.

Mr. ABOUREZK. Mr. President, I ask unanimous consent that a member of my staff, Tom Daschle be allowed the

privilege of the floor during the consideration of this bill.

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

The Chair understands the Senator from Vermont will control the minority time.

Who yields time?

Mr. HUMPHREY. Mr. President, am I in charge of the time on this side?

The PRESIDING OFFICER. The Chair understands the distinguished majority leader yielded his time.

Mr. HUMPHREY. I wish to make an opening statement on the bill.

Mr. TAFT. Mr. President, will the Senator yield for a unanimous-consent request?

Mr. HUMPHREY. I yield.

Mr. TAFT. Mr. President, I ask unanimous consent that Miss Eleanor Parker of my staff be granted privilege of the floor during the consideration of this bill.

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

Mr. HUMPHREY. 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. HUMPHREY. 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. HUMPHREY. Mr. President, I also ask unanimous consent that Mr. Dan Spiegel, of my staff, and Norvill Jones, Robert Dockery, and John Ritch, of the Foreign Relations Committee staff, be allowed the privilege of the floor during the consideration of S. 2335.

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

Mr. HUMPHREY. Mr. President, I would hope that in the consideration of this bill under the time limitation, I might be allowed to make my statement in reference to the bill, and then we will proceed, as best we can, with the amendments, in the hope of trying to facilitate action on the bill.

Mr. President, the Senate begins its consideration of the Foreign Assistance Act at a critical moment in America's relations with the nations of the world.

We have just terminated our involvement in a decade of tragic war which has diverted our resources from urgent domestic needs, embittered many of our people and brought untold sorrow and suffering to thousands upon thousands of American families.

We are at last embarking on policies of genuine détente and arms limitations which may reduce the horrible threat of nuclear destruction which has cast a pall over great power relationships for nearly a quarter of a century.

Our great enemies of the Second World War and the nations of Western Europe devastated by Nazism are now economic superpowers competing with us at every occasion and at every spot on the globe including our own territory.

The gap between the few rich nations and the more than 100 poor nations is widening every year. Despite more than two decades of development and foreign aid, illiteracy is increasing rapidly, half the world still goes to bed hungry, more than 10 percent of the babies die before age 1 and the population explosion of the 1950's has become the unemployment explosion of the 1970's.

At home we are experiencing severe economic difficulties: Excessive inflation, persistent unemployment, sky-high interest rates, soaring food prices, and a growing energy crisis. These ills were once thought to be the economic misfortunes only visited upon small foreign countries. We were supposedly immune from these problems.

The postwar world as many of us knew it in the 1950's and 1960's exists no longer. It is no wonder that there is a mood of confusion and uncertainty as we consider what America's world role should be.

However, it was with the firm belief that the Congress should play a significant role in foreign affairs and specifically in fashioning America's relations with the developing world that 16 members of the House Foreign Affairs wrote the President in April 1973 urging that—

> The time has come to put an end to foreign aid as it has been conceived and administered in the past.

When the administration failed to respond to the request from the House and submitted foreign assistance legislation substantially unchanged from years past, the Foreign Affairs members worked together and introduced new legislation.

The measure we begin considering today—the Foreign Assistance Act of 1973 (S. 2335)—is the Senate version of the new foreign aid initiative first introduced by the bipartisan coalition of House members led by Congressmen FRASER and ZABLOCKI. I introduced the House version of the legislation in the Senate with my good friend and distinguished colleague from Vermont, Senator GEORGE AIKEN. Senator AIKEN and I have collaborated many times in the past on foreign assistance legislation. Our renewed collaboration was a reflection of the bipartisan nature of this new initiative.

Despite numerous successes in the various economic assistance programs over the years, despite the enthusiasm of commitment which began under President Truman with Point Four, the enormity of the task combined with the relatively limited resources has not always produced the results we desired. At first it seemed so simple. The mission was clear. The technologically advanced nations should help the less developed countries rise out of the poverty and apathy of centuries with a massive commitment of capital and human talent.

To be sure, we have seen economic growth rates surge after two decades of development. In the poor countries GNP has been rising at double the rate of the 19th century West.

However, behind impressive growth rates remain nearly a billion people whose lives remain virtually untouched by economic gains. Past aid efforts have stimulated growth without affecting the lives of people who live in desperate poverty.

Economic growth has too often meant greater economic security for those who already possessed it. The poor of the developing world who lives in the urban slums or the isolated villages have been left behind by the development process or have been the beneficiaries of meager gains trickling down from above. The poor of the developing world who live on the margin of city and farm are totally shut out from the four elements of a modern economic system: The means of production, the financial system, the market, and technical knowledge based on education. As far as society and politics are concerned, the poor are unheeded and unheard. And each year this situation grows worse. Today these poor excluded from development gains may number close to a billion. By 1990, if nothing is done, they will number 2 billion. As World Bank President Robert McNamara stated:

> Can we imagine any human order surviving with so gross a mass of misery piling up at its base?

The poor nations, the foreign aid agencies and academicians around the world are increasingly trying to come to grips with the massive problems of employment, poverty, and income distribution; illiteracy and the tragically and unnecessarily high infant mortality rates; social and political instability. What we are now learning is that if the poorest majority can participate in development by having productive work and access to basic education, health care and adequate diets, then increased growth and social justice can go hand in hand, and the prospect for a stable international order is enhanced.

The Foreign Assistance Act of 1973 recognizes that we are very possibly witnessing the end of the period in which poor nations simply import machine-oriented production techniques from the West—big assembly line factories and large farm, mechanized agriculture. These methods can increase production. Unfortunately, Western techniques do not create enough jobs.

Jobs are the overwhelming need of the developing world. In many low-income countries the combination of unemployment and underemployment is already as serious as unemployment in the West during the 1930's. Each year the situation worsens a little because jobs are not being created near fast enough to employ the burgeoning labor force.

The overreaching emphasis of a new American strategy of development which will begin to deal with these unsolved problems is the development of policies and practices which will foster hope among the poor in the poorest nations. As James P. Grant, president of the Overseas Development Council has written:

> Fortunately, there is growing evidence that policies designed to raise the income of the poorest half of the population by increasing their ability to participate in the development process can actually accelerate, not hinder economic growth.

The Foreign Relations Committee has reported a bill to the Senate by a vote of 12 to 3 which authorizes $1,234,000,000 for each of the fiscal years 1974 and 1975 for bilateral, economic assistance, focused directly upon the development

needs of the poor. I wish to remind my colleagues that this amount is the smallest sum authorized for foreign economic assistance in the 27-year history of the program. It represents a decrease of 11.5 percent from fiscal year 1973, it is 24 percent below the administration's request and 23 percent below the House-passed bill.

Might I add that this does not include the erosion that comes from inflation. So we can add to that another 6-percent reduction because of inflation. So we have before us this year a bill which is the smallest or the most modest bill in 27 years of foreign assistance.

In order to apply the new ideas on development effectively, S. 2335 has been organized into sectors—sections 103 to 107. Funds are thus authorized for development loans and development grants along the functional sectors which directly affect the lives of the majority of the people in the developing countries:

The sum of $282 million in section 103 for agriculture, rural development, and nutrition.

The sum of $141 million in section 104 for population planning and health.

The sum of $94 million in section 105 for education, public administration, and human resource development.

The sum of $47 million in section 106 to help solve economic and social development problems in fields such as transportation and power, industry, and urban development.

The sum of $28 million in section 107 to support the general economy of selected countries primarily through program lending.

As a result of this new approach, AID will be forced to redesign many individual projects in the field as well as concentrate efforts in new areas. The Foreign Relations Committee was careful to emphasize the importance of these new approaches to the Agency for International Development by specifically establishing guidelines for the administration of this new effort. I believe it important to restate the basic criteria in the legislation:

First. Bilateral development aid should concentrate increasingly on sharing American technical expertise, farm commodities, and industrial goods to meet critical development problems, and less on large-scale capital transfers, which when made should be in association with contributions from other industrialized countries working together in a multilateral framework.

Second. U.S. assistance should concentrate on the development of labor-intensive technologies suitable to the less-developed countries.

Third. Future U.S. bilateral support for development should focus on critical problems in those functional sectors which affect the lives of the majority of the people in the developing countries: Food production, rural development and nutrition; population planning and health; education, public administration, and human resource development.

Fourth. U.S. cooperation in development should be carried out to the maximum extent possible through the private sector, including those public service institutions which already have ties in the developing areas, such as educational institutions, cooperatives, credit unions, and voluntary agencies.

Fifth. Development planning must be the responsibility of each sovereign country. U.S. assistance should be administered in a collaborative style to support the development goals chosen by each country receiving assistance.

Sixth. U.S. bilateral development assistance should give the highest priority to undertakings submitted by host governments which directly improve the lives of the poorest of their people and their capacity to participate in the development of their countries.

Seventh. Under the policy guidance of the Secretary of State, the Agency for International Development is assigned the responsibility for coordinating all U.S. development-related activities. The administrator of the Agency is to advise the President on all U.S. actions affecting the development of the less-developed countries, and shall keep the Congress informed on the major aspects of U.S. interests in the progress of those countries.

I would like to emphasize that this legislation will not be a panacea for the poor nations—it cannot possibly solve all of the world's development problems. But it makes an important start in what I believe to be the right direction.

It is important to go into detail concerning some of the new development loan and grant sectors to illustrate the nature of the problems and how the authorized funds will be used.

The largest authorization in these new sectors comes under the category of "Food, Rural Development and Nutrition."

Of all the problems facing poor nations of the world, the production of adequate supplies of food, the distribution of expensive protein to the poor to meet basic nutritional needs and the improvement of life in rural areas remain the greatest unsolved problems.

I might add, Mr. President, that in these developing countries 90 percent or more of the population lives in villages in the rural areas, and the whole thrust of the AID program before us now is to help these people. It is not a program for more steel plants, cement factories, or superhighways. Those are matters that can very well be taken care of by the national banking institutions.

The United States effort is directed in S. 2335 primarily toward helping the poorest of the poor meet with their problems in the rural areas of the developing countries and helping those poor in those areas at least to have a minimum of subsistence for their own needs.

Indeed, our own prosperity and way of life is directly related to our ability to assist poor nations in meeting these challenges.

We must not forget that virtually all the poor countries are predominantly rural. The agricultural sector determines the economic and social life of 75 percent of the people, provides employment for two-thirds of the population, generates a third of the national income and accounts for a substantial portion of all foreign exchange income.

Over the past decade, total food production in the developing countries has increased about 35 percent. But this substantial accomplishment is almost wiped out by population increases. Many populations in poor nations double every 24 years. Per capita food production is now only very slightly higher than a decade ago.

The precarious food balance among hundreds of millions of persons can create severe hardship when there is even a slight shortfall in production caused by drought, flood, crop disease, or other disasters. We are now witnessing the tragic effects of a drought in the African Sahel where millions who lived marginally during the best of years now face starvation as a result of a 4-year drought.

American response to the Sahelian drought follows a pattern of assistance established after World War II and is illustrative of the current worldwide food crisis. We have shipped large quantities of grain sorghums to West Africa to avert immediate mass starvation as we have shared our food resources with other nations in need many times in the past.

However, growing demand at home combined with foreign demand rising out of greater affluence in the industrialized world has created severe shortages of protein available to meet the food needs of the poor nations. Purchases of Public Law 480 commodities have now been suspended. It is highly questionable whether the United States can continue to meet the food demands of the West African Sahel or any other marginal area suffering a natural disaster.

I do not believe this phenomenon is merely temporary. In the past our Nation has been fortunate enough to possess two important food reserves: one in the form of grain reserves, the other in the form of idle cropland. Grain reserves have now dwindled to their lowest point in 20 years. And all of the idle crop acreage has been placed back into production this year. In light of growing demand, the prospect for a severe food crisis will loom large on the horizon.

Mr. President, I doubt that the Congress still senses what this means.

I have put most of my time in the past year on the matter of protecting those areas where I feel as a result of my many years of study and legislative activity I know what the situation is.

Mr. President, as I have said before on the floor and have placed articles on this subject in the RECORD, the world faces the possibility of disaster because of the shortage of food and fuel. We must never judge the food situation in the rest of the world on the basis of the supplies available to our people here in the United States.

I can simply say that the world food production has not kept pace with world population. There seems to be an ever-tightening supply situation despite what may be a temporary source of relief from other nations. For example, this year it is now understood, or at least the reports thus far would so indicate, that the Soviet Union will have a record crop. However, having said that, the rice shortage in Asia is critical. The drought

in West Africa is almost totally devastating. Countries like Pakistan and India have problems that are unbelievably demanding and large. There is a food shortage.

When that food shortage becomes too evident, when the pressures become too heavy, it will affect the entire economic base, not only of the developing countries but of the developed or industrialized nations. Food is a commodity that you cannot get along without. In other words, it is a must item. You must have it. You can get along without some other things, but not in the instance of food.

This bill before us has its emphasis upon the basics of human survival—the production of food, the development of the rural areas, nutrition, family planning, public health, and education. That is what this money goes for.

I say that the United States of America has a great stake in it, because out of the misery of starvation are born world trouble and world tension. Out of the shortage of food supply will come total disintegration of economies. We cannot permit that to happen, if we can prevent it.

Rapidly rising food prices here at home have forced all of us to recognize the link between our food supplies and worldwide agricultural production. It is imperative that we begin to reduce the dependency of the rural underdeveloped world on food imports from the United States and other industrialized nations. If we do not take advantage of the food producing potential of the developing world, we can expect higher food prices at home and famine abroad.

We know that if fertilizer, water and other inputs combined with new varieties of wheat and rice are provided poor countries agricultural production can be increased. Increasing yield per acre is a tremendous challenge. Experts tell us that rice yields per acre in India and Nigeria are still only one-third of those of Japan; corn yields in Thailand and Brazil are less than one-third those of the United States. The production of food and protein in the nations of the underdeveloped world represents an untapped potential of the greatest magnitude. And let me say once again, we have a self-interest in this. We cannot feed the world. We do not have it. We must help them to feed themselves, or at least to increase their production.

The Foreign Assistance Act of 1973 through its section 103 hopes to provide the poor nations with the means to acquire the capacity to feed themselves—to end their role as hungry client states dependent on an American agricultural abundance which may no longer exist. In doing this we will have to recognize that small-farm, labor intensive agriculture which provides jobs for a rapidly expanding labor force can achieve increased production.

It is interesting to note that the number of farmers per 1,000 acres of Taiwan and South Korea is nothing less than 35 times higher than in Mexico, where a few farmers in the large-farm, tractor-mechanized commercial sector are prospering but the mass of small farmers are left out. This enormous difference exists even though average farm size in Taiwan and South Korea is only 2½ acres. The capital cost of the Mexican model is higher than the capital cost of the small farm model. Unfortunately, the Mexican dual agricultural economy pattern is the common pattern in the developing world.

What will the funds authorized in section 103 actually provide? The following are a few of the contemplated activities:

Technical assistance and training programs for local and, to some extent, regional organizations through which people can participate in development, such as local government, cooperatives, trade unions, business, industrial, professional and other groups.

Capital costs of local projects such as: farm-to-market roads, small-scale land improvement, electric power, storage, water supply and sanitation.

Training programs for staff of and credit for financial institutions, mostly at the local level, such as private banks, cooperatives, credit unions, small business banks, and such.

Training programs and credit for small-scale agriculturally related industries.

Capital cost of facilities for market towns and small cities not otherwise covered such as schools, clinics, and other community buildings.

Training and supplies for child-feeding, nursing mothers and other nutritional programs.

The level of funding for section 103 must be maintained if activities designed to promote food production in poor nations are to go forward. As Mr. Lester Brown, an expert on world food production, stated in a recent article:

> Concentrating efforts on expanding food production in the poor countries could reduce upward pressure on world food prices, create additional employment in countries where continuously rising unemployment poses a serious threat to political stability, and raise income and improve nutrition for the poorest portion of humanity—the people living in the rural areas of the developing countries.

A concerted program of increasing food production and improving the quality of rural life in the developing world cannot begin to succeed without a means to slowdown population increases. The Foreign Assistance Act of 1973 provides $141 million in development loans and grants under section 104 for the purpose of population planning and health care.

I understand that our distinguished colleague from Ohio (Mr. TAFT) will be offering an amendment to slightly expand that fund. I commend him for it. I thought it was necessary in committee, and I believe it is absolutely necessary in the light of the population facts of today.

The economic gains made by developing countries are quickly consumed by burgeoning populations. At present, there are no schools for 300 million children even though school enrollment has increased by 80 percent in the past decade. Similar problems are faced in the fields of housing, employment, health care and the provision of other social services.

Developing countries account for 85 percent of the annual world population growth. At current growth rates world population will increase from today's 3.8 billion to about 6.6 billion by 2000, and will reach more than 10 billion in the next 50 years.

Mr. President, I was talking with our Ambassador to India just the other day, Mr. Moynihan. In my discussion with him, we were discussing food problems there, and I said:

> Well, India, a country of over 450 million, is having a serious, difficult time, but they have done very well in expanding their food production.

He said:

> Senator Humphrey, 450 million is no longer the figure. Put it at 550 to 600 million.

And he said:

> In 10 years, it will be a billion.

That is the problem that the world faces. We can pretend that this is no affair of ours. We can say, "It is not in our country, why care?" For the simple reason that we live in what we call a global village. The world is one. We cannot isolate ourselves, much as we would like to. What happens in the Middle East has more effect on the lives of people in my part of the country than anything that happens in the Middle West.

What goes on in this world is a vital part of our total life, and we cannot ignore it.

All I am saying about this bill, with its very modest provisions, is that it represents at least an attempt to try to be helpful, not just for others, but for ourselves.

Mr. President, there is nothing wrong with self-interest as well as the public interest. In this way, helping others to help themselves is a better way to help ourselves than any other way I can think of.

It is clear that family size, poor health, low nutrition and poverty are interrelated. Making progress in any one of these areas without an equal effort in the other will fail to break the poverty cycle which grips so many hundreds of millions of poor people.

Less developed countries have made progress in providing the means for and information about controlling fertility and improving health; but family planning services still are available to only 10 to 15 percent of couples of reproductive age.

The Congress has often stressed the need for active American participation in global efforts to deal with the population problems. Our aid program has supported family planning programs in 39 countries, we have funded the distribution of contraceptives and other commodities in more than 70 countries, and we have supported population activities by a number of international institutions. By this year, 34 countries had established national family planning practices and programs—only four countries had such programs a decade ago.

The $125 million earmarked for population programs will support the following activities:

Dissemination of birth control information and commodities, including the establishment of networks of health and family planning delivery systems.

Efforts to understand legal, social,

cultural, and religious factors which influence decisions to limit family size.

A $20 million contribution to the UN Fund for Population Activities—which is often more effective in this delicate field than the United States can be on a bilateral basis.

Research to develop new or improved birth control methods better suited to conditions in developing countries.

Efforts to encourage governments to undertake and strengthen national population programs.

Development of institutions for research, training, program administration, and information dissemination to promote population control.

I believe it important that we recognize that slowing population growth will require much more than access to birth control devices. Motivation to reduce family size can only be increased if social and economic conditions improve sufficiently so that families can be assured that their progeny will survive.

This is one reason why efforts to provide health care to the poor must be upgraded. In so doing, our aid programs should be focused on the delivery of low-cost health care to rural areas and encouraging the widesperad use of paramedics. The Foreign Relations Committee also recommended that efforts be made to combine delivery of medical care and family planning devices.

Another sector of S. 2335's development loan and grant program is in the field of education, public administration, and human resource development; $94 million has been allocated to support activities designed to reduce illiteracy, extend basic education, and increase manpower trainnig in skills related to development.

The committee has stressed the importance of using the funds in this section for programs which provide minimal, basic education rather than on the traditional emphasis in the field of higher education. Funds from this section should go to support vocational education as well as the development of educational techniques which can be used outside of the traditional classrooms so that greater numbers of people can be reached. Educational programs will continue to be directed toward development related activities in the fields of agriculture, health and sanitation, labor and public administration rather than on underwriting the costs of classrooms and educational facilities. Because a large portion of American aid funds for education went to improvement of higher education, we have played a significant role in training the technical, professional and administrative manpower of the developing world.

Our efforts now must be turned to the problems of mass education, of combatting illiteracy, providing basic vocational skills and supporting innovative educational activities.

In light of this new emphasis, funds in section 104 will support the following activities:

Technical assistance and materials for literacy and low and medium level skills training primarily for farmers, small producers and wage-paid workers.

Technical assistance and capital costs to improve the formal school system through better teaching materials, teacher training, curriculum changes, educational technology, and such.

Technical assistance and capital costs to build institutions of higher education in which these countries can train their own leaders and teachers.

Technical assistance and training to improve the administrative capacity of government and semi-public organizations—such as irrigation associations—at all levels.

As we have learned in our own country, investment in people is one of the most important investments to be made in economic development.

In a recent landmark study of development strategies, Mr. Edgar Owen commented on the need for new approaches to education in the developing world:

> What is needed in the (developing) countries is a nationwide knowledge system. A part of such a system is the formal school structure, which has been the principal object of "educational development" thus far. But people learn from experience as well as from textbooks. It is not sufficient for a farmer to be told by a teacher that fertilizer will increase his output. He must learn how to use particular kinds of fertilizer on his own land.

Our development aid must be structured so that it assists people to manage their own situations and use modern technology. Millions of persons have been excluded from development because they were not allowed or able to participate in the educational systems left intact by former colonial powers. To the degree that education can reach beyond urban areas and be relevant to the immediate problems facing people and innovative in its techniques, the poor can begin to share in the benefits of development.

The last two sections of the development grant and loan portion of the bill deserve brief comment.

Section 106 authorizes $47 million to help solve critical economic and social development problems in fields such as transportation and power, industry and urban development and export development.

These funds will provide only limited assistance to large projects requiring great amounts of capital. The Foreign Relations Committee reduced this funding category substantially because it believed that too large a portion of our past assistance efforts were devoted to financing large showplace projects such as dams, highways and factories. The mass of people in developing countries seldom derived very many direct benefits from these projects. It is the desire of the Foreign Relations Committee that funds authorized for section 106 will now be used for local projects of smaller scale which will relate directly to the lives of the poorest people.

The last new funding category—section 107—provides $28 million for lending in support of the general economy of selected countries through program loans as well as providing grants for programs conducted by private or international organizations.

Program loans are a means to provide developing countries with foreign exchange so that they can buy materials, equipment and other commodities for use in their development programs. Before these loans are made, the recipient country must demonstrate that it has undertaken a sound development program for which it needs imports. These program loans are generally made in consultation with other donor countries and the World Bank.

The Agency for International Development plans to consider five countries for fiscal year 1974 program loans: Ghana, India, Indonesia, Pakistan, and Sudan.

The Foreign Relations Committee reduced the new funds for this section by more than half—from $60 million to $28 million.

Mr. President, I want to recite once again that we have cut deeply into the requests that were made. I know what the attitude of this body is and I think I have some appreciation of the attitude of the American public. We must make some cuts, as I have said, on defense spending and we must make some cuts in foreign aid. As the main sponsor of this bill, and as a mover in the committee, we have cut the bill by another 25 percent. No other piece of legislation coming before Congress had had that severe a reduction. So, we have not been remiss in our responsibility to take a hard look at where the money goes.

This piece of legislation, as I said in the beginning, is the most modest request for funds for foreign assistance in the 27 years of this Government's history in that area of economic assistance to foreign countries.

INDOCHINA RECONSTRUCTION

Aside from the provisions of S. 2335 relating to development loans and grants, the other major funding item in the legislation concerns postwar relief and reconstruction in South Vietnam, Cambodia and Laos. Section 902 authorizes $376 million for carrying out this program of reconstruction, humanitarian assistance to refugees, civilian war casualties, and other persons affected by years of war.

I want to point out to my colleagues that the Foreign Relations Committee reduced this section by $256 million from the executive branch request of $632 million.

In other words, the President requested $632 million. This committee authorized $376 million.

It was the belief of the majority of the committee that this figure not be reduced further at a time when this area is making efforts to recover economically and groping with the problems of political readjustment.

I do not favor further cuts in the funding level provided in the committee bill.

I will say quite candidly that the levels are already what I believe to be below many of the demonstrated needs.

Whatever the sentiment in the Congress or the Nation concerning the governments of Mr. Thieu or Lon Nol in Cambodia or the coalition government in Laos, we cannot escape the fact that these countries and their millions of people deserve humanitarian assistance. Our military involvement in these countries

has dramatically affected the people, the land, and their way of life.

Mr. President, I would hope that the American people would be as considerate of these poor souls as we were in the post-war period after World War II when we went into Germany and Japan with relief and into Eastern Europe with relief.

The finest hour of this Republic, Mr. President, was when we generously extended the hand of cooperation and assistance to a former enemy. We were truly a moral people.

Now we have been involved for over 10 years in war in South Vietnam, and millions of people there have been seriously and adversely affected. We have some moral responsibility at least to help them in the most essential things of their lives. I realize that the governments and countries such as those in Indochina are not always what we would like them to be but, might I say, this Government is contemplating loans via the Export-Import Bank to the Soviet Union running into billions of dollars.

When did we start to like that Government? We have loaned money to other governments. More important, we hope that this money will go to the people. We think that the moneys we have provided in this bill will have a better chance to get directly to the people who need help than it will in any other piece of legislation calling for assistance that we have passed.

We have a moral obligation to assist these people so that they can recover from the ravages of war. The humanitarian assistance so badly needed by refugees, the elderly and the very young, the sick and the lame cannot take place in a vacuum of economic decline. The program must be considered as an integral whole. Aside from direct humanitarian assistance, the bill provides for programs which will prevent the economies of these countries from deteriorating and reduce their dependence on outside sources of aid. This is our final objective—to end the dependence of the countries of Indochina on the United States which has been created by years of war. We can only achieve this goal if their economies begin to recover and there is normal economic development which begins to affect the disrupted lives of so many people.

I appeal to Senators to let us go forward with this program on humanitarian relief and rehabilitation.

It is a modest program.

It is important.

It is essential after we have been so involved in a war which damaged the lives and property of the people of Indochina.

CONCLUSION

Mr. President, I realize that there are Members of the Senate who will not vote for the measure before us today. But let me remind my colleagues that we live in a world where the most urgent of our domestic problems cannot be solved by domestic actions alone.

More and more we must turn to other nations or to international systems or institutions for cooperation in solving what used to be purely internal problems.

Not a single one of these items is subject to domestic solution. It will require international action, international cooperation. No country on the face of the Earth is so dependent on others as we are. We have to import vast amounts of natural resources. Either we must do that, or we must cut back on our style of life and our consumption to levels that none at this moment can contemplate. In short, the need for orderly function in the world depends as much on cooperation.

Obviously, those factors apply to only a limited number of countries, richly developed in natural resources, such as oil. So our future may very well be dependent on the cooperation of countries in Africa and Latin America. We need their help. We must look beyond today; we must look to the next generation.

This is true of narcotics and of its corollary, crime in the street. It is true of the security of our airways against skyjackings. It is true of our efforts to protect the Earth's environment.

It is true of our need for an adequate supply of energy which is the most serious problem threatening our economy. It is true of the protection of American jobs, our investment abroad and of the value of the dollar.

In short, the stability we need for the orderly functioning of the world depends as much on the cooperation between rich and poor nations as it does on the mutual restraint of the nuclear powers. In fact, the détente we seek will be useless without an underpinning of growing stability in the developing world. That stability is dependent on the 100-poor nations believing that there are sufficient benefits from cooperating with us that they want vital international arrangements to work.

The notion that we can somehow refuse to help the people of these nations to solve their most urgent problems and then expect their economic and political cooperation in our own enrichment is sheer folly. This notion might have had some validity in the early 1950's—but not in the world we live in today.

There is reason to believe that the nations of the developing world, frustrated and bitter over American indifference to their needs, could use their growing economic power as a lever to force a change of American policy.

They possess considerable strategic market power.

Their dollar holdings allow them to exert growing influence over world money markets.

Their ability to damage our investments through confiscation is a real possibility.

And a repudiation of debts is not out of the question.

In short, the developing countries have enough economic clout to inflict serious damage on the United States.

The developing countries are very much aware of the individual economic vulnerability of each one of the world's three major economic powers—the United States, Europe, and Japan. They are prepared to exploit economic disputes for their own advantage if relations with the United States are not based on constructive cooperation.

Our economic competitors have recognized this fact of life. The Europeans and the Japanese are making their relations with the developing world a high priority of their foreign policies. The Common Market is making a major effort in Africa among former French and British colonies. They have even begun to line up economic allies in Latin America. The Japanese are developing economic relations with a similar aggressiveness in Asia and elsewhere.

It is with these facts in mind that the new approach to our relations with the developing countries which is at the heart of S. 2335 was devised.

Finally, Mr. President, I want to state that I totally reject the premise that by helping others we postpone providing for the urgent needs of our own people.

This is a phony argument.

The cost of this bill before us is about $1.2 billion.

It is less than the funds devoted to the research and development phase of a single weapons system such as the B–1 bomber of the Trident submarine.

Neither I, nor any Member of Congress, would propose or support a program which places the needs of others before our commitment to the American people.

We have the resources to embark on a modest and sensible program of economic assistance to the world's poor and still help those Americans in need. It is not a question of money. It is a question of will.

We would all do well to remember what Adlai Stevenson said concerning America's role in the world:

> You can't turn out almost two-thirds of the entire world's production and not be concerned with customers. You can't be the richest man in town and not be concerned with insurance. And you can't be happy and free surrounded by misery and slavery.

These words spoken 26 years ago take on special meaning today.

As we begin our debate on the Foreign Assistance Act I would like to remind my colleagues that the American people have never said "no" to the aspirations of those in need. It is my hope that the Congress will reflect this same humanitarian concern as we consider what role our Nation will play in improving the lives of the world's poorest majority.

Mr. President, I have placed on the desk of every Senator today an analysis of the bill—a fact sheet. I ask unanimous consent that the substance of the fact sheet be printed at this point in the RECORD.

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

FOREIGN AID BILL FACT SHEET

S. 2335, this year's foreign aid bill, is based on the Congressionally initiated bill sponsored by Senators Humphrey, Aiken and McGee and has basic Administration and bipartisan support.

AUTHORIZATION

The two-year authorization bill establishes a funding level of $1,234,400,000 for FY 1974 and slightly less for FY 1975. The sum available in FY 1974 represents a decrease of 11.5 percent compared to the amount available in FY 1973 under the Continuing Resolution. S. 2335 is 24 percent below the Administration's request and 23 percent below the House-passed bill. The sum authorized in the bill reported by the For-

eign Relations Committee by 12–3 represents the lowest authorization for foreign economic assistance in the program's history.

POLICY

The Humphrey-Aiken bill adds new statements of policy to the Foreign Assistance Act. Due to changing international conditions, foreign assistance should be restructured:

1. Improve the lot of the poorest people.
2. In bilateral programs concentrate on sharing technical expertise and commodities.
3. Develop employment-intensive technologies.
4. Use a functional sector approach.
5. Work through the private sector (including cooperatives and credit unions).
6. Let the client country take the lead in planning.
7. Give AID overall coordinating authority over development activities, with guidance from State.

SPECIFIC FUNDING LEVELS

The bill authorizes new appropriations in the following functional categories, established by the Humphrey-Aiken bill to emphasize new aid directions to the poorest majority:

1. Food and Nutrition—authorizes $282 million for FY 1974 and 1975. (Administration request—$300 million.)
2. Population Planning and Health—authorizes $141 million for FY 1974 and 1975. Earmarks $125 million for population programs. (Administration request—$150 million.)
3. Education and Human Resources Development—authorizes $94 million for FY 1974 and 1975. (Administration request—$115 million.)
4. Selected Development Problems—allows aid to be given for special programs in fields such as transportation, urban development and industry—authorizes $47 million for FY 1974 and 1975. (Administration request—$93 million.)
5. Selected Countries and Organizations—allows aid for program lending and through voluntary agencies and international organizations—authorizes $28 million for FY 1974 and 1975. (Administration request—$60 million.)

OTHER POLICY PROVISIONS

In addition to the basic policy provisions of the Humphrey-Aiken bill, the Senate Foreign Relations Committee added other economic policy provisions:

1. Limitations on Grants—provides that not more than 50% of the aggregate of all new obligational authority may be used for grants in the functional sectors.
2. Development and Use of Cooperatives—earmarks a total of $20 million of all funds made available for functional categories for use during FY 1974 and 1975 to develop cooperatives in less developed countries.
3. Multilateral Approaches to Development—urges a shift in policy to programs administered by multilateral agencies and requires the Secretary of State to consult with various multilateral agencies to expedite this and report to Congress and the President within six months on his negotiations and the plans for switching to multilateral aid.
4. Prohibiting Police Training—provides that no part of any appropriation available to carry out this or any other provision of law may be used for police training or related programs for a foreign country.
5. Repayments of Loans—The bill channels repayments of loans in 1974 and 1975 into the functional categories (for further loans), but limits allocation of reflows to one-third in any single category.
6. Development Coordination Committee—The bill sets up a Development Coordination Committee chaired by the AID Administration with representatives from State, Treasury, Commerce, Agriculture, Ex-Im Bank, OPIC and the White House and requires the Committee to report to Congress as well as the President.

AMERICAN SCHOOLS AND HOSPITALS

The bill authorizes $19 million in appropriations and the $6.5 million in excess foreign currencies for American Schools and Hospitals Abroad for FY 1974. FY 1975 and future funding requests for this program are to be part of the State Department authorization legislation.

HOUSING GUARANTEES

The bill increases the worldwide housing guaranty ceiling to $349.9 million and extends the authority for one fiscal year, to June 30, 1975. (Administration request—increase to $480 million and extension to June 30, 1976.)

INTERNATIONAL ORGANIZATIONS AND PROGRAMS

The bill provides $120 million for FY 1974 and 1975 for these organizations generally, and another $14 million each year for Indus Basin grants. (Administration request—FY 1974—$134.8 million generally and $15 million for Indus Basin grants; FY 1975—open-ended request generally and $15 million for Indus Basin grants.)

CONTINGENCY FUND

The bill authorizes $23.5 million for each of 1974 and 1975 for the Contingency Fund. (Administration request—$30 million plus special open-ended extraordinary disaster relief authority.)

NARCOTICS CONTROL

The bill authorizes $40 million for FY 1974 and $30.5 million for FY 1975 for narcotics control. (Administration request—$42.5 million for FY 1974 and open-ended authorization for FY 1975.)

EXPROPRIATION POLICY

The bill amends the Hickenlooper Amendment by allowing the President to waive it by determining and certifying to Congress that such waiver is "important to the national interests of the United States." This would bring the legislation into conformity with the President's Policy Statement of January, 1972.

RETIREMENT SYSTEM

The bill includes in the Foreign Service Retirement and Disability System all FSRs and FSSs serving unlimited AID appointments and Presidential appointees who have previously served unlimited FS appointments and subsequently served continuously under other FAA statutes.

EXPORT DEVELOPMENT CREDIT FUND

The bill proposed a $3 billion Export Development Credit Fund to extend and refinance U.S. export credits for sales of U.S. goods and services of a developmental character to lowest income countries, on terms up to 30 years with a 5-year grace period (which is included in the 30-year period) at not less than 3% per annum. (The Senate Finance Committee recommended deletion of the Fund from the bill and reconsideration of the measure in future trade legislation. I shall move to recommit this section to Committee.)

INDOCHINA POSTWAR RECONSTRUCTION

The bill gives general authorization for relief and reconstruction in South Vietnam, Cambodia, and Laos, including humanitarian assistance. The Committee rejected more restrictive authorizing language. The Administration supports this authorizing language and opposes any amendment.

The bill earmarks $7.5 million of the Indochina funds for aid to South Vietnamese children.

The bill authorizes $376 million for FY 1974 for Indochina. The House-passed bill contains $632 million which was the Administration's request

TERMINATION OF INDOCHINA WAR

The bill prohibits use of funds authorized or appropriated under the Foreign Assistance Act or any other law to finance American military or paramilitary operations in or over Vietnam, Laos, or Cambodia.

FINANCING THIRD COUNTRY NATIONAL TROOPS

The bill prohibits use of funds under any provision of law for direct or indirect financing of any military or paramilitary operations by foreign forces in Laos, Cambodia, North Vietnam, South Vietnam or Thailand unless conducted by the recipient government within its own borders, or approved by a subsequent act of Congress.

POLITICAL PRISONERS

The bill expresses the sense of Congress that the President deny any aid to a foreign government which interns or imprisons that country's citizens for "political purposes."

INDOCHINA PEACE AGREEMENTS

The bill expresses the sense of Congress that no economic or military assistance should be furnished to, nor any sale, credit sale, or guaranty be made to or on behalf of any party to the Indochina peace agreements which does not comply with the agreements and protocols. This does not apply to food and other humanitarian assistance given under international auspices or by U.S. voluntary agencies to persons directly, and not through governments. Again, the Administration opposes any trigger-type cutoff provisions tied to the Indochina peace agreements.

ACCESS TO INFORMATION

The bill requires the Secretary of State, the heads of USIA, AID, ACDA, ACTION or OPIC, within 35 days of a written request, to turn over to the Senate Committee on Foreign Relations or the House Foreign Affairs Committee virtually any document it requests or requires that obligations be stopped on the 35th day and remain stopped until the document is furnished. This provision does not apply to any communication that is directed to the President by, or by the President to, a particular officer or employee of the organization. The Foreign Assistance Act of 1961 now contains a similar requirement, but permits denial of a document if the President invokes Executive privilege and states his reason.

Mr. HUMPHREY. Mr. President, I also ask unanimous consent that an editorial entitled "Innovative Aid Reform," published in the New York Times today, be printed in the RECORD.

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

INNOVATIVE AID REFORM

The Senate will have opportunity this week to give a decisive push to the most promising innovation in foreign aid since President Truman enunciated "Point Four" for the world's needy in his 1948 inaugural. A new departure, already adopted by the House, would redirect American aid from large-scale industrial projects to direct assistance to the "poorest majority" in the underdeveloped countries via rural development, food production, population control, health and education.

This approach offers the best possibility for involving the very poor in economic development and nation-building; for narrowing the gap between rich and poor; for curbing birth rates that nullify economic gains, and for helping resolve the menacing problem of world food supply. To this end, Robert S. McNamara has disclosed that the World Bank will concentrate a new $22-billion, five-year program on helping 800 million rural poor to escape from what he calls "absolute poverty."

Mr. McNamara was moved by the same solid evidence that inspired a bipartisan group of Congressmen and Senators to launch their drive to rechannel American aid. Developing countries achieved an average growth rate of 5.5 per cent during the 1960's; but these advances primarily benefited those in the upper 40 per cent income category. The poor were largely left out; unemployment continued to rise; the gulf between rich and poor steadily widened.

* * * * *

There are broader, more positive reasons for switching the emphasis of aid. In considering future food needs, the greatest opportunities lie in the developing countries, "the world's greatest reservoir of untapped food-production potential," as one expert puts it. Contrary to widely held belief, small farms, if they have equal access to technology and credit, can usually produce higher yields per acre than large farms.

Direct aid for the "poorest majority" is also the surest way to curb the population explosion. Birth rates usually decline markedly once families have begun to receive adequate food, education and the health services that cut infant mortality.

Here, in short, is an aid program that concentrates on the kinds of overseas assistance in which Americans have enjoyed much success—agricultural techniques and productivity, public health, education—but that can also expand the world's food supply, promote real development as against "growth" measured only by advances in the G.N.P., and help lift out of intolerable poverty the most unfortunate human beings on earth.

* * * * *

The reshaping of aid is an admirable example of Congressional imagination and leadership in foreign policy at a time when both Congress and country are painfully aware of the dangers of leaving all initiatives in this field to the White House. Yet, because of widespread disillusionment with foreign aid, the reform passed the House by only five votes.

The reform has broad bipartisan backing, and the floor fight will be led by the able bipartisan tandem of Senator Humphrey and the Republican co-sponsor, Senator Aiken. If a twofold appeal to common sense and compassion for the world's neediest can still move Senators in this cynical time, Messrs. Humphrey and Aiken will surely prevail.

Mr. HUMPHREY. Mr. President, I should also like to remind Senators to look in the RECORD and read the remarkable speech delivered by Robert McNamara, President of the World Bank. It should be noted that the World Bank is contemplating some $24 billion worth of assistance in the next 5 years to developing countries. The World Bank is not made up of a lot of world do-gooders, for that is supposed to be a title of derision. It is made up of practical people. It is interesting to note that in the conference in Nairobi, Kenya, a great deal of attention was given to the necessity of better, more effective assistance in the various countries of the world.

I appeal to my fellow Americans, represented in Congress by Senators and Members of the other body, to keep in mind that we are dependent not only upon their products, but upon their good will.

Mr. President, we have two choices in our situation where we need energy, where we need minerals, and where we need markets, and those choices are either to occupy by brute force, which I know we reject, or to earn the cooperation of the people of the world by a sensible humanitarian approach to their needs and problems.

The PRESIDING OFFICER. Who yields time?

Mr. HUMPHREY. I yield to the Senator from Vermont.

Mr. AIKEN. I will yield my own time. I ask that I be recognized for 8 minutes.

The PRESIDING OFFICER. The Senator from Vermont is recognized.

Mr. AIKEN. Mr. President, the major business of the Congress is to legislate.

I cosponsored this bill because it is our duty to pass some legislation in this tangled and controversial area of foreign aid.

Several of our colleagues on the House Foreign Affairs Committee took the initiative this year and produced a foreign aid bill.

They worked long and hard at it.

Subsequently, the House, as a whole, approved their efforts.

Whether our colleagues in the other body have produced anything new, really depends, in the final analysis, on how the administration interprets their ideas, particularly their hope—which is mine—that much more aid moneys be channeled through private, nonprofit organizations which show that they have good working relationsips with people in the countries of Asia, Africa, and Latin America.

Following up the House lead, the Foreign Relations Committee has recommended similar aid legislation, which now is pending before the Senate.

I hope we act positively this time.

To rely again on continuing resolutions would be an abdication of our responsibilities.

There are, in fact, high matters of public business involved.

At the end of October, in Paris, a group of countries will meet at the invitation of the World Bank to consider the establishment of a consortium to aid the reconstruction and recovery of Indochina—particularly of South Vietnam, Laos, and Cambodia, because North Vietnam still looks upon international assistance with a jaundiced eye.

The Paris meeting is of great importance.

If agreement can be reached, the problem of reconstruction in Indochina will become a common problem of many nations, not just a burden on the conscience of the United States.

The problems of Indochina for the first time may become the legitimate concern of many nations, not just the special concern of the United States or any other single country.

It has been rather difficult to convene this Paris meeting.

Other governments, understandably I am afraid, fear that they will be accused of seeming to take over a responsibility that many believe is the United States.

These fears are shortsighted, if not simply wrong.

We may have made many grave mistakes in Vietnam; I was among those first to say so.

But we would be compounding those mistakes now if we accepted the position of sole responsibility.

On the contrary, we owe it to the people of South Vietnam, Laos, and Cambodia to do everything we can to make their problems the legitimate concern of the international community of nations.

There should be many donors in this proposed consortium, particularly Japan, Germany, and the World Bank itself.

However, we have already received clear diplomatic signals that if the Congress votes not to participate, others will also refuse.

I am not speaking here of numbers.

They still have to be worked out and I am not in favor of signing any blank checks.

I am speaking of the need to pass a bill that will signal our willingness to participate.

The bill now before us will help do that.

It should do more.

I hope the next administrator of our foreign aid program will bring a whole new set of attitudes and policies to bear on his work.

I hope he will have done away with large government-to-government engagements in the name of development assistance in which U.S. officials and foreign officials make decisions which rather less exalted people ought to be making.

I would favor keeping the total price tag on the aid program sufficiently limited to discourage this sort of exercise and feel that we should encourage serious support for private American organizations with the necessary skills and connections to better express the real contributions Americans can make to some of the dire problems of Asia, Africa, and Latin America.

The distinguished chairman of the Foreign Relations Committee has proposed legislation along these lines.

It deserves a full and complete hearing before the committee.

I would hope this could be done early next year.

For now, however, our duty is to pass a bill, not to abdicate in the face of a problem that has drained both our patience and our interest.

Failure to act will be a clear signal to others to withhold their actions also.

That is why I have given my full support to the legislation now before us.

I hope this Senate will give its wholehearted support to the proposed legislation without damaging amendments.

Mr. TAFT. Mr. President, will the Senator yield to me for 3 minutes?

Mr. AIKEN. I yield 5 minutes to the Senator from Ohio.

The PRESIDING OFFICER. The Senator from Ohio is recognized.

Mr. TAFT. Mr. President, I thank the distinguished Senator from Vermont for yielding.

I commend the committee, the ranking member of the subcommittee, the distinguished Senator from Minnesota (Mr. HUMPHREY), and the distinguished ranking minority member, the Senator from Vermont (Mr. AIKEN). I think the bill which has been presented by the committee is a very fine piece of work that attempts to compromise various interests and to adjust the foreign aid program in

a realistic way to the circumstances that exist.

As the distinguished Senator from Minnesota has stated, I expect at a later time to have further remarks with regard particularly to the population control aspect of the bill and to offer an amendment to somewhat increase the earmarking for that purpose. I should not belabor the point at this time.

Mr. President, Saturday night I returned from a week in Niarobi at the annual meeting of the World Bank, the International Development Agency and the International Monetary Fund. One could not attend that meeting, listen to the remarks made there, and have the opportunity to talk with representatives of other nations concerning the problems of developing nations without recognizing that there is a tremendous need, as yet unmet; and it has to be met by programs such as those in this legislation today, not only in the spirit of generosity which traditionally has been the American motivation, but also in self-interest.

We helped to stabilize the world and to meet in a realistic way the changing and developing conditions which have occurred, in connection with which we have had a duty in our own interest to participate.

It is true that the World Bank and the international agencies have increased their efforts in this field and I concur with that development. I believe the multilateral approach taken by those agencies is a sound one. I do not think we can get into backdoor spending in this connection. I believe that probably the Secretary of the Treasury deserves a good deal of credit for the intelligent and firm stand he has taken with regard to the refusal to make commitments on the direction in which the international fund problems will be solved, but I think those problems will be solved and we are going toward the solution of those problems.

However, that does not detract one whit from the proposition that there is a need for a sound bilateral program, not just self-serving but in a positive way. I believe this bill proposes to help meet the problem.

Mr. HUMPHREY. Mr. President, did the Senator call up his amendment? Did the Senator want to ask to do so?

The PRESIDING OFFICER. The amendment is not in order, except by unanimous consent, until we dispose of the committee amendments.

Mr. HUMPHREY. Mr. President, I was waiting for the distinguished Senator from Louisiana (Mr. LONG), chairman of the Finance Committee, to come on the floor. He is now present.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. LONG. Mr. President, there is an amendment proposed by the Finance Committee which would have the effect of striking from the bill the proposal to establish the U.S. Export Development Credit Fund. I would like to ask that that amendment be considered at this point.

The PRESIDING OFFICER. Could the Senator from Louisiana explain which amendment it is, or does he want the committee amendments to be considered en bloc?

Mr. LONG. Mr. President, I ask unanimous consent that the committee amendments be considered en bloc.

The PRESIDING OFFICER. Is there objection?

Mr. HUMPHREY. Mr. President, reserving the right to object, this is the committee amendment that relates to section 16.

Mr. LONG. Yes.

Mr. HUMPHREY. Is that correct? The committee amendments relating to section 16 run from line 12 on page 19 through line 16 and page 24.

Mr. LONG. Actually, there are other technical amendments, but this is the only substantive amendment involved.

Mr. HUMPHREY. This amendment eliminates the U.S. Export Development Credit Fund section from the bill.

The PRESIDING OFFICER. Does the Senator wish this bill considered as original text after the amendments are agreed to?

Mr. LONG. For the purpose of amendment.

The PRESIDING OFFICER. Without objection——

Mr. HARRY F. BYRD, JR. Mr. President, reserving the right to object, I just want to understand what this does. Does it take out of the bill the so-called export credit?

Mr. LONG. Yes. The Finance Committee asked that this matter be referred to it, and it was the view of the Finance Committee that this matter should be stricken from the bill and considered in connection with trade legislation which will reach us from the House briefly.

Mr. HARRY F. BYRD, JR. What the Senator from Louisiana is doing is effectuating that proposal?

Mr. LONG. That is correct. There are other technical amendments in the bill which should be agreed to, but this proposal is a substitute for what was in the bill.

Mr. HARRY F. BYRD, JR. The proposal is to strike that out.

The PRESIDING OFFICER. Without objection——

Mr. HUMPHREY. Without objection what, Mr. President?

The PRESIDING OFFICER. Without objection, the amendments are agreed to en bloc and the bill as thus amended will be treated as original text for the purpose of amendment.

SUMMARY OF COMMITTEE ACTION

Mr. LONG. Mr. President, to the Committee on Finance was referred S. 2335, the Foreign Assistance Act of 1973, in order that it could consider section 16 of that bill, which would provide for the establishment of a new U.S. Export Development Credit Fund. Following a hearing at which the major proponents of this section had an opportunity to testify, the committee met in executive session, and by a vote of 14–2, agreed to strike section 16, and consider the proposal later when we take up trade legislation. Thus, the vote was part procedural in that this was a trade measure which should be considered in the context of trade legislation, and also part substantive in that the committee had grave misgivings about various aspects of the proposal.

THE PROPOSAL

As indicated in the committee report, section 16 would have established a U.S. Export Development Credit Fund, financed by public borrowings of the U.S. Treasury. The fund would have offered financing for U.S. exports to the lowest income countries—that is, those with per capita gross national products of $375 a year or less on concessional terms—interest rates of not less than 3 percent per year, repayment witnin 30 years and a grace period of not more than 5 years on repayment of principal.

The fund would have been authorized to make loans of between $3 and $5 billion during the 3½ year period between July 1, 1973 and December 31, 1977. The interest subsidy on the loans—the difference between the effective cost of borrowing and the concessional interest rate charged—would have been financed by repayments received by the U.S. Government on past foreign assistance loans.

TIGHT MONEY AT HOME

This proposed fund comes at a time when money is extremely scarce and when domestic interest rates are higher than they have ever been in the past.

The prime rate is now 9¾ percent—the highest in this Nation's history—and relief is nowhere in sight. Many large banks have recently increased the prime rate to 10 percent. The U.S. citizens who have to borrow to pay for medical bills, education, or home mortgages are being squeezed unmercifully by inflation and ridiculously high interest rates. Thus, the effect of this bill would be to make cheaper money available to foreign governments of the poorer less developed countries at a time when Americans at home are often unable to borrow any money whatsoever, even at the prevailing exorbitant interest rates.

NEED FOR BUDGET RESTRAINT

During this period of raging inflation and increasing public debt, the President has been cajoling the Congress to keep a tight control over the budget and to stop adopting programs which would cost the taxpayers more money. Yet the administration's representatives have appeared before the committee in order to support the U.S. Export Development Credit Fund. Furthermore, the administration witnesses never adequately explained why this new proposal—which was not even in the administration's budget—is of such a big priority that the Congress is supposed to forget all the recent talk of budget restraint and let this program slip by.

The committee members were also concerned about other aspects of section 16 of the proposed Foreign Assistance Act of 1973. As referred to the Finance Committee, the fund would not have been subject to annual authorization and appropriations processes, nor would its operations have been included within the budget. The proponents of the proposal did favor amending section 16 so as to provide congressional oversight and to bring the Fund's operations within

the budget. Even so, the implementation of the Fund could have had economic ramifications not subject to congressional or even administration control. For instance, there seemed to be little consideration given by the drafters of the section as to what effect the initial financing of the Fund would have had on our financial markets, which are already under severe credit restraints.

UNCERTAIN OBJECTIVES AND RESULTS

Those witnesses testifying in favor of this Fund argued that it would have increased U.S. exports to markets within the poorer less developed countries. Yet, they also argued that this was a new foreign aid program. Several members sought answers as to how these twin objectives could be reconciled and they received very unsatisfactory answers.

At a time when the dollar has been devalued twice officially and many more times unofficially, and when we have had to impose export controls on certain commodities, the committee was not convinced of the absolute need for this program. However, even if the need were there, there were serious doubts as to whether this program would have satisfied them. The close commercial ties between the major recipients of these soft loans—the African countries and their former colonial masters—make U.S. exports to these markets often impossible even with the softest of credit terms. After all, our Development Loan Fund has been pouring billions of taxpayers' dollars to these countries for years and we have still lost markets.

MANY EXISTING FOREIGN AID SPIGOTS

The committee's reluctance to approve this program at this time was increased by its awareness of the current availability of a multitude of foreign aid and related programs by which U.S. exports are already being financed at concessionary terms. The committee received astounding figures from the distinguished chairman of the House Appropriations Subcommittee on Foreign Operations showing that the administration had already requested over $18 billion worth of funds for foreign aid and assistance for fiscal year 1974 alone. I wish every Member of this body understood that foreign aid is an $18 billion program, and I would refer each Member to the table on page 3 of the committee report.

To your dismay, you will discover that this Nation, which has poured over $250 billion in various foreign aid spigots since World War II, now owes money on money that we gave away. Yes, Mr. President, incredible as it may sound, we have to appropriate over $2 billion this fiscal year to make up for our dollar devaluations which have been caused, in large measure, by our unsound foreign aid and trade policies.

Given the interrelationship between assistance on the one hand, and trade, investment, and balance-of-payments issues on the other, the committee felt that the proposal could not be dealt with in an isolated context. Since many of these matters will be examined by the committee and by the Senate when the foreign trade legislation is taken up, the committee was of the view that this proposal could be better examined within the context of the upcoming deliberations on the trade bill.

Accordingly, I urge you to support the overwhelming sentiment in the Finance Committee, which incidentally was the position of the House of Representatives by a vote of 240 to 137, to strike section 16 from the bill.

Mr. HUMPHREY. Mr. President, the action which has been taken here, as I understand it, is the elimination from the bill as it came from the Foreign Relations Committee of the section relating to section 16, the U.S. Export Development Credit Fund and all language pertaining to the establishment of that fund.

The PRESIDING OFFICER. All committee amendments have been agreed to, and the bill is to be treated as original text as thus amended.

Mr. HUMPHREY. The bill is devoid of section 16 and all committee amendments relating to that section. Is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. HUMPHREY. Mr. President, I want to include in the RECORD at this point, following the statement of the distinguished Senator from Louisiana, the argument I made in behalf of the U.S. Export Development Credit Fund as it was originally reported from the Senate Foreign Relations Committee.

May I say, I hope, in light of the action which has taken place here; namely, that we have now eliminated that section from S. 2335, the Senate Finance Committee, in its consideration of trade legislation, will give very serious consideration, and hopefully favorable consideration, to at least a portion of that U.S. Export Development Credit Fund.

We recognize the jurisdictional problems that arise because of the role of the Finance Committee and its prerogatives in the field of trade legislation. It is my judgment that the U.S. Export Development Credit Fund may be of great help to us in the whole purpose of putting ourselves on a competitive basis with the Japanese, the French, the Dutch, the Germans, the Belgians, the Italians, and others. These countries extend very generous credit terms for developing countries. I was hoping we would do the same. I was thinking in terms of having a market for American goods made by Americans in American shops, and shipping those American goods to foreign countries. It is my judgment that we will need that market in the future. This issue has been resolved. I have respect for the Finance Committee's jurisdiction on trade relations. We all had an opportunity for hearing.

Without further ado, I ask unanimous consent that my statement relating to the Export Development Credit Fund before the Finance Committee, along with a summary of that statement, be printed at this point in the RECORD.

The statement and summary were ordered to be printed in the RECORD, as follows:

TESTIMONY OF SENATOR HUBERT H. HUMPHREY

Mr. Chairman, I am pleased to have the privilege of appearing before this distinguished Committee in favor of the Export Development Credit Fund. (The Fund is section 16 of S. 2335, the Foreign Assistance Act of 1973.)

I wish to point out that S. 2335 is a Congressional initiative first developed by members of the House Foreign Affairs Committee. I introduced the Zablocki-Fraser bill with Senator Aiken because we believed that it merited the support of the Senate as an important, new approach to our relations with the developing countries. The bill was reported by the Foreign Relations Committee by a vote of 12–3.

My objectives before the Finance Committee are twofold.

First, I want to explain the purpose of the Export Development Credit Fund within the context of this new approach.

Secondly, I would like to outline the probable way the Fund would operate and in so doing answer some of the questions raised in the Finance Committee's press release of August 9, 1973.

Mr. Chairman, the Congress considers foreign economic assistance this year in an atmosphere still poisoned by the bitterness and despair following more than a decade of involvement in Indochina. Our deteriorating economic situation at home which affects every American family has intensified this mood. The result is a growing skepticism of the need for America to play a significant role in the worldwide struggle against poverty, disease, starvation and illiteracy.

I can well understand this sentiment.

But I want to say today that we are deceiving ourselves if we think we can simply turn our backs on the world's poor and then set to work solving our own economic ills.

The rising food costs, sky high interest rates, energy shortages and joblessness which daily plague our lives will not disappear even if Congress refuses to spend a single penny on foreign assistance.

In fact, our domestic economic problems will grow worse if we abandon the poor nations, if we are blind to their importance to our own well-being.

Few Americans realize how dependent we have become on the resources of the developing areas of the world.

Our dependence on these countries for scarce natural resources increases every year.

It is estimated that our imports of oil alone will be increasing by $20 billion by 1980. The supply of other important raw materials critical to our industrial needs is in the hands of a small number of developing nations: Four countries export 80 percent of the world's copper supply; two countries export 70 percent of the tin we need; the combined export of four countries accounts for more than 50 percent of the supply of natural rubber; and four countries export over half of the bauxite needed for the production of aluminum. Even the supply of commodities such as timber, coffee and tea are controlled by very few developing countries. Beyond the area of natural resources supply our interdependence with the developing world is evident.

American direct investment in the developing world was given a book value of $23 billion in 1971—the real market value is estimated to be twice this figure. About five percent of U.S. corporate profits are derived from these investments. Our investments in these poor countries contribute about $1 billion to our balance of payments.

The notion that we can somehow refuse to help the people of these nations to solve their most urgent problems and then expect their economic and political cooperation in our own enrichment is sheer folly. This notion might have had some validity in the early 1950's—with Europe and Japan still struggling to repair their war-shattered economies and most of the developing countries of Asia and Africa still colonies—but not in the world we live in today.

There is reason to believe that the nations of the developing world, frustrated and bitter over American indifference to their needs, could use their growing economic power as a lever to force a change of American policy.

They possess considerable strategic market power.

Their dollar holdings allow them to exert growing influence over world money markets.

Their ability to damage our investments through confiscation is a real possibility.

And a repudiation of debts is not out of the question.

In short, the developing countries have enough economic clout to inflict serious damage on the United States.

The developing countries are very much aware of the individual economic vulnerability of each one of the world's three major economic powers—the United States, Europe and Japan. They are prepared to exploit economic disputes for their own advantage if relations with the United States are not based on constructive cooperation.

I believe it would be well to pay heed to the words of an economist familiar with the relations between the United States and the developing world, Mr. Fred Bergsten of the Brookings Institution. In a recent article he said:

"The United States cannot buy economic concessions any more than, in the past, it could buy political allegiance. Indeed, hard bargaining on numerous specific issues is likely in light of the sharp increase in Third World independence and power. But U.S. policy must seek to contain such bargaining within a framework of generally cooperative relations, rather than a framework of confrontation and hostility."

And beyond the necessity of building such a framework of cooperative relations with the developing countries, it is also clear that we have a very direct stake in helping them with certain specific aspects of their development efforts, such as increasing agricultural production. For, unless we assist more developing nations in the production of food, we will perpetuate a permanent group of hungry client states dependent on our agricultural abundance. I don't have to tell members of this Committee the implications of this situation for the survival of large numbers of persons whose agriculture is barely at the subsistence level in the best of years. Nor need I mention the effect on our own domestic food supply and price structure as a result of continued demand by hungry people abroad.

We must take the steps today to aid the more than one billion people in this world who are desperately poor, or we will imperil our own prosperity tomorrow.

But far more is involved than an aid relationship. Increasingly we live in a world where the most urgent of our domestic problems cannot be solved by domestic actions alone. Increasingly we must turn to other nations—or to international systems and institutions—for cooperation in solving what used to be purely internal problems.

This is true of narcotics, and of its corollary, crime in our streets.

It is true of the security of our airways against skyjackings.

It is true of our efforts to protect the earth's environment from deterioration and to assure that there will be meat in our markets.

It is true of our important need to bring order to the use of the oceans and to protect threatened species of fish.

It is true of the protection of American jobs, of American investment abroad, of the value of the American dollar. The list could go on.

We live in a world where our actions affect other people and their actions affect us—in a world where we depend on healthy, orderly functioning of international systems and institutions, which in turn depends on mutual cooperation. And the simple fact is that if we want international arrangements to work well, we must be sure that the over 100 poor countries containing almost three-quarters of the world's people are getting a good enough deal out of cooperating with us to want these arrangements to work.

One of the ways in which we can demonstrate our disposition to cooperate with the poor countries is by making our exports available to them on terms they can afford. Doing that may be of direct help to them, but it is also an investment in making the world work better, to everyone's benefit. And it is a way of fostering mutually advantageous economic relations with countries whose importance to us is growing daily.

Our economic competitors have recognized this fact of life. The Europeans and the Japanese are making their relations with the developing world a high priority of their foreign policies. The Common Market is making a major effort in Africa among former French and British colonies. They have even begun to line up economic allies in Latin America. The Japanese are developing economic relations with a similar aggressiveness in Asia and elsewhere.

It is with these facts in mind that the new approach to our relations with the developing countries which is at the heart of S. 2335 was devised. The bill deals with these new realities in three ways.

1. The bill seeks to focus our bilateral development aid program—for which this authorization is the smallest in twenty-five years—on solving the most pervasive problems confronting the poor countries, primarily in the areas of food production, nutrition, and rural development; population planning and health; and education and human resource development—and to do it in ways that will not just enrich a small elite, but will enrich the lives of the majority who are poor.

2. The bill seeks to improve the coordination of all U.S. policies and programs affecting the development of the poor countries—whether in the areas of bilateral or multilateral assistance or in fields such as trade and monetary relations, U.S. investment abroad, the availability of sources of energy, the exploitation of the oceans, or the protection of the environment.

3. The bill seeks—through creation of the Export Development Credit Fund—to expand U.S. exports to the approximately 70 poorest countries in the world—a potential market, excluding China, of well over a billion people—by providing credit on terms that will enable these countries to buy American goods and services which contribute to their development.

All three of these elements proceed from a new appreciation of our broadening relationship with the developing world and are important parts of our attempt to deal realistically with this evolving relationship.

Let me turn now to the specifics of the Export Development Credit Fund—what it would do, how it would operate, how it would be financed, and the like.

The Export Development Credit Fund would authorize the President to borrow either from the Treasury or the public up to $3 billion and lend up to $2.7 billion between June 30, 1974 and December 31, 1977 to the lowest income countries to finance U.S. exports. Ten percent of the Fund would be reserved for losses. "Lowest income countries" are defined as those with per capita GNP below $375 a year with particular emphasis on those with per capita GNP under $200 a year.

The Fund's loans would be concessional, with the minimum terms set at 3% interest, 5 years grace period and 30 years to repay. All repayments would be in dollars. These terms are harder than the minimum terms for AID development loans and could be harder still for some countries using Fund credits.

The difference between the Fund's financing costs and loan receipts would be met from receipts from past aid loans which are already available for relending at a rate of about $300 million a year.

I want to emphasize that the Fund's net cost would be funded from the loan receipts that would otherwise go to AID for relending, and not from new appropriations.

No additional tax revenues would be required.

The Fund would involve an increase in the public debt equivalent to its borrowing.

Under the bill as reported, the Fund would be treated exactly the same as the Export-Import Bank in terms of exclusion from the budget. However, the Administration and some Members of Congress have questioned this provision, and I see no reason why the bill could not be amended to provide for inclusion of the Fund's receipts and disbursements in the budget if that is deemed desirable.

The Fund would be closely coordinated through an advisory committee which would include State, Treasury, Agriculture, Commerce, the Export-Import Bank and AID. I believe that the Secretary of Commerce would be an appropriate chairman of this committee because of the Fund's export expansion function.

A quick examination of American export statistics to the lowest income countries points to the very real need for the Fund.

In the 70 or so countries with a per capita income below $375 a year, U.S. exports increased 30 percent from 1965 to 1971, from $3.7 billion to $4.8 billion. However, exports of the other 15 members of the OECD jumped 143 percent, from $9 billion to $21.9 billion.

In eleven of the poorest nations with nearly 90 percent of the population of the noncommunist countries with annual per capita incomes below $200, U.S. exports dropped from $1.7 billion in 1966 to only $1.2 billion in 1972. But the exports of the other OECD countries increased during that same period from $2.9 billion to $4.3 billion.

These figures of a declining American commercial and economic role in a very large and potentially lucrative market have resulted from one simple fact: very poor countries simply can't afford to buy American machinery, steel, fertilizer and other goods under present credit arrangements.

Ex-Im Bank credits go to the richer developing countries. In 1972, the Ex-Im Bank financed 57 percent of our exports to countries with per capita incomes from $200 to $500. The Ex-Im Bank financed only 9 percent of U.S. exports to the poorest developing countries. In sum, Export-Import terms are too hard, in the first place, and they are in any case not available in large amounts to the poorest countries—which Ex-Im, as a bank, generally considers too risky for large exposure. Private commercial loans are scarce, and cash sales are few. The result has been a serious loss of markets for American goods and services.

The Europeans, Japanese and Canadians have seized upon this lack of American initiative and our failure to plan for the future. They have developed markets in many poor countries by combining aggressive export promotion programs with attractive financing on terms poor countries can afford.

The French and Japanese in particular have mixed normal export credit funds and aid funds in the financing of projects of particular long run export interest in order to make their exports more competitive. Both the Japanese Export-Import Bank and the French development and export credit agencies have great flexibility and are able to coordinate the use of aid funds and export loans.

No American institution has been able to match this flexibility in overseas financing. The Export Development Credit Fund would provide the U.S. with this capability for the first time.

I believe the time has come for us to recognize that we are needlessly losing markets in the developing countries to the Europeans, Japanese and Canadians because we are unwilling to adopt practices which make our products credit competitive. Not only is foreign competition a growing source of difficulty at home, but these overseas markets are in the process of being developed by many of the same foreign concerns which loom large on the American economic scene. There is also much evidence to substantiate the fact that once overseas markets are lost and European or Japanese firms are in place, it is an uphill struggle to establish American sales outlets, service facilities and other financial and commercial components needed to develop viable markets for U.S. goods.

By greatly expanding American exports to the poorest developing countries, the Export Development Credit Fund will create jobs in the U.S.

The Export-Import Bank calculates that each $12,500 of exports creates one U.S. job. Maximum use of funds authorized for the EDCF could mean an additional 50,000 American jobs.

The Congress, and the Finance Committee in particular, have been greatly concerned with the export of American jobs and capital by the multinational corporations.

Unlike investment abroad by a multinational corporation, the Fund would aid the export only of American products made by American workers in the fifty states. The Fund would concentrate on commodities such as transport equipment, electrical equipment, agricultural equipment, and tools and supplies for industry aimed at domestic or non-competing export markets—not on financing the purchase of advanced technology in either goods or services which would put these very poor countries in a position to compete with American industry. The Fund is not meant to export factories or the components of highly developed industries.

I believe that the Fund will be good for the American worker. If I didn't, I wouldn't support it.

I want to clarify an important point. The Fund would provide no direct subsidy at all to U.S. business or to any business in a developing country. The Fund's concessional terms would not be available to foreign companies importing U.S. goods and services, but only to the governments of the importing countries.

Mr. Chairman, the Foreign Relations Committee intentionally delayed the operation of the Fund until July 1, 1974.

A postponement of the actual start-up of the Fund will provide the Executive Branch with enough time to prepare a detailed operating plan for the Fund. S. 2335 requires the President to provide the Congress by April 15, 1974 with a detailed plan for the Fund's implementation.

Many of the questions which have been raised about the Fund's operation will be discussed in the report.

The Finance Committee, as well as the Foreign Relations Committee, will have an opportunity to review the Executive Branch's plan.

I also understand that the Administration witnesses scheduled to appear before the Finance Committee are now prepared to deal with some of the operational questions that have been raised, as well as propose a revision of the implementation dates.

In addition to the opportunity which the Congress will have to review the Administration's detailed proposal before the Fund begins to operate and the built-in limitations provided in the bill (such as the ceilings on fixed termination date for the Fund's operations without further Congressional action), the bill contains a number of other means of keeping the Fund's activities under continuing Congressional control.

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In addition to the opportunity which the Congress will have to review the Administration's detailed proposal before the Fund begins to operate and the built-in limitations provided in the bill (such as the ceilings on both borrowing and lending levels and a fixed termination date for the Fund's operations without further Congressional action), the bill contains a number of other means of keeping the Fund's activities under continuing Congressional control.

The bill requires that the Fund's authority to borrow must be specified in annual appropriation acts. The Fund cannot borrow a dollar without Congressional approval through the appropriation process.

The receipts on old aid loans which the Fund is authorized to use are subject to reauthorization by the Congress when the foreign economic assistance program is renewed every year or two and are also subject to the annual appropriation process.

Information about the Fund's activities would be available to the Congress in the usual ways—through specific requests, through presentation of information in support of Executive Branch budget requests for authority to borrow and proposed lending levels, and through the bill's requirement for a complete and detailed semiannual report on the Fund's operations.

Finally, I urge you in your consideration of this proposal to not lose sight of one of the important purposes and effects of the Fund in addition to its potential for export expansion and development of mutually advantageous trading relationships—helping people so that they will be able to help themselves.

The Export Development Credit Fund will bring plows to Mali so that farmers will not longer be dependent on sticks to till the surface.

The Fund will provide machine tools for back-alley shops in the cities of Pakistan.

It will provide medical supplies so that a young child in Sudan will avoid the scourge of filariasis.

It will permit an unemployed worker in Bolivia to work in a small factory.

It will provide trucks to haul produce to market in Nigeria.

It will provide the villagers of Bangladesh with pumps that make possible a second, dry-season crop.

In other words, the Fund combined with a revamped bilateral assistance program is targeted at the human needs of the poor.

For all these reasons, I strongly urge this Committee to comment favorably on Section 16.

SUMMARY OF STATEMENT BY SENATOR HUBERT H. HUMPHREY, BEFORE THE SENATE FINANCE COMMITTEE

The Export Development Credit Fund—Section 16 of S. 2335—is a Congressional initiative first developed by members of the House Foreign Affairs Committee and reported by the Foreign Relations Committee by a vote of 12 to 3.

Our domestic economic problems cannot be solved in a vacuum. We need to rely on other nations, on international systems and institutions for cooperation in solving what used to be purely internal problems.

America has become dependent on the resources of the developing world—oil, copper, tin, natural rubber, bauxite, timber, coffee, etc. American direct investment in the developing world is valued at $23 billion. This investment yields 5% of our corporate profits.

We cannot expect the nations of the developing world to cooperate in our own enrichment if we remain indifferent to their needs. In fact, these poor countries could use their growing economic power as a lever to force a change in American policy. They possess strategic market power, They can exert influence on world money markets, and they could confiscate investments. They are prepared to exploit economic disputes between the U.S., Europe and Japan if our relations with them are not based on constructive cooperation.

Domestic food prices are related to the demand by hungry poor nations unable to feed their people. We must aid them in the production of food in our own interest as well as theirs.

We can aid the very poor nations by making our exports available to them on terms they can afford. This type of mutually advantageous economic relationship has become a part of European and Japanese foreign economic policy.

The Export Development Credit Fund of S. 2335 will expand American exports to the 70 poorest nations containing a market of over one billion people—excluding China.

The Fund will borrow from the Treasury or the public $3 billion and lend $2.7 billion from June 30, 1974 until December 31, 1977 to the lowest income countries. The minimum lending terms at 3% interest, 5 years grace period and 30 years to repay. All repayments in dollars. The difference between the Fund's financing costs and loan receipts would be met from past aid loans available at a vote of about $300 million a year.

Poorest countries defined as those with per capita GNP under $375 a year and special emphasis on countries with GNPs of $200 per capita.

The bill will be amended to include the Fund's receipts and disbursements in the budget.

S. 2335 provides for Fund coordination through an advisory committee drawn from State, Treasury, Agriculture, Commerce, Ex-Im Bank & AID. The Secretary of Commerce would chair the Committee.

The U.S. is losing an important share of vast markets in the developing world to the Europeans and Japanese who have developed export credit systems at concessional rates. From 1965 to 1971 the U.S. share in these markets increased 30%—from $3.7 to $4.8 billion. The exports of the other 15 OECD members increased 143% from $9 billion to $21.9 billion.

Very poor countries simply can't afford American products under present credit arrangements and Export-Import Bank credits go to the richer developing countries.

The Fund would provide the U.S. with an institution to compete with the Europeans and the Japanese for the first time.

The Fund will create jobs in the U.S.—as many as 50,000.

Unlike investment abroad by multinationals, the Export Development Credit Fund would aid in the export only of American products, made by American workers in American factories.

The Fund could export commodities such as transport equipment, electrical equipment, agricultural equipment, tools and supplies for industry aimed at domestic or non-importing export markets.

The Fund will not export factories or components of highly developed industry which will build up foreign competition to U.S. industries.

The Fund will not subsidize U.S. business or a foreign business. Only another government will benefit by the Fund's soft loans.

Many of the unanswered questions concerning the Fund's operation will be dealt with by the Executive branch when it submits to Congress on April 15, 1974 an operational plan. The Fund will begin operating on July 1, 1974.

Congress will be able to exert control over the Fund's operation. Its borrowing authority must be appropriated. Receipts from old aid loans used in the Fund are subject to reauthorization and to annual appropriation.

Mr. McGEE. Mr. President, in opening my remarks in support of S. 2335, I ask unanimous consent that my statement, which appeared in the June 29, 1973, RECORD on pages 22237 and 22238, be printed in the RECORD at this point.

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

SUPPORT OF MUTUAL DEVELOPMENT AND COOPERATION ACT OF 1973

Mr. McGEE. Mr. President, our Nation is at a critical pivotal point in its history. There is a growing weariness in the Congress and across the land with our active, but brief, involvement in international affairs. Few will argue that the experience of Indochina has been the major contributing factor to our present sense of frustration and mood of retreat from the affairs of the world.

Our experience as a nation, which was called upon to play a major role in the world some 27 years ago, has cut across a wide spectrum of our national consciousness. The aftermath of World War II presented us with a challenge we accepted with considerable reluctance. Yet, the entire international community realized that mankind could never again be swept into the holocaust of a massive, worldwide conflagration and ever hope to survive. Thus, the termination of World War II and the establishment of the United Nations brought a euphoria of high hopes that, somehow, we had found that magical formula for peace; that those perplexing pieces to the puzzle of man's relationships with his fellow man would now fit.

We soon discovered, to our dismay, that the world was not tied up in one neat package. Nevertheless, we were determined to find those pieces to the puzzle we suddenly discovered were missing. Now, we stand at the precipice of almost total disillusionment. The traumatic realization that even the United States was capable of making mistakes has called into question our own adequacies as a Nation in dealing with the complexities of the international community. Yet, even as the frustration grew, more pieces to the puzzle were fitting into place. We have seen detente with Soviet Russia and the People's Republic of China—events which we believed to be completely outside the realm of possibility 27 years ago. We have seen a devastated Western Europe and Japan evolve into economic giants, bringing prosperity to millions of people. We have seen the United Nations grow from 50 to 132 nations—nearly to the point of universality. We have seen nearly a billion of the world's population move from colonial to independent status with very little violence. We have made the age-old problems of poverty, disease, hunger, and illiteracy the concerns of the international community. We have seen the respect for the sovereignty of nations strengthened despite our disappointment that this principle has not been applied universally.

We have seen man evolve to a level where, in spite of his mutual differences, there is an overriding consideration for his common interests. This, perhaps, holds the key to those missing pieces of the puzzle which we have slowly and almost subtlely laid into place. We have traversed the maze of war, hostility, distrust, fear, and other plagues of mankind to the realization we all have much in common; that we must live together because we can never survive in isolation from one another.

Yet, in spite of the distance we have traveled in this brief period of history, we are threatening to retreat. Yes, we have made mistakes along the way. But we have also learned so much. Just as the individual from infancy to death is a product of his experience, so are nations. The United States, as a major element in the international community, was born just 27 years ago. Just as the individual is subject to erring through his infancy, so are we. Just as the individual learns from his mistakes, so must we. Just as the individual should never retreat from responsibility or challenge, neither should we. No matter how tired or frustrated we have become, and no matter how disillusioned we may be, we must rise to the challenges with which all mankind is now confronted. Just as the individual can never return to the protection of the womb, neither can we. We are inextricably tied to the entire world. We will never again find solace in isolation.

Soon, the Senate will be considering the economic development portion of foreign assistance. Hopefully, the focus of our deliberations will be the Mutual Development and Cooperation Act of 1973 introduced by the distinguished Senator from Minnesota (Mr. HUMPHREY) and the distinguished senior Senator from Vermont (Mr. AIKEN)—a measure which I have joined in sponsoring. This measure promises to be an innovative change in the direction of our economic assistance programs. It is a recognition that we have made mistakes in the past, but are willing to rise to the challenge of overcoming our mistakes. There will be attempts to drastically reduce the funding authorizations for economic assistance. The old myth that this is nothing more than a giveaway program will be revived again. We will be confronted with the argument that we cannot afford to contribute to the development of nations less fortunate than our own. The measure will be the object of worn-out rhetoric and simplistic shortsightedness.

Foreign aid has come to be a distortion in our national psyche. Our perceptions in too many instances, are not relevant to realities. We are not indiscriminately doling out aid. We, as a nation, are making an investment in the present and the future. Our decisions concerning this bill will determine what the world will be like for our children and our children's children. Thus, we must shape with utmost care our contribution to what kind of world we want and what our role in that world will be.

Nearly three-quarters of the world's total population lives in the less developed nations of this planet. These people occupy two-thirds of our land surface, covering vast, untapped natural resources. We cannot achieve our national aspirations for peace and economic prosperity in isolation from these people. The welfare of the United States and all industrialized nations is tied to the welfare of the less developed nations. The future stability and prosperity of the world rests with the ability of the international community to make this planet a better place in which to live for all its inhabitants. Social, economic, and political problems are no longer endemic to nation-states, no matter how rich or how poor.

The economic welfare of this Nation depends upon a increasing flow of goods and services. The less developed nations provide a market of enormous potential for U.S. goods. Last year, these nations accounted for 30 percent of our exports and were the only areas of the world where we enjoyed favorable trade balances. More than $30 billion of United States private capital is invested in these countries. Thus, the development, economic expansion, and welfare of these nations is vital to our own national interests.

The problems of environmental degradation, an unstable international monetary system, trade deficits, natural resource depletion, the population explosion, disease, poverty, hunger, and illiteracy are increasingly dominant factors as to the type of world we live in and will leave to our children. These factors are the root causes of instability. Unless there is broad international cooperation on all these fronts, we will continue to be plagued by war, famine, poverty—all those aspects of our existence which breed waste and carnage and which threaten the very viability of both our species and our planet.

These are the stakes with which we are confronted as we consider whether this Nation will continue a responsible engagement in the world. If we believe we can live in isolation from the problems of the less developed countries, we are making a serious and potentially fatal mistake.

We hold one of the key pieces to the puzzle. Let us not let the opportunity slip from our grasp. We must exercise wisdom and courage in making our decisions as they affect the international community. This is not the time to fall victim to the ploys of ignorance, empty rhetoric, or short-term selfishness. We have the capacity to assault the problems which plague all mankind—problems we ourselves cannot escape by withdrawal from the world community. Let us not fall to our worst and basest instincts.

Mr. McGEE. Mr. President, this earlier statement concerning S. 2335 sets the tone for my remarks here today.

At a time when we are witnessing increasing signs that the Congress is tiring of this Nation's foreign aid programs, I cannot overemphasize the value of the current bipartisan development assistance initiative embodied in S. 2335. This initiative takes a completely fresh look at our past development policies and represents an important effort at correcting deficiencies growing out of these policies.

In what is probably the most fundamental change in development strategy since the conception of the Marshall plan, this new bilateral development aid program shifts the emphasis away from major capital projects and program loans toward projects more directly affecting the lives of the poorer majority of the people in the developing world.

Support for foreign economic assistance has waned drastically in the past decade. I do not believe this is because Americans have lost the desire to help others. Quite the contrary, we in the United States have responded with generosity and alacrity in recent years to foreign populations racked by the catastrophic effects of earthquakes, floods, and famine. The problem associated with our

present foreign aid program is that people have lost faith in its effectiveness. This decline in faith has led to a commensurate decline in funding for the program.

Yet, at the same time, the problems of the developing world have not diminished. In fact, they are increasing. Thus, what we, in effect, have been doing is denying the existence of the developing world's problems simply because foreign aid has not achieved the lofty goals set for it. Instead of looking at the developing world and asking how we can best help them with the resources we have available to us, the question has become whether we should help them at all.

S. 2335 is an innovative initiative, since it shifts the debate back once more to how we can assist the developing world in the most effective manner possible. The bill reaffirms the stake the United States has in the developing world and it represents a positive response on our part to our interests in the less-developed countries. S. 2335 contains the first thorough revision of development philosophy and policy since we entered the development business in the late 1940's.

This bill reflects a fundamentally different outlook on growth in the developing countries and how growth relates to the poorer majority in those nations. Previously, it had been assumed that the best way to help the entire population of a developing nation was by promoting growth as rapidly as possible. It had also been assumed that rapid growth could be supported only by the better-off sectors of a society; and thus, a "trickle-down effect" would ensue. Therefore, we directed our primary foreign aid efforts at a relatively small portion of a developing nation's society in the hopes that it would bring assistance to the masses. Though the growth of GNP has proceeded at phenonemal rates, only a minority of the populations in developing nations have benefited and the masses, for the most part, remain unaffected.

Therefore, S. 2335 attacks development experience of such nations as the Republic of China, Egypt, the Philippines, and Singapore, we have learned that savings rates and the productivity of the poor on any increased income can be very high if they control their economic equipment and if governments encourage their participation in development with a network of institutions and economic incentives. The focus of S. 2335, then, is to increase the productive capacity of the poor through education and access to resources. This is connected with a simultaneous promotion of the structures and incentives which encourage a total growth pattern—from the lowest sectors of a society to the highest echelons.

In order to accomplish this, S. 2335 departs from the traditional regional approach to development and adopts the functional problem-solving approach which proved so successful in malaria control and the breakthroughs of the Green Revolution. This legislation would authorize funding aimed primarily at three functional sectors which affect the lives of the majority of people in developing nations: First, food production, nutrition, and rural development; second, health and population planning; and third, education, public administration, and human resource development. S. 2335 would concentrate development aid more upon sharing American expertise, farm commodities, and industrial goods, rather than upon large-scale capital transfers which can be made more effective by multilateral institutions.

S. 2335 also puts an important new emphasis on the participation of the host countries in development projects. It recognizes that United States bilateral development assistance should be coordinated with the host nation's development goals and gives highest priority to undertakings submitted by host governments. To insure the host country commitment to development projects which would be beneficial to the poor majority, at least 25 percent of a project's funds would have to come from the individual host governments themselves.

As my distinguished colleague, the Senator from Minnesota (Mr. HUMPHREY), has already so ably noted, the developing world poses serious problems for the industrialized nations, but also offers tremendous benefits for the developed world if the problems are dealt with effectively. We are all aware of the importance of the natural resource potential in the developing nations, in light of the accelerating depletion of our own natural resources. In addition, the billion people who comprise the populations of those nations where per capita GNP is less than $200 per year, provide the largest potential market for American goods in the entire world. Our Nation needs these markets to retain our economic strength and viability. Yet, we have been losing these markets to Japan and Western Europe, both of which have not allowed themselves to fall victim to short-sighted policies. In relative and absolute terms, our exports to the 60-percent-of-the-world population in those countries with per capita GNP's under $200 have dropped, while those of our Japanese and European competitors have increased significantly.

It has been claimed that we have enough problems of our own to engage in the extravagance of a foreign economic assistance program. However, I would point out this is a rather simplistic and short-sighted approach, particularly if one weighs all the variables involved in such an effort.

The developing nations of the world find themselves in a very unique position. As I have pointed out in several statements addressed to the issue of continued U.S. violation of United Nations sanctions against southern Rhodesia, if our policies are not sensitive to the needs, aspirations, and concerns of the developing world, we could find ourselves in a particularly detrimental position internationally. First, the developing nations have the capacity to deny us access to natural resources which are vital to our economic viability. Second, these same nations have the capacity to deny us access to their markets—an access which will become increasingly vital to our economic health.

What the opponents of S. 2335 are in effect telling the American people is that they are prepared to deny them the highest standard of living in the world. Deny this Nation access to raw materials, and our industrial capacity would be severely curtailed. Deny our Nation access to foreign markets, and we face serious economic problems compounded with high unemployment. In effect, the quality of life in the United States is inextricably tied to our relationships to the developing world. If we are prepared to accept a serious erosion of the quality of life in this Nation, then my colleagues can refuse to pass S. 2335, because these are the stakes we are playing for in this legislation.

I would also like to comment briefly on what I view as a regrettable action on the part of the Senate Finance Committee. I am referring to the committee's deletion of section 16 from the bill which would have established a U.S. Export Development Credit Fund. This section addrdessed itself to the problem of increased competition the United States faces from Japan and Western Europe in those nations which comprise 60 percent of the world's population.

Section 16 recognized this trend and proposed a truly innovative method of reversing it. The Export Development Credit Fund showed promise of mutual benefits for both the United States and the developing nations. The primary reason for our losing markets in the poorest developing countries stems from their inability to borrow American dollars at rates they can afford. Whereas, the Japanese and European governments subsidize loans to those countries at rates of 2 and 3 percent, the United States cannot make loans at rates of less than 7 or 8 percent interest. Section 16 proposed to subsidize this difference in interest rates by a mechanism which placed no extra burden on the U.S. taxpayer. The Export Development Credit Fund would have taken the money coming in from old loans to developing countries and used that money to pay the interest differential between the rates it could borrow at and the rates at which it would lend. These moneys would have been loaned contingent upon a provision whereby these funds could only have been spent in this country. A few million dollars could have financed loans, boosting American exports by $1 billion.

I regret that this section has been stricken from the bill. However, I do hope that the Congress will approve the Export Development Credit Fund when we consider trade legislation.

In conclusion, I would like to underscore a concern of mine. The United States bilateral assistance effort has declined significantly in recent years. The United States, alone among the major industrial nations, resists a major expansion of multilateral aid and now imposes substantially more barriers to the manufactured products of the poor countries than to those of the more advanced nations. Once a world leader is assisting the poor countries, today we rank no better than 12th in the share of national wealth devoted to this purpose.

Despite the growing awareness of interdependence with the developing world, we find ourselves today in a posture of increasing aloofness vis-a-vis the devel-

opment problems of the poor countries. Yet, it is in our national interest to behoove this warning—our Nation is neither so rich nor so powerful that we can ignore any country in the world. Other nations may pay the price for our aloofness and lack of concern today. However, it will be the United States who pays the price tomorrow, unless we can demonstrate a little wisdom and foresight rather than succumbing to simple and shortsighted nations of what our role in the world should be.

Mr. President as we begin deliberation of S. 2335, it is important that we cast aside simplistic notions of what our foreign aid efforts around the world should entail and deal with the real problems with which we are trying to find solutions now and in ensuing years.

In this connection, there appeared a timely article in yesterday's Washington Star-News. The article was written by Mr. Richard Critchfield, a former Asian correspondent for the Star-News who is now studying the food and population problems of the third world by living in peasant communities in Asia and Africa.

The importance by Mr. Critchfield's article is that it is based upon his first hand knowldege and experiences. We in the United States, who are not in day-to-day contact with the problems of the developing world, engage in the luxury of maintaining an aloofness when it comes to consideration of these problems. Reality becomes clouded by meaningless and empty rhetoric which is detrimental for a responsible and effective formulation of our policy.

Mr. Critchfield has performed a very invaluable service by explaining the realities of the world situation today, and particularly how our foreign aid effort is directly related to such problems as food production, population control, and self-sufficiency in the developing nations.

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

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

FOREIGN AID OR FAMINE

(By Richard Critchfield)

What can the individual American do to help the increasingly hungry poor two-thirds of the world in the worsening global food crisis?

Support increased foreign aid. It cannot come too soon. This summer, world grain reserves fell to around 100 million tons, the lowest level in 20 years. Some 200 million Indians, 25 million Africans and possibly 40 million Chinese face hunger, if not famine, before the winter harvest. And Bangladesh, Indonesia and the Philippines will be critically short of rice until December.

Russian grain purchases abroad of 28 millions tons, half of it from the United States and altogether almost three times bigger than any food import in history, has created a problem even in the United States. About half of some 50 million acres of United States reserve cropland—much of the rest is marginal—is being put back into production.

Agricultural expert Lester R. Brown of the Overseas Development Council has described it is a "dangerous" situation: "For the first time since the end of World War II, the world is without either of the two important safety valves in the world food economy—surplus stocks of grain and a large reserve of United States cropland that could readily be brought back into production."

The implication of this for the poor countries, many of them already falling behind in the food-population race, is grave. Their main hope lies in expanding food production through the spread of the new high-yielding dwarf varieties of rice and wheat which, with enough fresh water and nitrogen fertilizer, can double harvests. But country after country lacks the foreign exchange to buy vital inputs.

The forecast then is not for inevitable global famine. It is for famine which can be avoided if the United States and other rich countries give enough foreign aid for fertilizer, insecticides, irrigation works, feeder roads, landlord compensation and family planning. Old "trickle down" development economics are no longer good enough; a way has to be found—and very quickly—to directly fill the cisterns at the bottom.

This will require a wholesale shift in American public opinion. Foreign aid is presently tottering along on well over a year of miserly funding under Congressional continuing resolutions. Congress apparently is in no mood to be generous now. And the former foreign aid lobby, East Coast liberals who used to combine a steady interest in the whole world with an instinct for reform, now seems to have turned its back on all foreign involvements. Aid is bad, they say, because it encourages Vietnam-style intervention and helps the rich not the poor. And besides, economic growth is impossible because it will exhaust the planet's resources, they say.

Such arguments may be silenced quickly once mass starvation becomes a regular evening feature on the American living room TV screen. Americans may be alarmed about this summer's shortage of beef and high food prices But their average daily intake is still around 3,000 calories of which 40 percent is derived from animal products and 35 percent from cereals, starchy foods and sugar. The average Asian in recent months is getting less than the 2,000 calories he could count on 10 years ago—and 80 percent of what he does get is starch and sugar.

Food increases in the poor countries, remarkable as they have been since the introduction of the new wheat and rice in 1967, simply cannot keep up with the 180,000 babies born each day or the 66 million more mouths to feed each year.

As Theodore Geiger of the National Planning Association and others have predicted, it may not be long before American guilt over Vietnam and disappointment over the results of 21 years of foreign aid may shift dramatically—suddenly we may be blaming past failures on the *inadequacy* of previous efforts. And past failures are beginning to look not all that serious. United States food aid shipments have dropped sharply the past few years, largely because of the success in transferring modern American farm technology to the poor countries.

But this is not time to lag. The key to continuing increases in food production, in Brown's words, is the "development of water resources and continuation of United States support of the kind which launched the green revolution." In short, more foreign aid.

During the past year in Southeast Asia I have seen concrete example after example of governments frustrated in their attempts to grow more food because of insufficient foreign aid. The Philippines, for instance, is critically short of fertilizer but lacks the foreign exchange to buy it. Nor can it proceed with land reform—on which modernization of its agriculture depends—without $250 to $300 million in aid needed over a three-year period for landlord compensation. Split between the United States, Japan and the World Bank, at $30 million a year apiece this would be a cheap and effective form of aid.

Population control often suffers the same way. The World Bank recently came up with a $33 million, five-year loan package for family planning in Indonesia geared to handle 1.2 million acceptors. By the time the program was cranked up, successes in East Java and Bali had brought the number of acceptors up close to 2 million but there were no funds for vital follow-up field workers. Thailand's family planners are also getting more acceptors than they have money to handle.

Short of the Maoist model, no one has yet come up with a formula to combine economic advance with full employment and equitable income distribution. This means the gap between rich and poor inevitably widens. The drama of most poor countries today is a race between the onset of revolutionary politics and the arrival of genuine economic progress, through traditional schemes of development, to make such revolutionary politics unnecessary. To buy time for the race to be fairly run, the poor countries must grow enough food.

The present transfer of resources from rich countries to poor has been stuck at $6 billion a year, what it was five years ago; official aid from the world's 16 richest countries is still only 0.35 percent of gross national product, half of what it was 10 years ago. Yet in those 10 years real incomes in the richest countries have risen 45 percent.

The present world food crisis has revealed the poor countries, physical incapacity to produce enough food at present foreign aid levels. It has shown the United States can no longer be counted upon as the emergency breadbasket of the world. If no increases in United States foreign aid are quickly forthcoming and the poor countries find themselves powerless to escape the vicious circle in which they are enclosed, international politics will be profoundly changed. It is time for individual Americans to strongly support foreign aid. Their children's well-being depends on it.

Mr. ABOUREZK obtained the floor.

Mr. HUMPHREY. Mr. President, a point of information. Did I understand the Senator from South Dakota was willing to yield to the Senator from Ohio (Mr. TAFT), so we could proceed with his amendment?

Mr. ABOUREZK. Yes, I intend to do that as soon as I get recognition.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. ABOUREZK. Mr. President, I call up my amendment No. 462.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk proceeded to read amendment No. 462.

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

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

Amendment No. 462 is as follows:

On page 30, line 23, insert the following:

"SEC. 24. Part III of the Foreign Assistance Act is amended by adding at the end thereof the following new section:

"SEC. 659. LIMITATIONS ON AUTHORIZED FUNDS.—None of the funds made available to carry out this or any other Act, and none of the local currencies accruing under this or any Act, shall be used to provide training or advice, or provide any financial support, for police, prisons, or other internal security forces of any foreign government or any program of internal intelligence or surveillance on behalf of any foreign government.'."

On page 9, at the end of line 7, add quo-

tation marks and delete line 8 through line 11.

Mr. ABOUREZK. Mr. President, I ask unanimous consent that the Senator from Ohio (Mr. TAFT) be allowed to call up his amendment before the consideration of my amendment No. 462.

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

The Senator from Ohio is recognized.

Mr. TAFT. Mr. President, I call up my amendment, which is unprinted, and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will read the amendment.

The legislative clerk read the amendment, as follows:

On page 11, delete lines 17 and 18 under the heading "Programs Relating to Population Growth" and substitute the following: "for each of the fiscal years 1972 and 1973, $125,000,000" and insert in lieu thereof "for the fiscal year 1974, $125,000,000 and for the fiscal year 1975, $150,000,000."

Mr. TAFT. Mr. President, I have already just briefly discussed the provisions of this amendment.

I yield myself such time as I may consume.

This amendment does not change the authorization for fiscal year 1974 nor does it add any additional funding for fiscal year 1975. What the amendment does is to provide for a modest increase of $25 million in earmarked funding for 1975 programs relating to population growth so as to maintain the continuing momentum of this crucially important endeavor.

There is no need to reiterate the importance of family planning and population programs in this body, for the Senate, under the leadership of the distinguished chairman of the Foreign Relations Committee, the manager of this bill today, and a number of other Senators has shown great vision and foresight in providing funds for family planning and insuring that the U.S. Agency for International Development will provide vigorous support in this field.

It is especially important that U.S. support for population programs continues to expand somewhat to meet the rising crescendo of national program requests for assistance in this field.

Because of the support which has been provided to these programs by U.S. AID, the United Nations Fund for Population Activities has now become a source of major international support and encouragement for new family planning programs throughout the developing world. Year 1974 is World Population Year and already the fund is faced with more requests for help than it can support. I would hope that much of this additional $25 million will be provided directly by AID to the United Nations Fund for Population Activities to continue its work. The U.S. Government provides less than one-half of the fund's resource and to date contributions for the fund have come from some 60 countries.

Gen. William H. Draper, Jr., whom many of you may know, is the U.S. Representative on the U.N. Population Commission, and has been extremely active in soliciting contributions from other governments for the U.N. Fund for Population Activities. He is very much concerned that unless the U.S. Government increases its contribution somewhat in 1975, it will be difficult to persuade other governments to substantially increase their contributions.

With world population growth still averaging 2 percent each year, or approximately 75 million new mouths to be fed every year, there is surely no program more critical and more deserving of support than this. I would emphasize that this amendment does not add to the total sum authorized but rather requires that out of whatever sum may be eventually appropriated for foreign assistance activities for fiscal year 1975, $150 million will be available for family planning and population programs.

There is already substantial evidence, as indicated in some of the graphs and statistics of recent reports, that family planning programs do have a considerable impact in reducing fertility rates. Although many factors are involved in the shift from larger to smaller families, there can be no doubt that the availability of family planning information, services, and supplies is a major factor in accelerating these declines. Without continuing assistance many of the national family planning programs in developing countries may be literally forced by the pressures of famine to cut back temporarily on family planning programs even though they recognize that over the long run fertility must be reduced or economic and social development cannot continue. Continued support from U.S. AID is essential in many countries, even where the Government is fully committed to family planning to insure that programs continue at an effective level.

We were all told of this necessity in the foreign aid field back in 1967. When I was on the Foreign Affairs Committee of the House, I was author of the first amendment in the committee for the earmarking of those funds for that purpose. I can report to the Senate at this time that these earmarkings increased from $30 million to $50 million to $75 million to $100 million and to $125 million today.

We know that expenditures under the AID program have continued to follow the same pattern. During the past year, there have been $125 million of authorizations. As reported on page 10 of the committee report, the amount is $25 million.

I think the fact that we are bumping against the ceiling at the present time would indicate that it is desirable to specifically earmark funds for this type of program for fiscal year 1975 so that there can be planning for the earmarking that has occurred and that will occur in the future as it has in the past.

Mr. President, it is on this basis and for this reason that I have offered the amendment. I note from the very generous remarks of the Senator from Minnesota that he would be delighted to have his name added as a cosponsor of the amendment.

Mr. HUMPHREY. Mr. President, I would be honored to have my name added as a cosponsor.

Mr. TAFT. Mr. President, I ask unanimous consent that the name of the Senator from Minnesota (Mr. HUMPHREY) be listed as a cosponsor of my amendment.

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

Mr. HUMPHREY. Mr. President, the amendment, as the distinguished Senator from Ohio has mentioned, is a very necessary and desirable addition. It is a modest addition to the bill. However, it goes to meet the problems we face on this issue; namely, population.

If the distinguished Senator from Vermont has no objection, I would suggest that the amendment be agreed to.

Mr. AIKEN. Mr. President, I have no objection to the amendment of the Senator from Ohio.

The PRESIDING OFFICER (Mr. HUGHES). Do the Senators yield back their time?

Mr. HUMPHREY. Mr. President, I yield back my time.

Mr. TAFT. Mr. President, I yield back my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Ohio (putting the question).

The amendment was agreed to.

The PRESIDING OFFICER. The Senator from South Dakota is recognized.

Mr. ABOUREZK. Mr. President, there is a printing error in my amendment, No. 560. Two numbers were assigned to the amendment. The amendment was printed identically as amendment No. 560 and 562. At the time I call up that amendment, I will be referring only to amendment No. 560.

Mr. President, I call up my amendment, No. 462.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk proceeded to state the amendment.

Mr. ABOUREZK. 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:

On page 30, line 23, insert the following:

"SEC. 24. Part III of the Foreign Assistance Act is amended by adding at the end thereof the following new section:

"'SEC. 659. LIMITATIONS ON AUTHORIZED FUNDS.—None of the funds made available to carry out this or any other Act, and none of the local currencies accruing under this or any Act, shall be used to provide training or advice, or provide any financial support, for police, prisons, or other internal security forces of any foreign government or any program of internal intelligence or surveillance on behalf of any foreign government.'."

On page 9, at the end of line 7, add quotation marks and delete line 8 through line 11.

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

Mr. HUMPHREY. Mr. President, I ask that the Senator defer on that until more Senators are present.

Mr. ABOUREZK. Mr. President, I withdraw my request for the yeas and nays.

The PRESIDING OFFICER. The Senator from South Dakota is recognized.

Mr. ABOUREZK. Mr. President, this amendment is intended to provide a prohibition of U.S. financial aid or equipment, either directly or indirectly, to any

foreign government for use in that government's internal security forces, prisons, or programs of domestic surveillance.

In addition to the $7.5 million which is scheduled for the Office of Public Safety in 1974, well over an additional $22 million will be spent on police and prison programs in Vietnam, Laos, and Cambodia. In Vietnam alone, where we have spent over $130,000,000 on their police since 1955, the United States is scheduled to spend another $19.5 million.

The present bill, under section 115, would only prohibit U.S. financial support of programs conducted for police training. Unfortunately, this is only a small part of our involvement in support of police and prisons in other countries. This amendment prohibits American equipment from being sent to foreign national police forces; it stops the mockery of food for peace whereby 80 percent of Public Law 480 funds are used for national security; and finally, it removes the redundancy which already exists between our OPS and the prestigious international police organizations which have existed long before OPS was ever conceived.

Few programs have distorted the spirit of our foreign assistance more than foreign police and prison support. For example, from 1965 to 1972, AID supplied $2.9 million worth of fragmentation grenades to the national police forces of three countries; in 1971 the U.S. Navy paid an American firm $400,000 to construct and deliver new isolation cells—called tiger cages—to Con Son Island in South Vietnam. One would be hard pressed to find the American humanitarian spirit in furnishing grenades and isolation cells. This amendment removes the distortion of U.S, foreign assistance.

The history of our involvement in the internal police affairs of other countries goes back as far as World War II and the Korean war. In Vietnam, for example, the United States has been providing aid in the form of weapons, supplies, training, and advisory support to the national police since 1954. Under the public safety program of the U.S. Agency for International Development, the Vietnamese police force was converted from a modest civil agency of 19,000 men in 1963 to a mammoth paramilitary organization of 120,000 men in 1973. Acknowledged U.S. spending on this effort amounted to $169 million between 1967 and 1973. These figures do not include CIA payments, or local currencies made available through the commodity import program and other U.S. accounts. These funds were used to provide small arms, vehicles, and helicopters and other equipment to the Vietnamese police and to finance the team of over 200 U.S. public safety advisors which assisted the National Police Command in Saigon. Under the terms of the January 1973, peace settlement, the United States has been obliged to remove its public safety mission from South Vietnam; yet, despite our obligation to refrain from involvement in Vietnam's internal political affairs, the United States will continue providing aid and advisory support to the GVN apparatus to the tune of $20 million in 1974.

South Vietnam's national police force is only one of over 70 countries, however, that has been the direct beneficiary of our advice and assistance through our present foreign assistance programs, particularly the OPS.

In 1970, for example, the Guatemalan national police force received, among other material, 250 riot shields, 10 gas guns, 3,000 tear gas grenades, 245 tear gas projectiles, 250 gas masks, 55 shotguns, and 40,000 shotgun shields.

From 1965 to 1972, the United States supplied the national police forces of Vietnam, Korea, and Thailand with nearly $3 million worth of fragmentation grenades, machineguns, rocket mortars, and antipersonnel mines.

Since 1959, we have supplied the Brazilian police force alone with over 500 riot batons, 120 gas masks, 20,000 grenades of all sorts, and over 800,000 rounds of ammunition.

Under the food-for-peace program for 1974 which my friend and colleague from Minnesota originated and worked so hard for in earlier years, over $300,000 was originally directed to the Vietnamese political warfare college, over $900,000 was originally scheduled for police training centers in 1974, and over $525,000 was to go to rebuilding police materials including batteries and their containers.

Similar aid has gone to almost every one of over 75 countries which asked for and received aid to their national police forces.

Evidence is mounting that representatives of U.S. agencies are even involved in torture with some of the national police forces in many underdeveloped countries. A letter which I recently received from a constituent in my own State of South Dakota reaffirmed much of this evidence. He writes:

> My wife and I spent the summer in eastern Bolivia. Stories of torture and execution under the Banzer dictatorship circulate freely. Their stories of torture are almost unbelievable in what was only a few short years ago the land of absolute freedom of expression, the Switzerland of South America. At least one of the torturers told one of our friends that he learned his techniques in a special American school in the Canal Zone. An American missionary friend who was tortured for four days before his release, insists that at least one American was involved in the torture squad.

AID officials, of course, deny that they teach methods of torture, but the significance of our attitude toward methods and effects of torture was best summed up by Byron Engle, a former Director of the Office of Public Safety. Citing the successful application of their techniques in the Dominican Republic in 1965, he said:

> Police action. . . . was so effective that the insurgents did not even end up with the body of a dead comrade to drag through the city in false martydrom.

Justification for U.S. assistance to national police and prisons has always been presented in the most benign terms. AID officials tell us that the objective of U.S. public safety porgrams have been to "maintain public order; counter Communist inspired subversion; and encourage the effectiveness of the civil police and paramilitary forces in every participating country."

However, the evidence indicates that many of AID's justifications have been nothing more than hollow rhetoric designed for Congress. I cannot see how the continuation of our police training and police related assistance programs can possibly have much humanitarian benefit for the people in these oppressed countries. Within the context of internal politics, I can see no other purpose in such programs than to help consolidate the power of dictators and squash their opposition.

David Bell, a former AID Administrator summed this up better than I could. He said:

> Public safety assistance and recipient police forces cannot prevent coups or guarantee that Communism will not seriously disrupt orderly development. However, the public safety assisted police forces have done and can do much to prevent conspiracy and the development of disruptive situations, and to insure an environment of law and order which supports the orderly social, economic and political development of emerging nations.

It should not be surprising, therefore, that the small privileged classes in most of the developing nations rely more and more on their national police forces to preserve the old order; nor is it surprising that such governments are incapable of developing viable democratic institutions. When we provide economic support and police training and assistance for these regimes, we are contributing to the maintenance of these archaic structures at the price of tremendous repression.

A second point which I would like to make may best be illustrated by a comment recently made by the wife of a cabinet minister in one of the more conservative governments in Latin America. She was quoted as saying:

> I don't know to what extent the United States was really involved in the overthrow of the Allende government in Chile; what I do know is that all of us are going to believe that your country did have a part in it.

In the minds of many countries around the world, the foreign policy of the United States has increasingly come to mean police power, military aid, military alliances, and support for repressive and authoritarian governments as a means of creating our own definition of world stability.

There is no question that social peace and true international peace can only be built upon the basis of justice and good will. All of the grenades, all of the tiger cages, all of the sophisticated police equipment that we continue to export to countries which are supposedly plagued with so-called chronic instability—all of this will never produce true peace.

Peace is the result of full participation of all peoples in the society in which they live. Peace is the result of justice and dignity. Peace is the result of rule by rational law. We cannot maintain peace in any country, or help build it, by continuing our incessant fetish for training, equipping, and financially supporting the

national police forces of countries in South America, in countries of Africa, and in the countries of Asia. We will never help build sound constitutional government abroad by supporting those who break the law, and those who confuse the supposed efficiency of totalitarianism with progress. The time has come for us to take stock of our foreign policy, and to recognize how far and how dangerously we have allowed our foreign aid program to stray from the ideals for which the country stands. The policies of AID and OPS in regard to our goals, doctrines, and practices in countries abroad have struck an eerie resemblance to practices advocated by some here at home as an answer to present or future domestic difficulties. AID spokesmen have in fact made a determined effort to advise other Government officials of the domestic application of techniques developed by OPS for use abroad.

Mr. President, earlier this year a Brazilian citizen came to my office. In the short time that he was there, he left an indelible impression on my mind of the torture, oppression, and death that lingers in many countries today. In Brazil, he told me, there is no means with which to speak out. There is no way in which these oppressed peoples can express their concern and anxiety for their own safety and the future of their country. Their only hope, he said, is to see that someone outside must show that they care—for their greatest fear is of being forgotten. He pleaded with me as one Senator, to speak out, to act in any way that I can to show these people that most of us here in the United States do care enough to want to help. That is what this amendment is all about. I urge my colleagues to join me in support of this amendment in demonstrating that it is not our intention to make repressive regimes even more repressive. Rather, it is to assist those who are in dire need of some true humanitarian assistance.

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

Mr. AIKEN. Mr. President, will the Senator yield for a question?

Mr. ABOUREZK. I yield.

Mr. AIKEN. I am just wondering what the Senator's amendment would do that is not already provided for in section 115, page 9 of the Senate bill.

Mr. ABOUREZK. The section in the bill only cuts out the police training program in this country. I would advise my colleague from Vermont that there is a considerable amount of financial aid that goes to providing material support and even advisory support in the countries where the money is going. There is an additional $18.5 million that this amendment would cut out that is being used for those purposes.

Mr. AIKEN. The Senator's amendment would not prevent training of people from other countries if trained in this country?

Mr. ABOUREZK. Yes, it would include that.

Mr. AIKEN. It would include all of them?

Mr. ABOUREZK. It would prevent, let me say it this way——

Mr. AIKEN. The Senator mentioned Brazil as one country where we have been doing a lot of training. It would apply to all others, too?

Mr. ABOUREZK [continuing]. It would apply to any countries to which our foreign aid money is sent.

Mr. AIKEN. I am thinking particularly of countries like Lebanon and Jordan. Would it apply to them?

Mr. ABOUREZK. It would apply to them, yes.

Mr. AIKEN. To all countries?

Mr. ABOUREZK. If they are receiving money. If they are receiving money for training of police, it would cut off money for them as well.

Mr. AIKEN. What is the difference? Could it still be done under the guise of military training? Police training? Where does one begin and the other leave off?

Mr. ABOUREZK. If it is done under the guise of military training, if this amendment succeeds and is enacted into law, I would suggest that we try to do something about that as well.

What I am saying to my colleague from Vermont is that I do not believe we have any business in providing money for police forces or training police forces in other countries where most of that money is used to suppress their own people.

Mr. AIKEN. Is there any objection to countries using the funds for preservation of law and order in their own countries?

Mr. ABOUREZK. If you can call it preservation of law and order. I would say it is for suppressing their own people, rather than law and order. It is for violating the law, in most cases.

Mr. AIKEN. I was thinking of one country in particular; it happens to be an Asian country——

Mr. ABOUREZK. I am sorry; I did not hear the Senator.

Mr. AIKEN. I was thinking of an Asian country, which I shall not name here, where the police were being trained to do other work besides law enforcement. Would it affect that, too?

Mr. ABOUREZK. As the amendment states, it would affect the money provided by this AID program for the office of public safety, for police and advisory support and for the furnishing of materiel to any foreign police department.

Mr. AIKEN. But in this particular country I think police were being trained in community work, such as the work done by our extension service here. Our people are training the police of that country to do something besides enforce the law and put people in jail, and so forth. I was just wondering, would it affect that, too?

Mr. ABOUREZK. Will the Senator tell me——

Mr. AIKEN. If the members of the police force in that other country happened to be concerned with extension service-type activity for instance?

Mr. ABOUREZK. If the police were doing that, I would suggest they ask for their money under a different designation, rather than under this particular amendment.

Mr. AIKEN. Not having all answers myself, that is, was why I am asking the Senator from South Dakota for some enlightenment. That is all I have to say now.

Mr. ABOUREZK. Mr. President, there is a technical error in the amendment that I should like to correct at this point.

The PRESIDING OFFICER (Mr. WILLIAM L. SCOTT). The Senator has that right.

Mr. ABOUREZK. On the first page of the amendment, on line 1, it says, "On page 30, line 23, insert the following." That should read, "On page 31, line 14." Then there should be a newly numbered section. This is just a correction of the page numbering and the line numbering.

I would offer that as a modification of the amendment.

The PRESIDING OFFICER. The amendment will be so modified.

Mr. HUMPHREY. Mr. President, I yield myself 5 minutes on the amendment.

I am not sure that I shall oppose it. On the contrary, I think we can perhaps work out the matter here in order to support it; but I wanted to take this moment to caution my good friend from South Dakota that all of the moneys that have gone into police training have not been injurious to the citizenry of many of these countries. Every country must have a government, and governments always have opposition. Some governments——

The PRESIDING OFFICER (Mr. WILLIAM L. SCOTT). If the Senator would respond to an inquiry from the Chair. Is the Senator opposed to this amendment? The Chair is thinking of the allocation of time.

Mr. HUMPHREY. I am in charge of the time. The amendment is offered——

The PRESIDING OFFICER. Let the Chair state that the Senator is in charge of the time, but if he is opposed to the amendment—it is the understanding of the Chair that the Senator from Minnesota is not opposed——

Mr. HUMPHREY. I am in charge of the bill. This is an amendment to the bill.

Mr. ABOUREZK. Mr. President, will the Senator from Minnesota yield. I would be happy to yield him 5 minutes—

Mr. HUMPHREY. I want to clarify this point.

The PRESIDING OFFICER. The Chair desires to clarify also with the Senator from Minnesota whether the Chair's understanding is correct that if the Senator from Minnesota is opposed to the amendment, then he is entitled to share the time with the proponents of the amendment. On the other hand, if the Senator from Minnesota is in favor, then the time is allocated to the minority member or his designee. So I would ask the Senator if he is in favor of the amendment or whether he is opposed to it.

Mr. HUMPHREY. I do not feel obligated to tell the Presiding Officer that at all. With all due respect to the Presiding Officer, I have the responsibility for this bill, being its floor manager, and I will take my time on that amendment.

The PRESIDING OFFICER. The Senator from Minnesota may proceed.

Mr. HUMPHREY. Mr. President, I will come around to deciding whether I am for or against the amendment after we have had some discussion on it.

The first thing I want to say to the Senator from South Dakota is that while much of what he says today surely has genuine meaning in light of what has developed over the years, it is important for the RECORD that we not put down what I call the public safety programs as having been antipeople, antidemocratic, as having been an expression of American force and villainy. On the contrary, many of the programs have served very well over the years and have served the public. We train our own police in this country. I was the mayor of a large city once and I spent a good deal of time getting the police trained, not with foreign assistance money, of course. But I happen to be one of those people who believe that we need a police department. Just because someone comes up and says, "The police have messed me up" does not mean that he is right.

When I ran the police department of a large city, many people thought they should not have been arrested when I thought our biggest mistake might have been that we did not arrest enough people. So I believe in training the police to be responsible individuals.

In this instance that we are talking about, foreign assistance to countries and whether American funds should be provided by this Government for those countries for police training there, it is a fact that over the years we have done a good deal of good work, because of the situation which developed in some of those countries.

The Committee on Foreign Relations has taken a view in opposition to police training being supported by American dollars. Under section 115, therefore, of the present bill, it says,

SEC. 115. PROHIBITING POLICE TRAINING.— No part of any appropriation made available to carry out this or any other provision of law shall be used to conduct any police training or related program for a foreign country."

I understand that this same language is in the military assistance bill. So we have tried to cover it in two places.

What the Senator from South Dakota is seeking to do is to expand on that language and be more precise, as I see it.

I would also note to the Senator that we should know what the amendment will do. Every country that has police training funds does not have a government that is antidemocratic. For example, I would note that a country such as Venezuela, has a Christian-Democratic President at the present time, free and open elections, a free press, and has received funds under the public safety program.

Another country, Jamaica, has open and free elections, an elected parliamentary system of government, a free press, freedom of religion, freedom of speech, and they have received police training funds.

El Salvador is surely a very democratic country. Of all the little South American countries there is none more democratic than El Salvador.

Costa Rica takes great pride in its democracy.

These are some of the countries—there are many others—which have received these funds. Some countries have used them to good purpose. What I am sure my colleague from South Dakota is most concerned about is the publicity and the reports that we have received from Indochina about the abuse of police power there.

I would remind the Senator from South Dakota that they have been at war over there for a long, long time. No matter which government is in power, there is always a police department. The police training which has taken place is a considerable part of the total national security and national defense.

But when I look at this amendment, as I read it, it says, in part—

None of the funds made available to carry out this or any other Act, and none of the local currencies accruing under this or any Act shall be used to provide training or advice, . . .

That is already covered in the present bill.

Then it says—

. . . or provide any financial support, for police, prisons, or other internal security forces of any foreign government or any program of internal intelligence or surveillance on behalf of any foreign government.

That is a very broad sweep of limitation. I do not think that Congress particularly wants to see this Government engaged in police activity in other countries. In my judgment, just as we have a training program here in Washington, D.C., for our allies in the military—for example, most of our allies are brought over to Fort Bragg or Fort Leavenworth and other places for advanced training in military tactics and we have never tried to do away with that. As a matter of fact, it is looked on as somewhat of an asset.

In this instance, as I understand it, this amendment would prohibit the training of police in the United States. It would prohibit the use of funds to train police in any other part of the world. It would also prohibit the use of funds for the financial support of police or for any type of equipment for the police. I think it is a broad-ranging amendment. But I find myself in sympathy with its objectives. I really do not know what its total impact would be.

For example, when——

Mr. ABOUREZK. Mr. President, will the Senator from Minnesota yield?

Mr. HUMPHREY. Yes—but I remember being in Korea some years ago, when over 2,000 North Koreans moved down into the capital of Seoul and got within a few hundred yards of what they call the Blue House, which is similar to our White House. It was the Korean police who intercepted them.

We put a lot of blood, sweat, and tears into South Korea over the years. Those police were trained by the help of the American public safety program. There is no doubt that the Korean police have been used on some native South Koreans. There is no doubt about that.

Just exactly as some American police are used on some native Americans. It is rather difficult to know which ones are being set upon or which ones are violators of the law.

I yield to the Senator from South Dakota.

Mr. ABOUREZK. I realize there are some countries that will be aimed at in the amendment which do not deserve it. I am sorry about that, and I am willing to concede the point. But if the Agency for International Development were to perform its moral duty and call on countries to provide police and train them there would be no need for this amendment. But they will not do that.

As a matter of fact, they are lobbying in the Senate. There was lobbying last week against two amendments that I am offering. There is vigorous lobbying by the AID people going on. As a matter of fact, one contacted a representative of my staff. But there are others interested in making it discretionary. I do not know whether we are capable of making the decision.

Mr. HUMPHREY. I ask unanimous consent to have printed in the RECORD a list of the countries listed on page 18 of the committee report. I think that will give us the detailed information we need as to the countries involved.

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

PUBLIC SAFETY PROGRAM FUNDING

[In thousands of dollars]

	Fiscal year—		
	1972 actual	1973 estimated	1974 request
Supporting assistance funding	14,077	10,884	4,215
Vietnam	8,948	6,762	.....
Thailand	4,773	3,660	3,755
Laos	356	462	460
Nigeria	[1] (3,400)	.....	.....
Technical assistance funding:			
Asia	1,003	530	100
Korea	[2] (17)	.....	.....
Pakistan	75	.....	.....
Philippines	958	530	[4] 100
Saudi Arabia	[3]	[3]	[3]
Latin America	3,023	2,566	2,162
Bolivia	201	211	112
Brazil	137	.....	.....
Colombia	347	355	375
Costa Rica	150	123	100
Dominican Republic	282	50	.....
Ecuador	192	216	190
El Salvador	65	57	53
Guatemala	456	490	289
Guyana	71	.....	.....
Honduras	182	125	146
Jamaica	94	85	90
Nicaragua	107	210	200
Panama	218	189	180
Uruguay	252	210	200
Venezuela	269	245	227
Africa	1,298	1,257	985
Africa regional training	206	210	200
Ghana	131	195	100
Liberia	178	187	.....
Tunisia	131	.....	.....
Zaire	652	665	685
AID/W projects	85	.....	.....
Grand total	19,516	15,237	7,462
	(3,417)	.....	.....

[1] Supporting assistance loan.
[2] Charges to mission's administrative cost.
[3] Self-funded.
[4] Project under review for possible increase in funding.

Source: AID.

Mr. HUMPHREY. I think this is perhaps a development that is overdue. We are trimming the program back substantially. I prefer to say that this is what we

use for developmental purposes. In my judgment, these countries are better able to provide their own training and hire their own technicians. They need to improve their training facilities. I should like to see our country out of the training business, particularly in countries where there are police officers who treat persons promiscuously with brutality and cruelty and whose civil liberties and rights are being violated.

I understand the Senator from South Dakota would like a rollcall vote on this amendment. I shall vote for his amendment.

Mr. AIKEN. Mr. President, I am just a little uncertain as to the overall picture. The House has a different provision entirely. I may be willing to have the amendment taken to conference. If we had a rollcall vote, there might be a flaw in the amendment which would require me to vote against it. I understand what the Senator from South Dakota is trying to do. He is working for a good purpose. It is possible the matter could be worked out in conference to accomplish his purpose with the least damage.

Mr. ABOUREZK. That is precisely the reason why I should like a rollcall vote. I am afraid of what may happen in conference.

Mr. AIKEN. It will be in conference just the same.

Mr. ABOUREZK. At least, the conferees will know how the Senate stands, one way or the other.

Mr. HUMPHREY. If I were named as a conferee—and I would expect to be—whether it is a rollcall vote or a voice vote, my responsibility in the conference would be to follow through on the Senate's position. We will do it one way or the other.

Mr. AIKEN. A number of times it has been necessary to call upon American trained police to go to our Embassies and to other areas. I am sure that the Senator means all right, but I think his proposal would not work unless it were amended somewhat.

Mr. ABOUREZK. I am not asking that police departments be shut down. I am saying there are so many abuses that are perpetrated with American foreign aid that we ought to shut down our aid.

Mr. AIKEN. There is no question about that.

Mr. ABOUREZK. I suggst the absence of a quorum.

The PRESIDING OFFICER. The Senator does not have sufficient time for a quorum call under the unanimous-consent agreement. The Senator from Vermont controls the time for the minority. The Senator from Minnesota has indicated his support of the amendment.

Mr. AIKEN. Mr. President, I will be glad to yield 5 minutes for a quorum call, if I have that much time.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ABOUREZK. 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. AIKEN. Mr. President, I yield myself 1 minute.

Mr. ABOUREZK. Mr. President, first, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. AIKEN. Mr. President, I should like to explain a little further why I am against the amendment. We are now undertaking to cut down our own military forces for our own people in our Embassies all over the world. That means that we have to depend more upon the police of the countries where the Embassies are located. If the Ambassador talks it over with the local police and cooperates with them, and they cooperate with him, I am afraid that might constitute police instruction and be prohibited by this amendment. I do not know. I am going to be on the safe side and vote against the amendment at this time, although I give the Senator from South Dakota full credit for good intentions.

Mr. ABOUREZK. I ask unanimous consent that at this time it be in order to ask for the yeas and nays on amendment No. 560, which will come up after this amendment is voted on.

The PRESIDING OFFICER. Is there objection to the request that it be in order to ask for the yeas and nays? The Chair hears none, and it is so ordered.

Mr. ABOUREZK. Mr. President, I now ask for the yeas and nays.

The yeas and nays were not ordered.

Mr. ABOUREZK. We have lost our quorum. There are not 11 Senators present.

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

Mr. ABOUREZK. I yield.

Mr. HUMPHREY. The Senator has not yielded back his time yet; has he?

Mr. ABOUREZK. No.

Mr. HUMPHREY. Mr. President, we have a vote at 2:30. That is what is causing us difficulty. I wonder if we might agree on holding this vote over until after the vote on the treaties because then we will have more Senators present.

Mr. ABOUREZK. I shall defer the request for the yeas and nays until we have more Senators in the Chamber. I am prepared to yield back my time on amendment No. 462.

The PRESIDING OFFICER. If the Chair may clarify the situation, the yeas and nays have been ordered on the pending amendment.

Mr. HUMPHREY. That is correct. That is the understanding of the Senator from Minnesota. The only question I pose to the Senator from South Dakota is whether or not, in light of the scheduled vote on the treaties at 2:30 p.m., he might agree to having the vote on his amendment after the vote on the treaties.

Mr. ABOUREZK. If we proceeded to vote now it would not make much difference. We have 10 minutes in which to do something.

Mr. HUMPHREY. I might suggest that we make the unanimous-consent request that immediately following the vote on the treaties we vote on the Abourezk amendment.

Mr. ABOUREZK. That is fine. If the Senator wishes we could make it a 10-minute vote.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that immediately following the vote which already has been authorized on the treaties that we follow immediately thereafter with a vote on the Abourezk amendment.

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

Mr. HUMPHREY. Mr. President, we have a little hiatus here. I am going to suggest the absence of a quorum unless someone wishes to speak, in preparation for the vote on the treaties with the time not charged to either side.

Mr. President, I ask unanimous consent that the time not be charged to either side.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The Chair will state the time remaining on both sides of the amendment will be vitiated by having the vote immediately after the vote on the treaties.

Mr. HUMPHREY. That was the understanding.

The PRESIDING OFFICER. So the only time available to speak for or against the amendment is between now and 2:30.

Mr. HUMPHREY. I understood that the Senator from South Dakota had completed his argument and I understood that the Senator from Vermont had completed his argument.

The PRESIDING OFFICER. Time has not been yielded back.

Mr. ABOUREZK. Mr. President, if I may be recognized, I suggest to the Senator from Minnesota that we yield back our time now to take care of the situation. I am prepared to yield back my time.

Mr. AIKEN. Mr. President, I am prepared to yield back all of my time except to reiterate what I said before, that I cannot agree to any proposal which would prevent an American ambassador in a foreign country from furnishing equipment or even advice to the local police of that country whose forces are trying to protect our U.S. Embassy.

Now, I yield back my time.

The PRESIDING OFFICER. The Chair understands all time has now been yielded back.

Mr. HUMPHREY. Mr. President, I again ask unanimous consent that following the votes on the treaties we proceed to vote immediately on the Abourezk amendment.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that I may suggest the absence of a quorum without the time being charged to either side.

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

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

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

Under the previous order, the hour of 2:30 having arrived——

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

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

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

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

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

The yeas and nays were ordered.

EXECUTIVE SESSION

INTERNATIONAL COFFEE AGREEMENT 1968, AS EXTENDED—AGREEMENT WITH CANADA FOR PROMOTION OF SAFETY ON THE GREAT LAKES BY MEANS OF RADIO, 1973; CONVENTION FOR THE PROTECTION OF PRODUCERS OF PHONOGRAMS; EXTRADITION TREATY WITH ITALY; TREATY ON EXTRADITION WITH PARAGUAY; TREATY ON EXTRADITION AND COOPERATION IN PENAL MATTERS WITH URUGUAY

The PRESIDING OFFICER. Under the previous order, the hour of 2:30 p.m. having arrived, the Senate will now go into executive session and proceed to vote on the following six treaties: Executive O, 93d Congress, first session; Executive J, 93d Congress, first session; Executive G, 93d Congress, first session; Executive M, 93d Congress, first session; Executive S, 93d Congress, first session; Executive K, 93d Congress, first session.

INTERNATIONAL COFFEE AGREEMENT, 1968, AS EXTENDED (EX. O, 93D CONG., 1ST SESS.)

The question is, Will the Senate advise and consent to the resolution of ratification? The clerk will call the roll.

The second assistant legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Arkansas (Mr. FULBRIGHT), and the Senator from Mississippi (Mr. STENNIS) are necessarily absent.

I also announce that the Senator from Michigan (Mr. HART) is absent because of illness in the family.

Mr. GRIFFIN. I announce that the Senator from New York (Mr. JAVITS) is necessarily absent. I also announce that the Senator from Kansas (Mr. PEARSON) is absent because of illness.

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

The yeas and nays resulted—yeas 95, nays 0, as follows:

[No. 439 Ex.]

YEAS—95

Abourezk	Ervin	Montoya
Aiken	Fannin	Moss
Allen	Fong	Muskie
Baker	Goldwater	Nelson
Bartlett	Gravel	Nunn
Bayh	Griffin	Packwood
Beall	Gurney	Pastore
Bellmon	Hansen	Pell
Bennett	Hartke	Percy
Bentsen	Haskell	Proxmire
Bible	Hatfield	Randolph
Biden	Hathaway	Ribicoff
Brock	Helms	Roth
Brooke	Hollings	Saxbe
Buckley	Hruska	Schweiker
Burdick	Huddleston	Scott, Hugh
Byrd, Harry F., Jr.	Hughes	Scott, William L.
Byrd, Robert C.	Humphrey	Sparkman
Cannon	Inouye	Stafford
Case	Jackson	Stevens
Chiles	Johnston	Stevenson
Church	Kennedy	Symington
Clark	Long	Taft
Cook	Magnuson	Talmadge
Cotton	Mansfield	Thurmond
Cranston	Mathias	Tower
Curtis	McClellan	Tunney
Dole	McClure	Weicker
Domenici	McGee	Williams
Dominick	McGovern	Young
Eagleton	McIntyre	
Eastland	Metcalf	
	Mondale	

NAYS—0

NOT VOTING—5

Fulbright	Javits	Stennis
Hart	Pearson	

The PRESIDING OFFICER. On this vote the yeas are 95 and the nays are 0. Two-thirds of the Senators present and voting having voted in the affirmative, the resolution of ratification is agreed to.

AGREEMENT WITH CANADA FOR PROMOTION OF SAFETY ON THE GREAT LAKES BY MEANS OF RADIO, 1973 (EXEC. J, 93D CONGRESS, 1ST SESSION)

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the resolution of ratification? The clerk will call the roll.

The second assistant legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Arkansas (Mr. FULBRIGHT) and the Senator from Mississippi (Mr. STENNIS) are necessarily absent.

I also announce that the Senator from Michigan (Mr. HART) is absent because of illness in the family.

Mr. GRIFFIN. I announce that the Senator from New York (Mr. JAVITS) is necessarily absent.

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

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

The yeas and nays resulted—yeas 95, nays 0, as follows:

[No. 440 Ex.]

YEAS—95

Abourezk	Beall	Brock
Aiken	Bellmon	Brooke
Allen	Bennett	Buckley
Baker	Bentsen	Burdick
Bartlett	Bible	Byrd, Harry F., Jr.
Bayh	Biden	Byrd, Robert C.
Cannon	Helms	Pastore
Case	Hollings	Pell
Chiles	Hruska	Percy
Church	Huddleston	Proxmire
Clark	Hughes	Randolph
Cook	Humphrey	Ribicoff
Cotton	Inouye	Roth
Cranston	Jackson	Saxbe
Curtis	Johnston	Schweiker
Dole	Kennedy	Scott, Hugh
Domenici	Long	Scott, William L.
Dominick	Magnuson	Sparkman
Eagleton	Mansfield	Stafford
Eastland	Mathias	Stevens
Ervin	McClellan	Stevenson
Fannin	McClure	Symington
Fong	McGee	Taft
Goldwater	McGovern	Talmadge
Gravel	McIntyre	Thurmond
Griffin	Metcalf	Tower
Gurney	Mondale	Tunney
Hansen	Montoya	Weicker
Hartke	Moss	Williams
Haskell	Muskie	Young
Hatfield	Nelson	
Hathaway	Nunn	
	Packwood	

NAYS—0

NOT VOTING—5

Fulbright	Javits	Stennis
Hart	Pearson	

The PRESIDING OFFICER. On this vote the yeas are 95 and the nays are 0. Two-thirds of the Senators present and voting having voted in the affirmative, the resolution of ratification is agreed to.

CONVENTION FOR THE PROTECTION OF PRODUCERS OF PHONOGRAMS (EXEC. G, 93D CONGRESS, 1ST SESSION)

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the resolution of ratification? The clerk will call the roll.

The second assistant legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Arkansas (Mr. FULBRIGHT) and the Senator from Mississippi (Mr. STENNIS) are necessarily absent.

I also announce that the Senator from Michigan (Mr. HART) is absent because of illness in the family.

Mr. GRIFFIN. I announce that the Senator from New York (Mr. JAVITS) is necessarily absent.

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

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

The yeas and nays resulted—yeas 95, nays 0, as follows:

[No. 441 Ex.]

YEAS—95

Abourezk	Byrd, Harry F., Jr.	Eastland
Aiken	Byrd, Robert C.	Ervin
Allen	Cannon	Fannin
Baker	Case	Fong
Bartlett	Chiles	Goldwater
Bayh	Church	Gravel
Beall	Clark	Griffin
Bellmon	Cook	Gurney
Bennett	Cotton	Hansen
Bentsen	Cranston	Hartke
Bible	Curtis	Haskell
Biden	Dole	Hatfield
Brock	Domenici	Hathaway
Brooke	Dominick	Helms
Buckley	Eagleton	Hollings
Burdick		Hruska

Huddleston	Mondale	Scott, William L.
Hughes	Montoya	Sparkman
Humphrey	Moss	Stafford
Inouye	Muskie	Stevens
Jackson	Nelson	Stevenson
Johnston	Nunn	Symington
Kennedy	Packwood	Taft
Long	Pastore	Talmadge
Magnuson	Pell	Thurmond
Mansfield	Percy	Tower
Mathias	Proxmire	Tunney
McClellan	Randolph	Weicker
McClure	Ribicoff	Williams
McGee	Roth	Young
McGovern	Saxbe	
McIntyre	Schweiker	
Metcalf	Scott, Hugh	

NAYS—0

NOT VOTING—5

Fulbright	Javits	Stennis
Hart	Pearson	

The PRESIDING OFFICER. On this vote the yeas are 95 and the nays are 0. Two-thirds of the Senators present and voting having voted in the affirmative, the resolution of ratification is agreed to.

EXTRADITION TREATY WITH ITALY (EXEC. M, 93D CONG., 1ST SESS.)

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the resolution of ratification? The clerk will call the roll.

The second assistant legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Arkansas (Mr. FULBRIGHT) and the Senator from Mississippi (Mr. STENNIS) are necessarily absent.

I also announce that the Senator from Michigan (Mr. HART) is absent because of illness in the family.

Mr. GRIFFIN. I announce that the Senator from New York (Mr. JAVITS) is necessarily absent.

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

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

The yeas and nays resulted—yeas 95, nays 0, as follows:

[No. 442 Ex.]

YEAS—95

Abourezk	Ervin	Montoya
Aiken	Fannin	Moss
Allen	Fong	Muskie
Baker	Goldwater	Nelson
Bartlett	Gravel	Nunn
Bayh	Griffin	Packwood
Beall	Gurney	Pastore
Bellmon	Hansen	Pell
Bennett	Hartke	Percy
Bentsen	Haskell	Proxmire
Bible	Hatfield	Randolph
Biden	Hathaway	Ribicoff
Brock	Helms	Roth
Brooke	Hollings	Saxbe
Buckley	Hruska	Schweiker
Burdick	Huddleston	Scott, Hugh
Byrd, Harry F., Jr.	Hughes	Scott, William L.
Byrd, Robert C.	Humphrey	Sparkman
Cannon	Inouye	Stafford
Case	Jackson	Stevens
Chiles	Johnston	Stevenson
Church	Kennedy	Symington
Clark	Long	Taft
Cook	Magnuson	Talmadge
Cotton	Mansfield	Thurmond
Cranston	Mathias	Tower
Curtis	McClellan	Tunney
Dole	McClure	Weicker
Domenici	McGee	Williams
Dominick	McGovern	Young
Eagleton	McIntyre	
Eastland	Metcalf	
	Mondale	

NAYS—0

NOT VOTING—5

Fulbright	Javits	Stennis
Hart	Pearson	

The PRESIDING OFFICER. On this vote the yeas are 95 and the nays are 0. Two-thirds of the Senators present and voting having voted in the affirmative, the resolution of ratification is agreed to.

TREATY OF EXTRADITION WITH PARAGUAY (EXEC. S, 93D CONG., 1ST SESS.)

The PRESIDING OFFICER. The question is, will the Senate advise and consent to the resolution of ratification? The clerk will call the roll.

The second assistant legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Arkansas (Mr. FULBRIGHT) and the Senator from Mississippi (Mr. STENNIS) are necessarily absent.

I also announce that the Senator from Michigan (Mr. HART) is absent because of illness in the family.

Mr. GRIFFIN. I announce that the Senator from New York (Mr. JAVITS) is necessarily absent.

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

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

The yeas and nays resulted—yeas 95, nays 0, as follows:

[No. 443 Ex.]

YEAS—95

Abourezk	Ervin	Montoya
Aiken	Fannin	Moss
Allen	Fong	Muskie
Baker	Goldwater	Nelson
Bartlett	Gravel	Nunn
Bayh	Griffin	Packwood
Beall	Gurney	Pastore
Bellmon	Hansen	Pell
Bennett	Hartke	Percy
Bentsen	Haskell	Proxmire
Bible	Hatfield	Randolph
Biden	Hathaway	Ribicoff
Brock	Helms	Roth
Brooke	Hollings	Saxbe
Buckley	Hruska	Schweiker
Burdick	Huddleston	Scott, Hugh
Byrd, Harry F., Jr.	Hughes	Scott, William L.
Byrd, Robert C.	Humphrey	Sparkman
Cannon	Inouye	Stafford
Case	Jackson	Stevens
Chiles	Johnston	Stevenson
Church	Kennedy	Symington
Clark	Long	Taft
Cook	Magnuson	Talmadge
Cotton	Mansfield	Thurmond
Cranston	Mathias	Tower
Curtis	McClellan	Tunney
Dole	McClure	Weicker
Domenici	McGee	Williams
Dominick	McGovern	Young
Eagleton	McIntyre	
Eastland	Metcalf	
	Mondale	

NAYS—0

NOT VOTING—5

Fulbright	Javits	Stennis
Hart	Pearson	

The PRESIDING OFFICER. On this vote the yeas are 95 and the nays are 0. Two-thirds of the Senators present and voting having voted in the affirmative, the resolution of ratification is agreed to.

TREATY WITH URUGUAY ON EXTRADITION AND COOPERATION IN PENAL MATTERS (EXEC. K, 93D CONG., 1ST SESS.)

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the resolution of ratification? The clerk will call the roll.

The second assistant legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Arkansas (Mr. FULBRIGHT) and the Senator from Mississippi (Mr. STENNIS) are necessarily absent.

I also announced that the Senator from Michigan (Mr. HART) is absent because of illness in the family.

Mr. GRIFFIN. I announce that the Senator from New York (Mr. JAVITS) is necessarily absent.

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

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

The yeas and nays resulted—yeas 95, nays 0, as follows:

[No. 444 Ex.]

YEAS—95

Abourezk	Ervin	Montoya
Aiken	Fannin	Moss
Allen	Fong	Muskie
Baker	Goldwater	Nelson
Bartlett	Gravel	Nunn
Bayh	Griffin	Packwood
Beall	Gurney	Pastore
Bellmon	Hansen	Pell
Bennett	Hartke	Percy
Bentsen	Haskell	Proxmire
Bible	Hatfield	Randolph
Biden	Hathaway	Ribicoff
Brock	Helms	Roth
Brooke	Hollings	Saxbe
Buckley	Hruska	Schweiker
Burdick	Huddleston	Scott, Hugh
Byrd, Harry F., Jr.	Hughes	Scott, William L.
Byrd, Robert C.	Humphrey	Sparkman
Cannon	Inouye	Stafford
Case	Jackson	Stevens
Chiles	Johnston	Stevenson
Church	Kennedy	Symington
Clark	Long	Taft
Cook	Magnuson	Talmadge
Cotton	Mansfield	Thurmond
Cranston	Mathias	Tower
Curtis	McClellan	Tunney
Dole	McClure	Weicker
Domenici	McGee	Williams
Dominick	McGovern	Young
Eagleton	McIntyre	
Eastland	Metcalf	
	Mondale	

NAYS—0

NOT VOTING—5

Fulbright	Javits	Stennis
Hart	Pearson	

The PRESIDING OFFICER. On this vote the yeas are 95 and the nays are 0. Two-thirds of the Senators present and voting having voted in the affirmative, the resolution of ratification is agreed to.

LEGISLATIVE SESSION—FOREIGN ASSISTANCE ACT OF 1973

The PRESIDING OFFICER (Mr. WILLIAM L. SCOTT). Under the previous order, the Senate will now return to legislative session and resume consideration of S. 2335, which the clerk will state.

The assistant legislative clerk read as follows:

A bill (S. 2335) to amend the Foreign Assistance Act of 1961, and for other purposes.

The PRESIDING OFFICER. Under the previous order, the question is on agreeing to the amendment of the Senator from South Dakota (Mr. ABOUREZK). On this question, the yeas and nays have been ordered.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that time on this rollcall and on each rollcall during the remainder of the day be limited to 10 minutes, with the warning bell to be sounded after the first 2½ minutes. The cloak rooms have already sent out the message.

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

The PRESIDING OFFICER (Mr. WILLIAM L. SCOTT). The question is on agreeing to the amendment (No. 462) of the Senator from South Dakota (Mr. ABOUREZK). On this question, the yeas and nays have been ordered, and the clerk will call the roll.

Mr. ABOUREZK. Mr. President, I ask for the yeas and nays on amendment 560.

The PRESIDING OFFICER. The Senator is not in order. A rollcall has been ordered.

Mr. ABOUREZK. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. ABOUREZK. Has it not been ordered that it is in order under the unanimous-consent agreement at this time to ask for the yeas and nays? If not, I ask that it be in order to order the yeas and nays.

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

Mr. ABOUREZK. I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The clerk will now call the roll on the amendment (No. 462) of the Senator from South Dakota.

The assistant legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from North Carolina (Mr. ERVIN) and the Senator from Arkansas (Mr. FULBRIGHT) are necessarily absent.

I also announce that the Senator from Michigan (Mr. HART) is absent because of an illness in the family.

Mr. GRIFFIN. I announce that the Senator from New York (Mr. JAVITS) is necessarily absent.

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

The result was announced—yeas 44, nays 51, as follows:

[No. 445 Leg.]

YEAS—44

Abourezk	Hartke	Muskie
Bayh	Haskell	Nelson
Bentsen	Hatfield	Pastore
Bible	Huddleston	Pell
Biden	Hughes	Percy
Brooke	Humphrey	Proxmire
Burdick	Kennedy	Randolph
Byrd, Robert C.	Magnuson	Ribicoff
Case	Mansfield	Roth
Church	Mathias	Schweiker
Clark	McGovern	Stevenson
Cook	McIntyre	Symington
Cranston	Metcalf	Tunney
Eagleton	Mondale	Williams
Gravel	Moss	

NAYS—51

Aiken	Eastland	Montoya
Allen	Fannin	Nunn
Baker	Fong	Packwood
Bartlett	Goldwater	Saxbe
Beall	Griffin	Scott, Hugh
Bellmon	Gurney	Scott, William L.
Bennett	Hansen	Sparkman
Brock	Hathaway	Stafford
Buckley	Helms	Stennis
Byrd, Harry F., Jr.	Hollings	Stevens
Cannon	Hruska	Taft
Chiles	Inouye	Talmadge
Cotton	Jackson	Thurmond
Curtis	Johnston	Tower
Dole	Long	Weicker
Domenici	McClellan	Young
Dominick	McClure	
	McGee	

NOT VOTING—5

Ervin	Hart	Pearson
Fulbright	Javits	

So Mr. ABOUREZK's amendment (No. 462) was rejected.

Mr. AIKEN. Mr. President, I move that the vote by which the amendment was rejected be reconsidered.

Mr. DOMINICK. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MONDALE. Mr. President, I send an amendment to the desk and ask unanimous consent that its reading be dispensed with.

The PRESIDING OFFICER (Mr. WILLIAM L. SCOTT). Without objection, it is so ordered; and the amendment will be printed in the RECORD.

The text of the amendment is as follows:

S. 2335

At the end of the bill, add the following new section:

ENTRY OF SOVIET JEWS INTO AUSTRIA

SEC. 23. (a) The Senate finds that—

(1) The Austrian Government's decision to succumb to the demands of extreme Arab terrorists and close the main, if not the only, transit facility for Soviet Jews jeopardizes the fate of hundreds of thousands of Soviet refugees; and

(2) This decision to yield to terrorist blackmail sets a most dangerous precedent that threatens all governments and all peoples.

(b) It is, therefore, the sense of the Senate that the President should take immediate and determined steps to—

(1) impress upon the Austrian Government the grave concern of the American people that capitulation to terrorists encourages further attempts at blackmail; and

(2) call upon the Austrian Government to reverse its decision and again permit group travel by Soviet Union emigrants through Austria on their way to freedom and new lives.

(3) urge all governments to take whatever actions are necessary to permit and facilitate the travel of refugees.

Mr. MONDALE. Mr. President, this amendment consists of a resolution urging the President: first, to impress upon the Austrian Government the great concern of the American people that capitulation to terrorists encourages further attempts at blackmail; second to call upon the Austrian Government to reverse its decision and again permit group travel by Soviet Union emigrants through Austria on their way to freedom and new lives; and third, to urge all governments to take whatever actions are necessary to permit and facilitate the travel of refugees.

An almost identical resolution was to be introduced by my colleague from Minnesota (Mr. HUMPHREY). Instead of introducing similar ones, we decided to join on this one resolution which has been cosponsored by Senators RIBICOFF, CRANSTON, AND STEVENSON—I have not solicited cosponsors, these are the Senators I have talked to within the past few moments.

Mr. President, I was deeply disturbed to learn of the Austrian Government's decision to succumb to the demands of extreme Arab terrorists and close the main, if not the only, transit facility for Soviet Jews emigrating to Israel.

I find it inconceivable that violent threats of two armed terrorists could force the Austrian Government to reverse its humane policy and thereby jeopardize the fate of hundreds of thousands of Soviet refugees.

This decision is reminiscent of the 1930's when refugees from Nazism were unable to flee Germany because few nations would serve as an intermediary to facilitate their escape.

I am therefore offering an amendment to the foreign aid authorization bill, S. 2335, which states that it is the sense of the Senate that the President take the immediate and determined steps to which I have earlier referred.

Mr. President, Austria has become the Ellis Island for Soviet Jewry.

For 3 years Austria has demonstrated a policy of humanity and decency in allowing over 100,000 Jews to travel through its country on their way to Israel. For the same reasons that originally prompted the Austrian Government to agree to serve in this capacity, I hope that it will reconsider this decision.

Mr. President, I would also like to bring to the attention of my colleagues an editorial on this surrender to terror in today's New York Times. I ask unanimous consent that it be printed in the RECORD.

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

[From the New York Times, Oct. 1, 1973]

SURRENDER TO TERROR

The decision of the Austrian Government to capitulate to Arab terrorists and to promise to end the existing system of organized transit facilities for Soviet Jews was a grievous error. This policy is obviously based on the fatal misconception that if only the Soviet Jews would stop entering Austria, Chancellor Kreisky implies, then the murderous Arab terrorists would disappear and Austria could go on enjoying its post-World War II prosperity and peace.

By this argument, Dr. Kreisky apparently averts his eyes from the fact that this surrender to terrorist blackmail will encourage further attempts to replicate this success, and not only by Arab gunmen. Far from winning peace and quiet by surrendering to Arab blackmail, Dr. Kreisky is inviting every possible fanatic who can get a gun to try to duplicate this Austria success in that country and elsewhere. The failure of nerve in Vienna can only encourage the forces of world chaos, and weaken still further the none-too-strong underpinnings of international order and law.

Mr. HUMPHREY. Mr. President, I had indicated earlier this morning that I was going to introduce a Senate joint resolu-

tion on this subject. I join with my senior colleague in the sponsorship of the amendment, in the nature of a resolution, to the foreign assistance bill. I think it is highly desirable, and, of course, I wish to express what I am sure is the overwhelming sentiment of the body of Americans through their elected representatives in Congress.

I offer this as a further consideration to my colleague and to other Senators. We may very well want to offer a special joint resolution, because this bill will have to go to conference, and it will take some time in conference, because there are several contentious features between the House and the Senate in the bill.

But I think it is fair to say that the amendment stresses the fullest sense of the Senate and expresses the desire of the Senate to have prompt action on the part of the Austrian Government to reverse its decision.

I would hope that we might indicate in a most friendly, yet in a most firm way, to the Austrian Government, that we want that government to reverse its decision in this instance, taken as a result of terrorist blackmail and threats, and in other activities that have recently transpired in Austria, concerning Soviet Jewry.

I hope that we may have unanimous support for the amendment that my senior colleague has offered. Whenever he is prepared to yield back his time, I am sure that the amendment will be overwhelmingly supported. Then we can get on with the bill.

Mr. MONDALE. Mr. President, I first yield to the Senator from Colorado.

Mr. DOMINICK. Mr. President, I think the resolution submitted by the distinguished Senator from Minnesota as a sense-of-Congress resolution is very fine. It is something which indicates the sentiment and feeling of the Senate.

Is it not true, though, that we have already, through executive action, protested to the Austrian Government about their action in this event?

Mr. MONDALE. Perhaps the Senator from Colorado could fill me in on that. I was not aware, as of this morning, that we had done so.

Mr. DOMINICK. It is my understanding that through the State Department we have already protested the action, but I think this gives the Senate backing to that action. I am glad to support the administration.

Mr. MONDALE. I am glad to hear of that development from the Senator from Colorado. Nevertheless, I feel, as I gather from the opinion on this subject, that this further step and expression ought to be made.

I now yield to the Senator from South Dakota.

Mr. ABOUREZK. I did not really hear an explanation of exactly what the amendment does.

Mr. MONDALE. It is the sense of the Senate that the President should take immediate steps to impress upon the Austrian Government the grave concern of the American people that capitulation to terrorists encourages further attempts at blackmail; and it calls upon the Austrian Government to reverse its decision and again permit group travel by Soviet Union emigrants through Austria on their way to freedom and new lives.

Mr. ABOUREZK. Is there anything in the amendment that provides for the return of the emigrants?

Mr. MONDALE. The resolution does not deal with that dispute but simply deals with the right of oppressed Soviet Jews who are permitted to leave the Soviet Union to have access to a country that will permit them to enter.

Mr. ABOUREZK. But the answer is "no"?

Mr. MONDALE. It does not deal with that issue at all. It deals with the right of freedom.

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

Mr. MONDALE. I yield.

Mr. FULBRIGHT. I did not know that the Senator was submitting a resolution. When did the Senator submit it?

Mr. MONDALE. I submitted it today.

Mr. FULBRIGHT. The matter has never been submitted to the Committee on Foreign Relations?

Mr. MONDALE. No, it has not.

Mr. FULBRIGHT. We have had similar resolutions in the Senate. Last year I opposed several of them, particularly one on the Son Tay raid, and others.

The junior Senator from Minnesota suggested that this resolution would be unanimously agreed to. I am afraid that I cannot support the resolution without consideration of it at greater length. I had no notice of it. I am reluctant to have us begin to tell not only Russia, but now Austria, and I suppose any other country that chooses to take its own actions in these matters, what to do.

This is not an American problem, primarily. We have our policy. I do not think we should have anything to do with it. I do not think it is appropriate.

To start now to condemn Austria for taking measures which she believes are in her interest—because I take it she is not at all anxious to become involved in the middle of this controversy between the Russian emigrants and Israel—is an emotional and explosive subject.

I am afraid I cannot support an amendment of this kind without its being submitted to the committee for an opportunity to consider it at greater length. I have no doubt that the Senate will vote for it, but I want the RECORD to show that I cannot support it on the ground that it has not been thoroughly considered, and on the ground that it is interfering in the internal affairs of a small, friendly country.

I am not at all sure that if we go down the road and vote for it, it will not be counterproductive. It will not even be in the interest of the emigrees to Israel. I believe that we are already courting great difficulty with the trade bill, after the action of the House conferees, and are even taking measures which will make détente with Russia and the Middle Eastern countries impossible.

I do not want to add anything further to that fire at this time without thorough consideration. I hope the Senator will understand. I regret there is difficulty about immigration, but that does not relate to our telling Austria what to do in such positive language.

Mr. MONDALE. I thank the Senator for his observation. Normally I would agree with the distinguished chairman of the Committee on Foreign Relations that matters of this sort should go to the committee and be subjected to hearings, testimony, examination, and so on. My reason for urgency here is that I believe the Austrian Government is now reexamining its policy, and within the next few days it may be too late.

I think what happened has been a clear reaction to the activities of two terrorists who intimidated the Austrian Government into changing what has been a very humane and neutral policy, permitting the exit to Austria. And the Soviet Government apparently agreed with this humane ruling. It was not causing any disturbance until the act of terrorism occurred a few days ago.

The resolution is cast in what I think is uninflammatory language. It simply urges upon the President our strongest wish that he impress upon the Government of Austria our desire that that country not capitulate to terrorism.

Finally, if I may respectfully disagree with the Senator on whether this is a purely internal matter, in the 1930's the German Jews faced exactly the same problem that they could face shortly if this sort of terrorism is successful. Seeking to escape extinction under Nazi Germany, German Jews found there was no way to escape, and all countries bordering on Germany, except Norway and perhaps others, refused to permit these pathetic human beings who were targets of what is the worst holocaust in the history of humanity, to escape with their lives. That was not a happy chapter in our history. The free world, by and large, was silent in the face of that tragedy. I think we should learn from that lesson and speak up clearly, lest we invite the tactics of extreme terrorism.

Mr. FULBRIGHT. I have no objection to the Senator or anyone else expressing himself to the fullest on this matter. But the Senator suggested Austria may be considering a change. Would it not be easier to do if they were not responding to a country like the United States? Suppose they are intending to do it, it would only embarrass them and make it more difficult because of this resolution, and make it appear in the eyes of the world that they were responding to the United States. We have overdone it in the last 20 years. They are far more sophisticated than the United States. They have been a great nation for 500 or a thousand years. The Senator would make it more difficult for them. If we were to do this and perhaps make a big thing of it, it would be said, "Look, they have done it because the Americans pressured them into doing it." I do not know what it would accomplish.

I think it is a form of meddling in other people's business. The Senator can say anything he likes to about it on humane grounds, but to have the Senate and the Government of the United States do it is a form of meddling into the affairs of other people, and many times other people do not appreciate it. I guess

it is a matter of psychology if one thinks that we alone know the truth and that perhaps we should spread it, but I do not believe our record over the last 20 years sets forth any such belief.

Mr. MONDALE. I thank the Senator. It is clear we do not have the answer to all of the world's problems, but one of the real problems of foreign policy of late is that we fail to speak out on matters of humanity. Whether we are right or wrong, history will tell. But in the face of the Sakharov and Solzhenitsyn suppression the only statement I have heard has been the statement of the Secretary of Health, Education, and Welfare, condemning the National Academy of Sciences for remaining silent on that repression.

We have failed to speak up on the Chile situation. I understand the telegram to Mrs. Allende came about 3 days after her husband's tragic death. We have seen example after example. For instance, last week in the United Nations, country after country spoke with reference to the outrages against humanity, in this case repression of dissidents, while the U.S. Government stands by idly and has nothing to say.

I do not think it is meddling for the Senate to stand up and say we regret the action of the Austrian Government in closing the door and reducing the opportunity for Soviet refugees, who have lived in a state-controlled society, to leave that country and go somewhere else of their choice. I do not think that is meddling. I think it is the minimum that is necessary in the cause of humanity.

Mr. FULBRIGHT. I notice the morning newspapers suggest that Rumania may be a way station for them to do this. I only say I am not at all sure without any hearings or even advice of the State Department or anyone else that we should take action on a few minutes' notice. I do not think it is the way the business of the Senate should be conducted.

Mr. HUMPHREY. Mr. President, it should be clear that we are not condemning the Austrian Government. It is a friendly, neutral government. It is a respected government, and a government representing a country with a rich and great heritage.

I believe what we are trying to do here is merely to speak the basic feeling of many people in this country, namely, that there should be some way, some facility made available for Soviet Jewry as it seeks to leave the Soviet Union to find its way to Israel.

My colleague has rightly pointed out that the Soviet Union itself cooperated with Austria. What happened here has been very succinctly put. Terrorism has become an instrument of national and international policy to the point where governments are subjected to it in a form of blackmail.

I believe it is imperative for this country, a nation that prides itself on domestic principle and human rights, to speak up and not speak up with a belligerent attitude or arrogance, but in a thoughtful and meaningful plea to other countries when there is an abridgement of human rights.

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

Mr. HUMPHREY. I yield.

Mr. FULBRIGHT. The Senator reminds me that last year or the year before the Committee on Foreign Relations attempted to restrict military assistance or assistance to Greeks who were doing just as outrageous things. We brought a measure to the floor of the Senate and instead of condemning the Greek military government for persecuting human beings, and torturing, this body voted to override the committee and continue it.

We are left to look so utterly hypocritical by what we do or do not do in other countries, in Greece, and someone mentioned Chile, or even, if the Senator likes, the Russians. I think, as individuals, we have a perfect right to do this if we are going to go into this field.

Mr. RIBICOFF. Mr. President, I am pleased to cosponsor this amendment offered by the distinguished Senator from Minnesota.

Along with so many of my colleagues I was shocked and dismayed by the Austrian Government's willingness to give in so easily to terrorist blackmail.

I can only hope its decision to close transit facilities for refugees in transit from the Soviet Union is not final. Upon reflection, Austria must realize the great disservice it would be doing to the cause of human freedom and international order by this step.

It is inconceivable to me that an entire government can allow two armed thugs to make them abandon their previous policies and obligations.

If any government permits itself to be so easily coerced by terrorists and madmen, the entire international community of nations will be the loser. This unfortunate precedent could come back to haunt not only Austria, but other nations as well.

It is not too late for the Austrian Government to reconsider this hasty and ill-advised decision.

Passage of this resolution today will put this body on record in opposing terrorism and in favor of human freedom and the unhindered movement of peoples.

DEPARTMENT OF DEFENSE APPROPRIATIONS AUTHORIZATION ACT, 1974

The PRESIDING OFFICER (Mr. HELMS). If the Chair may intervene, under the previous unanimous-consent agreement, the hour of 3:30 having arrived, the Senate will now resume consideration of the unfinished business (H.R. 9286), which the clerk will report.

The legislative clerk read the bill (H.R. 9286), by title, as follows:

A bill (H.R. 9286) to authorize appropriations during the fiscal year 1974 for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes, and other weapons, and research, development, test and evaluation, for the Armed Forces, and to prescribe the authorized personnel strength for each active duty component and of the Selected Reserve of each reserve component of the Armed Forces, and the military training student loads, and for other purposes.

The Senate resumed consideration of the bill.

Mr. BIDEN. Mr. President, shortly we are going to make an important decision here in the Senate. We are going to vote on making an across-the-board cut in the authorization for the Department of Defense.

We are now nearing the end of our deliberations on this authorization bill. In my opinion, the proposed authorization is too high and contains provision for troop levels and hardware that should be deleted. In the course of the last week I have supported with my vote a number of efforts to make specific reductions that I felt were justified. I supported specific troop reductions and I voted for deletion or delay of some specific weapon systems including the SAM–D missile; the construction of a new aircraft carrier; the Trident II submarine; and others. None of the specific cuts that I supported prevailed except for one to reduce our forces stationed abroad.

During this same period two across-the-board cuts were offered. I did not support either of them. It has been my position that Congress must exercise its constitutional responsibility by deciding where the cuts shall be made. I feel that to do otherwise is to abdicate congressional authority to the President and the Secretary of Defense. I felt strongly enough about this matter of principle to vote against two previously proposed lump sum cuts in an authorization bill I strongly feel needs cutting.

I greatly respect the efforts that the distinguished Senators from West Virginia and Minnesota are making this afternoon. I commend them for this final major effort to change this bill. As much as I would like to support their efforts, I feel that the principle of congressional responsibility and authority is too important to permit me to support any lump sum cut. I agree wholeheartedly with their desire to reduce the authorization but I cannot support the means. However, this is not really the last chance. At some point the appropriations bill will be before us. I hope that we will be more successful in reducing that bill than we have been in reducing the authorization bill.

The PRESIDING OFFICER. The pending question is on the amendment by the Senator from West Virginia (Mr. ROBERT C. BYRD) to the amendment by the Senator from Minnesota (Mr. HUMPHREY) No. 556, with the time on both amendments to run concurrently for a period of not to exceed 30 minutes.

Who yields time?

Mr. HUMPHREY. Mr. President, I believe we have 30 minutes on each amendment. Do we?

The PRESIDING OFFICER. On the amendments combined.

Mr. HUMPHREY. I yield myself 10 minutes.

The PRESIDING OFFICER. The Senator is recognized.

Mr. HUMPHREY. First, may I say to my distinguished colleague that we will have to put off decision on the amendment until we have completed action on the military procurement bill. I believe

we are scheduled to have a final vote on the bill following the vote on the Humphrey-Byrd amendment. Is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. MONDALE. Mr. President, I hope we could talk to the leadership about making this the first order of business when we get back to the foreign aid bill, so that we could get on with this issue and decide it.

Mr. HUMPHREY. The Senator from Minnesota was debating his amendment, and it would be my understanding that immediately following the votes on the military procurement bill, we would go back to the argument presented by the Senator from Minnesota.

Mr. STENNIS. Mr. President, will the Senator yield for a point of order?

Mr. HUMPHREY. I yield.

Mr. STENNIS. Mr. President, I make the point of order that time is running. There is very, very little time allotted to these two amendments—15 minutes to a side for both amendments.

Mr. HUMPHREY. Yes. I understood we were going to divide the time evenly.

The PRESIDING OFFICER. The assumption of the Senator from Minnesota is correct.

Mr. SYMINGTON. Mr. President, will the Senator yield to me?

Mr. HUMPHREY. I yield.

Mr. SYMINGTON. Does the Senator support the Byrd amendment?

Mr. HUMPHREY. Yes.

Mr. SYMINGTON. And I support the point of order made by the distinguished Senator from Mississippi. I would like a little time to speak on the Byrd amendment.

Mr. HUMPHREY. May I say it is the understanding of the Senator from Minnesota that there are 30 minutes on the combined amendments of the Senator from West Virginia and the Senator from Minnesota.

The PRESIDING OFFICER. The Senator is correct. The Senate will vote at 4 o'clock.

Mr. HUMPHREY. And the amendment of the Senator from West Virginia is a perfecting amendment to the amendment of the Senator from Minnesota.

The PRESIDING OFFICER. The Senator is correct. Time is running.

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

Mr. HUMPHREY. Yes, of course.

Mr. SYMINGTON. May I have 6 minutes on the Byrd amendment?

Mr. HUMPHREY. We have a total of 15 minutes on a side.

Mr. SYMINGTON. May I have 5 minutes on the Byrd amendment?

Mr. HUMPHREY. How about 3?

Mr. SYMINGTON. I will settle for 5.

Mr. HUMPHREY. Three, because we have other Senators.

Mr. SYMINGTON. It is one more illustration of the great disadvantage of having these very limited time agreements on measures that involve billions of dollars.

Mr. ROBERT C. BYRD. Mr. President, may I point out that there was ample time after the introduction of the amendment to discuss the amendment; and, may I say, very little time was yielded.

Mr. SYMINGTON. Not because there were one or two Senators on the floor at that time, but because I wanted to prepare my statement in support of the amendment by the assistant majority leader. I would like the privilege of making it. It might be 3 minutes, and it might be 4 minutes or 5. Again, I say, if we are going to get any time agreements in support of the leadership's position, I think we should have an opportunity to briefly state our position.

Mr. ROBERT C. BYRD. Mr. President, will the Senator yield to me on my time on the amendment, which will be 3 minutes?

Mr. HUMPHREY. I yield.

Mr. SYMINGTON. Mr. President, can you imagine anything more gracious than that?

Mr. HUMPHREY. Mr. President, the Senator from Minnesota offered an amendment reducing the overall authorization by $750 million. That amendment has been amended by a perfecting amendment by the Senator from West Virginia to reduce it to $500 million. I am going to support the perfecting amendment because I believe it is about what we could have a chance of obtaining here in this body and also because it has other features to it that are meritorious.

For example, the Senate committee reported a bill to the floor containing $20.4 billion. The Senate has since added $495.5 million for the F–14 and $4.2 million for the M–16.

The amendments that we have offered here represent sensible, moderate reductions in defense spending. In fact, the amendment that the Senator from Minnesota offered to reduce defense spending by $750 million represents but a 3.6-percent reduction in the overall bill.

I believe these amenaments do not endanger the security of the Nation at all. As a matter of fact, it is my judgment that the security of the Nation is more endangered by profligate waste and spending than it is by any modest reduction such as we are talking about here.

Mr. FULBRIGHT. Mr. President, will the Senator allow me to associate myself with the Senator's statement?

Mr. HUMPHREY. I thank the Senator from Arkansas. I always feel better when he is on my side.

Mr. FULBRIGHT. I agree 100 percent with what the Senator has just said.

Mr. HUMPHREY. Mr. President, the amendment I have offered is imperative if we are going to stay within our own $268.7 billion budget ceiling. We are on a collision course with our own spending ceiling, and we must take action.

As a matter of fact, the work of the Senate itself, when the committee reported the bill had reduced the spending request from $21,959,100,000 to $20,447,900,000. If we adopt the amendment offered by the Senator from West Virginia for a reduction of $500 million, we will actually bring the bill down to about the same size as that of the House of Representatives.

It will represent, may I say to my colleagues, a saving from the President's budget of over $1.5 billion. That is a substantial sum in terms of military procurement authorizations.

First, we are indebted to the committee itself for these reductions. Second, we have an opportunity here, now that these amendments are before us, to make a further reduction.

I hope everybody knows what has been happening to the Federal budget. First of all, the interest rates since Mr. Nixon presented his budget—and I am referring to the increase in interest rates on the public debt—have trimmed that budget, in terms of services to the people, by $4 billion. So it has gone from $268.7 billion to about $264 billion, insofar as what it buys for the American people is concerned, whether it is in the security field, the domestic field, or the foreign aid field.

Second, in the past year, inflation has run at the rate of about 6 percent. That has been eating into the fiscal 1974 budget. So when we get right down to the moneys that will be available from the budget for domestic programs, they are equivalent to what they bought in 1965, when we had many millions fewer and when we had a much better economic situation than we have today.

So I want to make a special appeal to my colleagues. The military procurement bill offers us a logical place to begin a sensible, modest reduction in Government authorizations to eliminate waste. We simply must come to terms with the realities of our economic predicament. Since enacting an overall spending ceiling, inflation has increased by such great amounts that tax dollars buy far fewer goods and services. Gentlemen, let me again emphasize that this means the fiscal 1974 budget—the biggest ever—will only buy in goods and services what the Federal Government purchased in 1965.

The Defense budget can no longer be immune to reasonable budget reductions and the economic facts of life.

Time and time again the Nixon administration has ordered an unprecedented retreat on the great domestic problems facing our Nation.

He has vetoed legislation for vocational rehabilitation, rural and sewer grants, emergency medical services, and so forth.

Not only are we faced with these vetoes, but we have had impoundment of the funds.

So if we are going to have the money that is necessary to take care of the needs of our people, even in a greatly reduced manner, Mr. President, we are simply going to have to reduce the money appropriations.

I am not one who wants to make a wild, slashing cut. I offered a $750 million reduction because I thought it was a reasonable cut.

I was willing to go along with my friend, the distinguished majority whip, the Senator from West Virginia, with a reduction of $500 million because I believe that it does represent a most frugal and prudent reduction. It is one that every Senator ought to be able to support in the name of fiscal responsibility.

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

Mr. HUMPHREY. Mr. President, we hear about fiscal responsibility again and again. Let us have some of it.

Mr. SYMINGTON. The Senator from West Virginia (Mr. ROBERT C. BYRD) yielded to me his time on his amendment.

The PRESIDING OFFICER. It is the understanding of the Chair that an agreement has been reached with the minority that the minority have 15 minutes time under the control of the minority. Therefore, the Senator from Minnesota, having consumed 10 minutes, now has 5 additional minutes under his control.

Mr. HUMPHREY. Mr. President, as of June 30, 1973, the President is impounding $7.7 billion in congressionally appropriated funds.

The respected Brookings Institution made the following comment in its report on the President's budget:

Almost all the budget cuts were made in civilian programs, especially those whose expenditure levels are easiest for the executive branch to control. Indeed, after account is taken of the inevitable rise in prices in the next year, the real value of expenditures for those civilian programs in which outlays are relatively controllable will fall by some $3.6 billion from 1973 to 1974.

In contrast, cuts in defense programs were small. In fact, after allowance is made for pay and price increases and for the declining cost of Vietnam, military expenditures on peacetime forces will rise by about $2 billion between 1973 and 1974.

Savings are possible in many military procurement and R. & D. programs without terminating these programs.

Savings can be made through stretchouts, deferrals or reduced buys. The Senate has already given considerable attention to major programs called for in this bill.

I am confident that the Secretary of Defense in consultation and cooperation with the Armed Services Committee can make reductions in many other programs to reduce spending by $750 million.

I am not an expert in weapons procurement. And this is why I prefer to have the Department of Defense make the final evaluation as to where these reductions should be made.

I would find it difficult to believe that if the DOD really went to work on this bill that it could not find and eliminate waste equal to less than 4 percent of the total now in the Senate bill.

Mr. SYMINGTON. Mr. President, as my able colleague from West Virginia has pointed out, the total amount of the military procurement bill authorized by the Senate to date is some $500 million above that reported out by the Armed Services Committee.

In that originally the Senate and House versions of this bill were less than $3 million apart—the House recommended $20,445,255,000, the Senate Committee, $20,447,968,000—without this proposed amendment the Senate will be taking to conference a bill some $500 million over the House recommendation—not an ideal bargaining position from the standpoint of the Senate conferees.

The amendment now proposed by the Senator from West Virginia would reduce the current total—$20,947,700,000—by $500 million; in other words, to the level recommended originally by the Senate Armed Services Committee.

Compared to additional reductions considered by the Armed Services Committee—$885.4 million for the Trident, $194.2 million for SAM-D—this Byrd amendment is a mild recommendation indeed.

If these two proposals had been accepted in committee—and the first lost by one vote under the heaviest lobbying that I have ever seen since I have been a Member of the Senate—the committee would have reduced the authorization request another billion dollars.

A recent study of this year's Defense budget by the Project on Budget Priorities, signed by a number of former high ranking members of the Defense establishment, recommended that the total Defense budget could be reduced by $14 billion "while fully preserving our national security"; and gave specific categories.

Some $7 billion of that reduction would apply to the procurement items and the Southeast Asia funding contained in the bill which is now before us.

By comparison the Senator from West Virginia, in effect, is proposing only a $1.5 billion reduction in the original request of the Department of Defense; in other words, he is upholding the amount reported out of our committee.

If those able Americans who once were intimately involved in Defense policy believe that a $7 billion reduction in procurement would not impair national security, surely a $1.5 billion reduction in that same category can now be made at no sacrifice to the defense posture of the United States.

Mr. President, I read from a report to the Congress by the Military Policy and Budget Priorities Commission:

AN ISSUE OF PRIORITIES

We emphasize that savings from the Nixon military spending proposals must be made not merely because of the general desirability of eliminating wasteful spending. Making reductions on the military side has now become indispensable for adequate funding of many essential domestic programs. Programs now threatened by the Fiscal 1974 budget include: urban and rural housing assistance, water and sewer programs, various community development projects, health care and training programs, educational assistance for the disadvantaged. The cities, where many of these programs have been concentrated, are beginning to feel the effects of the Nixon reductions. The funds for manpower training and employment programs will be decreased nationwide by 13.5 per cent. Community development projects—those dealing with urban renewal, park construction, and sewer services—will be phased out abruptly. There is a promise in the budget of block grants to be available in 1975, but no new money is offered for 1974. Funds proposed for education special revenue sharing will decline by $515 million from comparable program appropriations in 1972.

For all practical purposes, a maximum has been set on the total federal budget. President Nixon has defied Congress to exceed his proposed $268.7 billion "fiscally responsible" federal outlay budget for 1974 and has threatened to impound domestic appropriations which would cause that limit to be exceeded. Congress has generally indicated its approval of such a spending ceiling, recognizing that the present inflation requires a limit on federal spending.

President Nixon, by increasing the military budget while announcing that we cannot afford to increase or even to maintain many of our vital domestic programs, has put before the Congress a fundamental issue of national priorities: It has become indispensable to the maintenance of our true national security that we find savings in the inflated defense budget to meet real human needs at home. We have concluded that at least $14 billion can easily be eliminated from President Nixon's proposed $87 billion military appropriations request. Those billions saved can and should be applied to the needs of our people.

Mr. HUMPHREY. Mr. President, I ask unanimous consent, as the author of the amendment, and I have talked with the Senator from Texas about the matter, that I may modify my amendment, on line 4 to strike out the words "the provisions" and insert the words "titles 1 and 2" in lieu thereof.

Mr. TOWER. Mr. President, I have no objection.

The PRESIDING OFFICER. Without objection, the amendment is modified.

The amendment, as modified, is as follows:

At the appropriate place in the Act, add a new section as follows:

SPENDING CEILING

SEC. —. Notwithstanding any other provision of this Act, the total amount of money authorized to be appropriated under titles I and II of this Act shall not exceed $20,197,700,000.

Mr. ROBERT C. BYRD. Mr. President, if the Senator will yield me 30 seconds, I ask unanimous consent to modify my amendment as follows: On line 1 of page 1, strike the numeral "3", and insert therefor the numeral "5".

It was a typographical error.

Mr. THURMOND. Mr. President, we have no objection.

The PRESIDING OFFICER. Without objection, the amendment is so modified.

Mr. THURMOND. Mr. President, I yield 5 minutes or as much thereof as the distinguished Senator from Arkansas (Mr. MCCLELLAN) wishes.

The PRESIDING OFFICER. The Senator from Arkansas is recognized.

Mr. MCCLELLAN. Mr. President, I do not think I will take the 5 minutes.

I just want to speak very briefly on these proposals. In the first place, let us remember that the Senate has already placed an overall ceiling on appropriations—the Senate goal that it hopes to achieve.

However, Mr. President, the Senate Appropriations Committee has gone beyond this.

Mr. STENNIS. Mr. President, may we have order in the Senate?

The PRESIDING OFFICER. The Senate will be in order.

The Senator from Arkansas may continue.

Mr. MCCLELLAN. Mr. President, the committee undertook to set a goal and limitation of its own that would be less than the Senate limit. I believe it was about $1 billion or less than $1 billion under the budget.

Mr. HUMPHREY. The Senator is correct. It was about $1 billion.

Mr. McCLELLAN. I do not have the exact figures. I just came from the Appropriations Committee where we are trying to mark up a bill. However, the Senate Appropriations Defense Subcommittee has submitted a statement stating that it will undertake to cut $3 billion from the defense budget.

We have an amendment before us to reduce this bill by $750 million and another for $500 million.

I simply point this out to show that we on the committee, in the discharge of our appropriations responsibilities, are going to undertake to cut this in every place that we feel can be done without doing violence to our defense posture. We are acting in good faith and I believe we will achieve our goal. I do not have much doubt about it.

We hear a lot about our present economic situation. Certainly its condition is one of the compelling reasons for examining these requests as thoroughly as possible in the time we have to do so, and make cuts where they will do the least harm. That is what the committee has undertaken to do.

The Senate should demonstrate its confidence in us and believe that we will come out with a good, rational and reduced bill. If we fail to cut the $750 million or the $500 million, then we have failed, and the Senate can give us the whip. However, do not give it to us in advance. I think that the Senate should treat us like other committees and look at what we have done on our own. I think that is a far better way to proceed.

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

Mr. McCLELLAN. I yield.

Mr. HUMPHREY. Mr. President, may I say with great respect to the Senator from Arkansas that this is an authorization bill. I know that the distinguished Senator from Arkansas is going to do everything humanly possible as a frugal and prudent man to see to it that the appropriations are kept within every reasonable limit.

I have not the slightest doubt about that.

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

Mr. McCLELLAN. Can the Senator from South Carolina yield some time?

Mr. THURMOND. Mr. President, our time is very close. If the Senator from Minnesota will take it on his own time; we do not have any more.

Mr. HUMPHREY. I just wanted to ask the Senator a question. I say most respectfully that we have granted the opposition some time here. There was not even a minority report.

Mr. THURMOND. Mr. President, the time has run out. I promised to yield the Senator from Mississippi 10 minutes.

The PRESIDING OFFICER. The Senator has 10 minutes remaining. The Senator from Mississippi is recognized.

Mr. STENNIS. Mr. President, I do not think that I have ever asked anyone to come to this Chamber to hear me speak, and I have never asked anyone to stay here in the Chamber to hear me speak, but this is one time, on a matter that is so vital to the entire committee system of this body, that I hope those who are here will stay, and I wish that many others could come in to hear the facts—just the plain facts of life.

Mr. President, these amendments involve a great deal more than the sums of money stated in each case. They involve the committee system. I speak from a time in this body when there did not have to be an authorization for any kind of a military weapon. Planes, missiles, ships, submarines, any kind of weapon—going into the billions of dollars per system—could be had merely by going to the Appropriations Committee; and if a majority of the Appropriations Committee decided in favor of the weapons system, then it was on its way. The Armed Services Committee had not one iota of say then, or even consultation, about the subject matter. That was true as late as fiscal year 1960, just 13 short years ago.

Mr. President, this amendment is not intended as an attack on the committee system, but the effect of the amendment is an attack on the committee system, as the Senator from Arkansas has made so plain. In the year 1959, the late Senator Russell and I sponsored an amendment that required an authorization for all these major weapons, and thereby gave the Senate its first chance to entertain the recommendation of its own Armed Services Committee, which had responsibility to take testimony pro and con and make recommendations in writing to this body. And certainly it is not bragging to say that the recommendations have made a contribution in this field. In the first place, these weapons systems now have to be justified before a body of men who are familiar with all the weapons systems to some degree, and can better judge whether or not the spending of this money is justified.

Now, after having deliberately changed its course by a unanimous vote in 1959—there was not a dissenting vote against the bill requiring the authorization—after operating each year successfully, I think, we are faced here with a floor amendment which, on its face, is simply designed to save some money.

Now, without doing harm to the committee system, that money can be saved by the Appropriations Committee, or by the Senate, in the regular process of business, within the framework of the Senate rules. Not some rules from somewhere else, but our own rules. I urge every committee chairman, every minority member, and every member on every legislative committee to give this matter a second thought.

I will certainly abide by any vote that has been taken here regarding money. There have been seven major weapons systems, each of them brought into question here by floor amendments which have recommended something different from what the committee did.

Two years ago we spent 7 weeks arguing this authorization bill. Seven weeks. And no one knows better than our esteemed majority floor leader here (Mr. MANSFIELD) what a long debate it was, and what an opportunity it was for everyone to have any policy as well as any weapons system tested through the actions on that bill.

So I plead now for nothing for myself. But I want to mention the Senator from New Hampshire (Mr. McINTYRE). I have not talked with him about this. I believe I know how he will vote.

For the first time in the history of the Senate, a Senate Member is regularly putting in 12 months' work out of 12 months, year after year after year, unsung, unpraised, with no special recognition, on the highly important matter of research and development. That amounts to $8 billion, in round figures, every year. That McIntyre subcommittee and its august members deserve the greatest kind of credit.

Some people think they ought not to even look at those figures, they ought to just take them as they are. But brushing aside all of that, putting a ceiling on this bill, putting a lid on it, is a repudiation of the votes that have already been taken on this floor. It is an overruling. Do not ask me to yield unless I have misstated a fact.

How much time do I have remaining?

The PRESIDING OFFICER. The Senator has 2 minutes remaining.

Mr. STENNIS. Well, I hope I can state the rest of this. Going back, I repeat that there have been seven of those major votes. I will joyfully abide by them.

As to the question of economy, there is $1.6 billion—listen to these figures—$1.6 billion that is saved in this bill that has not been mentioned, or barely mentioned, in the provision for manpower costs, because the money for the manpower does not have to be authorized in this bill. The bill looks to an annual saving of $1.6 billion in those accounts.

Now, I do not question anyone's motive on any vote. I sometimes question their judgment, however. I question their judgment when they helped add, by vote, $340 million per full year liability to the Government in the way of the recomputation amendment. That is $340 million per year, and the Hartke amendment carries with it a liability to the Federal Government, over the years—that it will operate, of over $17 billion—not million—but $17 billion.

So, let us think a second time if we voted for those add-ons—and I say that was done in good faith—but I appeal for the sustaining of the committee system.

I am not talking about myself. I have not even had the privilege of being chairman of the committee while this bill was being handled so well by the acting chairman (Mr. SYMINGTON) and the other members of the committee. I expressly thank them and trust that in a weak, misled moment, we will not go astray.

Mr. CLARK. Mr. President, I am disappointed that we even have to consider an amendment like this in the closing hour of debate on the annual Military Procurement Authorization bill.

As I understand it, the amendment would reduce the fiscal 1974 military spending authorization by $750 million. Senator ROBERT C. BYRD's amendment would make that amount $500 million, and its net effect would be to leave the bill as it was when we got it from the

Senate Armed Services Committee at $20.4 billion.

Now, the Senate has spent 9 days debating this bill—some 60 hours on this one piece of legislation alone. In that time, the Senate had a number of opportunities to make specific reductions in a number of specific programs. One by one, the amendments came to the floor, and one by one, they were defeated. Senator McINTYRE's amendment to slow down the Trident program was the only one that came even close to passage.

Senator McINTYRE offered an amendment to save $92.4 million on the A–10 program. It was defeated 20 to 64.

Senator McINTYE offered an amendment to save $885 million on the Trident program. It was defeated 47 to 49.

Senator McGOVERN offered an amendment to cut $3.5 billion from the bill. It was defeated 12 to 81.

Senators BAYH and SAXBE offered an amendment to save $194.2 million on the SAM–D program. It was defeated 34 to 56.

I offered an amendment to save $657 million on the CVN–70 project. It was defeated 30 to 55.

While all of this was happening, the Senate approved an amendment to increase the authorization bill by $495.5 million.

I will support this amendment, because I think the military has not made a case for some of its weapons proposals, because I think we need to cut Federal spending to stop inflation and prevent a tax increase. This amendment does represent a reduction in military spending. It does represent the Senate's last opportunity to control this authorization bill. And, at the very least, it will enable the Senate to pass legislation that does not represent an increase in military spending over the amount recommended by the Armed Services Committee.

But it seems to me that the Senate's responsibility must go deeper than this. We ought to be able to determine not only how much money should be spent but how it should be spent. The Constitution certainly makes no distinction between the two. And at a time when inflation and government responsibility are two of the most important issues facing the Nation, I do not think we can afford to make a distinction between the two.

Mr. THURMOND. Mr. President, the final amendments before the Senate are the Robert Byrd amendment cutting $500 million and second, the Hubert Humphrey amendment cutting $750 million from the bill. I oppose both for the following reasons:

First. The distinguished authors of these amendments, along with other leaders in the Senate, have correctly spoken out in favor of the Senate and the Congress reasserting its legislative authority. Are we then to abrogate our responsibility to address this bill on a line item basis by accepting an undefined reduction?

Second. These amendments ignore the hours, days, weeks, months of work done by the 15 committee members. We have trimmed every dollar possible from this bill. The full committee and the Cannon and McIntyre subcommittees have worked hard to justify every item. These amendments ignore that work and the floor debate.

Third. Would any Senator, who believes in the committee system, like to see his bill slashed without specific instruction from the Senate. Senators STENNIS, McCLELLAN and other committee chairmen have argued against just this type of approach.

Fourth. These amendments attempt to undo indirectly what the Senate has decided directly in the votes on the F–14, the SAM–D, the Trident, CVN–70, the A–10, recomputation, the McGovern economic adjustment plan, and the XM–1. Are we to undo this work?

Fifth. What is magic about $500 million or $750 million. Nothing. The numbers could just as well have been $1 billion or $250 billion. There is no rationale, no support, no justification for whatever weapon system cuts these amendments would require.

Mr. President, I hope the Senators will consider these points before voting and reject both amendments.

Mr. ROBERT C. BYRD. Mr. President, my amendment No. 558, to the Humphrey amendment, if adopted, would provide for a $500 million reduction in the defense authorization bill for fiscal year 1974. The Humphrey amendment would accomplish a $750 million reduction.

Before proceeding further, I want to state that I have always supported the maintenance of a strong and adequate Defense Establishment, and I shall continue to support a strong and adequate Defense Establishment. However, I think we have to realize that, in this period of budgetary restraints and fiscal stringency, when inflation threatens to further dangerously erode the purchasing power of the dollar, no agency and no program of this Government should be considered such a sacred cow that it cannot be examined a little closer to see whether it cannot pull in its belt a few notches, in an effort to hold down ever-growing Government expenditures.

The taxpayers of this country want the Congress to exercise the utmost diligence in reducing Federal expenditures to the fullest extent possible. I believe that this bill can be reduced 2.5 percent without any harmful effect upon our defense posture.

H.R. 9286, the Military Authorization Act of Fiscal Year 1974, in the form reported by the Senate Armed Services Committee, contained total authorizations of $20.4 billion, which represented a reduction of $1.5 billion under the fiscal year 1974 budget request. The House-passed version of this act contained authorizations of $20.445 billion.

To date, we have taken the following actions on the Senate floor which have increased the committee-reported bill by the following amounts:

$4.2 million was added to the bill for procurement of the M–16 rifle; and

$495.5 million was added to the bill for procurement of the F–14 aircraft.

Both of these amendments together have added a total of $499.7 million to the bill. I might note that we have adopted the Hartke recomputation amendment which is estimated to cost $296 million, and the McGovern economic adjustment amendment estimated to cost $50 million. These amendments do create new obligational authority, and they will affect defense outlays; however, they do not affect the authorizations contained in H.R. 9286, inasmuch as this bill only authorizes major weapons systems and programs.

If the Senate adopts my amendment, we would be accomplishing, in effect, here today a reduction in the authorization to something like $300,000 less than the amount in the bill when it was reported to the Senate floor by the Senate Armed Services Committee.

Some Senators have stated during debate on this bill that an amendment of this type is an irresponsible method of legislating since it imposes reductions, without applying them to specified programs or projects. I disagree with that view. This is a responsible approach to a reduction for the following reasons:

By virtue of the dual authorization and appropriations process, the amendment which I am proposing simply amounts to a direction to the Appropriations Committees to redistribute the programs contained in this authorization in such a way as to stay within a certain maximum figure.

While I am a strong supporter of authorizing and appropriating under the line item concept, I believe that we in the Congress—and this represents a little bit of self criticism—have not, in the past, given enough attention to appropriating within total amounts. Instead, we have tended to take the budget as submitted by the President and we have then proceeded to add or subtract various projects and programs to arrive at a total amount, instead of setting a ceiling and saying that this is what we have to spend in the various areas—be they defense, agriculture, or health—and then sitting down and deciding just how the specified amount of resources within such ceiling can be most effectively distributed to do the job.

My amendment, in effect, says to the Appropriations Committees, look at all of the programs contained within the bill and determine where $500 million out of a $20.4 billion bill can be saved. There is nothing new or wrong with this process. Certainly no particular line item program or project is so sacrosanct or inviolate that it cannot be examined a little closer, so as to see if a savings can be effectuated, and as a matter of fact, that is precisely the course of action which the Appropriations Committees have been following in the past. For the past 10 years, starting in fiscal year 1964, the Appropriations Committees have been appropriating less than the amounts contained in the authorization bills. For example:

In fiscal year 1972, the authorization was $21.3 billion and the amount appropriated was $20.4 billion;

In fiscal year 1973, the authorization was $21.5 billion and the amount appropriated was $19.5 billion.

I could cite other examples going back

to fiscal year 1964, but these figures will appear in the RECORD.

So, as Senators can see, my amendment is no strange thunderbolt out of the blue, and it will not wreak havoc on our defense programs. It is more of a reaffirmation, or approval, of the actions which have been taken by our own appropriations committees for the previous 10 years.

Also, the line item concept has not even been held that sacrosanct by the appropriations committees. Members of the appropriations committees know that these programs fluctuate—certain programs will not move as fast as anticipated and others might require additional funding. Therefore, included within the appropriations bill is a transfer authority to cover contingencies. In the fiscal year 1973 bill, transfer authority of $750 million was included, which could be used by the Secretary, with the prior approval of the congressional committees.

My amendment would average out to approximately 2.5 percent if it is applied evenly across the board to all agencies and programs within the Department of Defense. It is possible, however, that there may be slippage either by contractor, or inhouse within the Defense Department, which might make it feasible to impose a 5-, 10-, 15-, or 20-percent cut against a particular program. However, when the appropriations committees consider this legislation they may determine that there are other programs which could not—and should not—be reduced at all. My amendment leaves the committees with the flexibility and the authority to act in the way the committees feel would be most responsible, would inflict no harmful effect upon our defense programs in effecting an overall $500 million reduction.

In summation, Mr. President, the adoption of my amendment, and after that, the adoption of the Humphrey amendment, would not be a surrender of legislative authority to the executive branch. What the Senate would be doing, actually, would be reducing the authorization ceiling for this bill. The Appropriations Committees—not the Executive branch—would then have the responsibility of determining where to make the adjustments when the military procurement appropriation bill comes along. It is a mistaken impression to think that we would be surrendering our legislative authority to the executive branch. It would be up to the Senate and House Appropriations Committees to determine where to apply the $500 million reduction when the military procurement appropriation bill is marked up.

Moreover, the Appropriations Committees, as I have already pointed out, over the past several years, have actually reduced the appropriations below the amounts set forth in the authorization bills. I have a feeling that this is what will happen again this year.

This amendment does no injury whatsoever to the committee system. The Senate as a whole would simply be reducing the authorization and, in reality, virtually restoring the original authorization, dollarwise, that was reported by the Senate Armed Services Committee to the Senate. There is nothing untoward in this procedure. To maintain that the Senate should not impose an across-the-board reduction in the authorization figure is, in effect, to state that there is something holy about such authorization, but, as has been indicated, the Appropriations Committees almost always reduce the appropriations below the authorized amount for military procurement.

I hope the Senate will adopt the amendment.

I ask unanimous consent to insert a table reflecting the authorizations and the amounts appropriated for military procurement, fiscal years 1964–74.

There being no objection, the table was ordered to be inserted as follows:

CONGRESSIONAL ACTION ON PROCUREMENT AND R.D.T. & E. AUTHORIZATION REQUESTS

Fiscal year	Budget request	Senate authorization	House authorization	Conference	Appropriated
1964	$15,358,691,000	$14,951,491,000	$15,856,391,000	$15,314,291,000	$14,364,690,000
1965	17,185,300,000	17,040,140,000	16,914,800,000	16,967,620,000	16,722,391,000
1966	19,363,050,000	15,283,800,000	15,303,400,000	[1] 19,468,250,000	[1] 19,320,550,000
1967	20,769,659,000	17,170,059,000	17,858,059,000	[1] 21,404,459,000	[1] 21,057,559,000
1968	21,066,432,000	20,765,332,000	21,481,032,000	21,168,032,000	20,149,432,000
1969	22,385,052,000	21,341,738,000	21,636,964,000	21,625,750,000	18,491,041,060
1970	21,963,660,000	19,988,886,000	21,347,860,000	20,710,502,000	[2] 19,311,520,000
1971	20,317,430,000	[3] 19,242,889,000	20,237,489,000	[3] 19,929,089,000	[3] 18,997,376,000
1972	[4 5 7] 22,359,129,000	[6] 21,016,417,000	[5] 21,252,682,000	[6] 21,316,870,000	20,461,802,000
1973	[8] 23,272,971,000	20,521,671,000	21,318,788,250	[10] 21,588,747,000	19,567,838,000
1974	[9] 21,959,100,000	20,447,968,000	20,445,255,000		

[1] Includes supplemental.
[2] Of this amount, $350,000,000 to be derived by transfer from stock funds.
[3] Includes $334,000,000 for Safeguard construction and family housing.
[4] Reflects budget amendment submitted subsequent to House action (+$111,000,000).
[5] Includes $183,600,000 for Safeguard construction and family housing.
[6] Includes $109,570,000 for Safeguard construction and family housing.
[7] Includes $59,762,000 additional requested for civilian pay increases pursuant to Public Law 91-656.
[8] Includes $3,000,000 for special foreign currency program for Navy under R.D.T. & T. appropriation; includes fiscal year 1973 budget amendments of $54,000,000 for civilian personnel pay raise, $254.8 million for various programs, and June 27, 1972, amendment of $770,000,000 for Southeast Asia and SALT related items.
[9] Includes $2,600,000 for special foreign currency program for Navy under R.D.T. & E. appropriation.
[10] Includes $644,900,000 additional authorization in sec. 801 of Public Law 92-570.

Notes: During fiscal years 1964 and 1965 tracked combat vehicles were not subject to authorization action. During fiscal years 1964, 1965, and 1966 the emergency fund under R. & D. was not subject to authorization action. Authorization for other weapons was not required prior to fiscal year 1971. Authorization for torpedoes and related support equipment not required prior to fiscal year 1972.

The PRESIDING OFFICER (Mr. WILLIAM L. SCOTT). All time having expired, under the previous order, the hour of 4 p.m. having arrived, the Senate will now proceed to vote on the amendment of the Senator from West Virginia (Mr. ROBERT C. BYRD) to the amendment of the Senator from Minnesota (Mr. HUMPHREY).

Mr. HUMPHREY. Mr. President, a point of inquiry. I was told just a few moments ago, before the distinguished Senator from Mississippi spoke, that there was approximately 2 minutes left for the Senator from Minnesota.

The PRESIDING OFFICER. It is the understanding and the recollection of the Chair that the Senator from Minnesota spoke for 10 minutes and yielded 5 of those minutes to the Senator from Missouri.

Mr. HUMPHREY. No, I yielded 3 minutes. And 3 minutes are so listed.

The PRESIDING OFFICER. The Chair will recognize the Senator from Minnesota (Mr. HUMPHREY) for 2 additional minutes, if there is no objection.

Mr. HUMPHREY. One minute is all I want.

The PRESIDING OFFICER. The Senator from Minnesota may proceed.

Mr. HUMPHREY. Mr. President, I want to say to my good friend from Mississippi that I have great respect for his argument, but I want to say also that the committee came out here with a modest proposal on the F–14 and the distinguished Senator from Nevada (Mr. CANNON) amended the authorization. There is nothing sacrosanct about a committee recommendation. We have the right to recommend and argue for and debate recommendations and authorizations. That is what we did here. We do this on behalf of the committee.

The point I make is that we have simply got to have some overall reduction in the authorizations, if we are going to have any overall reductions in the appropriations. That is what we have done on every bill. We will do it in the foreign aid bill. We have done it on the USIA bill and we have done it on bill after bill. That is where we start to make the initial cuts, on the authorizations. This is a sensible and modest and, may I say, the most prudent of $500 million which will bring the figure down to about the House bill. The House, of course, is very jealous of its committee prerogatives, and did exactly what we are trying to do here today.

Mr. CANNON. I feel somewhat responsible because I brought to the floor an F–14 amendment for $500 million as I personally felt that the amount reported from the committee was approximately correct and therefore I voted to reduce it in other areas and to make it for the

$500 million. We were not successful. So, at this time, I am ready to support the amendment of the Senator from West Virginia (Mr. ROBERT C. BYRD) in his amendment to the Humphrey amendment.

Mr. TOWER. Mr. President, regular order.

The PRESIDING OFFICER. The Chair will state that, the hour of 4 o'clock having arrived, the Senate will now proceed to vote on the amendment of the Senator from West Virginia (Mr. ROBERT C. BYRD) to the amendment of the Senator from Minnesota (Mr. HUMPHREY).

Mr. DOMINICK. Mr. President——

Mr. ROBERT C. BYRD. Mr. President——

Mr. DOMINICK. Mr. President, a parliamentary inquiry. Do I understand that we have orders now for yea and nay votes on the Byrd amendment to the Humphrey amendment and then if that should be agreed to, then we vote again?

The PRESIDING OFFICER. It is the understanding of the Chair that the yeas and nays have not been ordered.

Mr. ROBERT C. BYRD. Mr. President, I was seeking recognition——

The PRESIDING OFFICER. Answering the Senator's parliamentary inquiry——

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

The PRESIDING OFFICER. The Senate will then proceed to vote on the original amendment by the Senator from Minnesota (Mr. HUMPHREY) whether or not it is amended by the Senator from West Virginia.

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

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the modified amendment of the Senator from West Virginia (Mr. ROBERT C. BYRD) to the amendment of the Senator from Minnesota (Mr. HUMPHREY).

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. GRIFFIN. I announce that the Senator from New York (Mr. JAVITS) is necessarily absent.

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

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

The result was announced—yeas 51, nays 47, as follows:

[No. 446 Leg.]

YEAS—51

Abourezk	Gravel	Mathias
Allen	Hart	McGee
Bayh	Hartke	McGovern
Bennett	Haskell	McIntyre
Bible	Hatfield	Metcalf
Byrd, Harry F., Jr.	Hathaway	Mondale
Byrd, Robert C.	Hollings	Montoya
Cannon	Huddleston	Moss
Case	Humphrey	Muskie
Church	Inouye	Nelson
Cranston	Jackson	Pastore
Eagleton	Kennedy	Pell
Ervin	Long	Proxmire
Fulbright	Magnuson	Randolph
	Mansfield	Ribicoff
Roth	Symington	Young
Schweiker	Tunney	
Stevenson	Williams	

NAYS—47

Aiken	Dole	Nunn
Baker	Domenici	Packwood
Bartlett	Dominick	Percy
Beall	Eastland	Saxbe
Bellmon	Fannin	Scott, Hugh
Bentsen	Fong	Scott, William L.
Biden	Goldwater	Sparkman
Brock	Griffin	Stafford
Brooke	Gurney	Stennis
Buckley	Hansen	Stevens
Burdick	Helms	Taft
Chiles	Hruska	Talmadge
Clark	Hughes	Thurmond
Cook	Johnston	Tower
Cotton	McClellan	Weicker
Curtis	McClure	

NOT VOTING—2

Javits	Pearson

So Mr. ROBERT C. BYRD's amendment to Mr. HUMPHREY's amendment was agreed to.

The PRESIDING OFFICER. Under the previous order, the Senate will now proceed to vote on the amendment offered by the Senator from Minnesota (Mr. HUMPHREY), No. 557, as amended. The yeas and nays have been ordered, and the clerk will call the roll.

The second assistant legislative clerk called the roll.

Mr. GRIFFIN. I announce that the Senator from New York (Mr. JAVITS), is necessarily absent.

I also announce that the Senator from Kansas (Mr. PEARSON), is absent because of illness.

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

The result was announced—yeas 47, nays 51, as follows:

[No. 447 Leg.]

YEAS—47

Abourezk	Hart	Mondale
Bayh	Hartke	Montoya
Bible	Haskell	Moss
Burdick	Hatfield	Muskie
Byrd, Harry F., Jr.	Hathaway	Nelson
Byrd, Robert C.	Hollings	Pastore
Cannon	Huddleston	Pell
Case	Hughes	Proxmire
Church	Humphrey	Randolph
Clark	Inouye	Ribicoff
Cranston	Kennedy	Roth
Eagleton	Mansfield	Schweiker
Ervin	Mathias	Stevenson
Fulbright	McGovern	Symington
Gravel	McIntyre	Tunney
	Metcalf	Williams

NAYS—51

Aiken	Dominick	Packwood
Allen	Eastland	Percy
Baker	Fannin	Saxbe
Bartlett	Fong	Scott, Hugh
Beall	Goldwater	Scott, William L.
Bellmon	Griffin	Sparkman
Bennett	Gurney	Stafford
Bentsen	Hansen	Stennis
Biden	Helms	Stevens
Brock	Hruska	Taft
Brooke	Jackson	Talmadge
Buckley	Johnston	Thurmond
Chiles	Long	Tower
Cook	Magnuson	Weicker
Cotton	McClellan	Young
Curtis	McClure	
Dole	McGee	
Domenici	Nunn	

NOT VOTING—2

Javits	Pearson

So Mr. HUMPHREY's amendment (No. 557) as amended, was rejected.

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

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

The motion to lay on the table was agreed to.

Mr. TOWER. Mr. President, third reading.

The PRESIDING OFFICER. If there be no further amendments to be proposed, the question is on the engrossment of the committee amendment in the nature of a substitute, as amended, and the third reading of the bill.

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

The bill was read the third time.

Mr. TUNNEY. Mr. President, every year, the votes on the military budget are some of the most important we consider. It is, of course, of the utmost importance that we continue to have a strong national defense. Even in this era of détente, there are indications that the Soviet Union is continuing to make large expenditures on conventional and strategic arms; so we must not become complacent. However, there are significant savings which we can make in this vast budget, without harming our national defense. These savings are desperately needed by the average citizens of our land, who are being buffeted by inflation. We need all the resources we can muster to pay for such vital programs as health care, education, housing, and other domestic programs.

I have taken a course during the consideration of this bill which recognizes both needs: National security and cost-consciousness. Again, I voted in favor of the B–1 bomber program as I have in the past, because it is essential to a well-rounded national defense program. The B–1, with its capability of flying high at supersonic speeds and "on the deck" at high subsonic speeds; its payload-range characteristics; its utilization of already tested, high-technology components, is the best product the military can buy to replace the aging B–52's.

A favorable production decision is of vital importance to California's economy. The program will produce over 40,000 aerospace jobs and over 60,000 supporting jobs. It will increase the State's revenues by almost $2 billion, which can be used to finance important domestic programs such as schools and hospitals.

I also believe that our country needs a new missile-carrying submarine system, since our present Polaris/Poseidon fleet will start reaching obsolescence in the 1980's. I, therefore, support the development of the Trident submarine, with its new, long-range missile. However, I do not believe the Navy is justified in seeking a speeded-up schedule for producing these submarines. By delaying production for 2 years, and allowing more time for development of the prototype vessel, I am convinced we will eventually have a better, stronger weapon. We will also be able to develop the Trident I missile at the earliest possible date, and equip our newer Poseidon submarines with it, giving them vastly increased range and maneuvering room in the oceans.

I, therefore, voted to delete about $900 million from this year's authorization to

slow the production of the Trident. This vote would have given us $3 billion for other programs—domestic and military—over the next 3 years. And it would have given us a stronger, more invulnerable deterrent. I am disappointed that the cutback did not pass the Senate, and I continue to hope that the Appropriations Committee will reduce the Navy's request for this enormously expensive project.

I also voted to reduce funding for certain other, selected weapons programs which, in my opinion, represented "gold plating"; very sophisticated, expensive projects which simply were not justified in a period of fiscal stringency in which we now find ourselves. These included the Army SAM–D antiaircraft missile—which has already had a 350 percent cost overrun and still has technical problems—and the Navy's multibillion dollar nuclear carrier.

We simply have to pare away the excessive requests of the military, and plan to maintain a leaner, tougher posture in the future. The money we would save from some of these gold-plated programs could be used to far better effect in domestic programs, and even in more important military programs, such as modernizing the Navy, and improving the Volunteer—Army—a program with which I disagree, but to which we are committed for the time being. I was greatly moved by such letters as the following, which I received from a constituent in San Jose:

DEAR SENATOR TUNNEY: War is waste. My employment for more than 18 years has been building and testing U.S. war weapon systems.

Our President tells us he wants peace but he wants to tax each family $1,700 next year to prepare for war.

Korea and Vietnam proved that we must not believe our Commander-in-Chief and our military leaders.

We must believe the peace-makers whose jobs, high rank or high office do not depend upon the continuing manufacturing of war weapons.

Congress must reduce the military budget and convert the war weapon industries to make jobs to improve the quality of life in our cities.

Very truly yours,

HENRY WAGNER.

Coming, as it does, from an ordinary citizen, and one whose livelihood depends on the military-industrial complex, this is a powerful message to me and to the Congress. I have sought to heed it in considering this military procurement authorization. Not enough was cut from the bill to meet the balance which I thought was proper between a strong defense and a fiscally responsible bill.

In the end, the military authorization bill which passed the Senate represented a commitment to a strong national defense. This bill provided some $12 billion for procurement of more than 100 different weapons systems, and it provided over $7 billion for research and development.

No nation can doubt our resolve to have a military posture second to none. This goal, however, can and should be met with greater attention to our domestic economy and social problems, for no matter how strong a military force we have, it will be of no avail if our Nation's economy is disrupted by inflation, and if our people must live without the benefits which this great land can provide.

Mr. CLARK. Mr. President, I will vote against the military procurement authorization bill for the 1974 fiscal year. We cannot afford it.

The bill began as a $22 billion request by the administration for research, development, and construction of new aircraft, ships, and missiles. The Senate Armed Services Committee reduced that request by $1.5 billion, as did the House of Representatives. The committee slowed down the B–1 manned bomber program, reduced military manpower levels by 7 percent, and took steps to save money on other weapons programs. But many of us felt that additional reductions could be made sensibly and responsibly without in any way affecting the Nation's security.

In each case, our differences with the military's proposals have been based on sincere and honest differences of opinion. In each case, a particular program has been challenged because many of us felt that it is inefficient or wasteful or unnecessary, especially in light of the domestic and international situation.

For the last few months, the President has made such a point of the desperate need to cut Federal spending to control inflation and stabilize the economy. The Congress has made such a point of the need to exercise fiscal responsibility and restraint. And people throughout Iowa made such a point to me of expecting a dividend from the arms limitation talks, the end of the American war in Southeast Asia, and this country's new relationships with the Soviet Union and the People's Republic of China.

People all over this country were expecting a military budget that reflected these developments and accomplishments. But the military procurement bill before us this afternoon does not meet those expectations.

Over the last 11 days, many amendments were offered to reduce military spending. One by one, they were defeated, and one by one, the Senate lost the opportunity to keep the budget under control. In fact, the Senate voted to add almost one-half billion to the Armed Services Committee request.

I supported many of those amendments—Senator HUGHES' proposal to save money on the A–10 aircraft program, Senator MCINTYRE'S amendment to regulate the Trident submarine development, and my own amendment to save $657 million by eliminating the authorization for a fourth nuclear aircraft carrier. That one ship is going to cost the American taxpayer $10 billion over the next 30 years. Its initial cost alone will be twice the budget for the State of Iowa last year. And in my judgment, it is the kind of expenditure that has not been justified and that we cannot afford.

Perhaps there was a time when this country could be extravagant, but not this year—not when Federal spending has to be reduced, not when the only alternative is a tax increase, not when the country has taken such strides forward toward international stability, and not when there are so many domestic problems that need solutions.

Yet, months of incredible progress in the search for peace have been followed by a $4 billion increase in the military budget. Months of intense pressure from the administration to reduce spending on domestic programs have been followed by relatively little effort to reduce military spending even though the military budget is the largest single controllable item in the entire Federal budget.

The United States is the most awesome military power in the history of the world. That position cannot be allowed to change—this country should be second to none—but we can maintain military superiority without inefficiency, without wasting money, without indulging in senseless overkill, simply by getting the best return on every dollar spent for defense.

That just means spending wisely.

The military procurement bill does not represent wise spending. By passing it, we will be doing far more than allocating money for next year. We will be spending money that is not in the Treasury yet, money that taxpayers have not earned yet. A decision to build these new weapons will affect Federal spending and inflation years and years into the future. Because of the commitments made in this bill, the chances have increased that the military spending request will exceed $100 billion a year within the next 5 years.

If the Senate approves this legislation, we will not be exercising fiscal responsibility and restraint. We will not be meeting our own challenge to reduce Federal spending below the President's request.

The security of this country cannot be measured only by the number of dollars spent for military weapons. It also is measured in terms of a stable economy and the public's confidence in Government. Congress must consider all of these factors before it authorizes this kind of military spending.

And it is for these reasons that I cannot support this bill.

Mr. HATFIELD. Mr. President, we are asked to vote for this bill, and have been urged by many not to cut any money from that requested, in order to protect our "security."

I would like to ask just what the true sources of our security are.

There is no doubt that people feel threatened today, and feel insecure.

But the threats they feel are not those that are supposedly met by our military power.

People feel that their liberty is threatened, but not from any invading foreign army. Rather, that liberty is seen threatened by our own domestic institutions, and even by our Government.

I can think of no more fundamental threat to our security today than the cumulative loss of confidence in our Government felt by the people. The truth is that our citizens are no longer believing that our Government and its representatives actually function as their servants. Government has become an institution of domination, losing the trust of those who are to be governed. There is nothing more fundamental to our "security" than

that. Yet we continue to believe that the most fundamental threats to that security come somehow from the outside.

We are misled, we are deluded to believe so.

To spend billions for external defense while the internal fabric of the Nation, and confidence and spirit of our people erode, is folly. The insecurity of our people is only perpetrated.

In a more practical vein, we know from the administration's budget presentation, 68 percent of all controllable Government expenditures are projected to go for military purposes—page 333—U.S. budget.

A nation's security can only be defined as the full well-being of its citizens and its resources. And when we see funds for one program after another designed to service human needs—programs for enhancing small business, for health care training, for the wages of the workingman, for the utilization of our Nation's natural resources—when these are vetoed or impounded on the grounds they are inflationary, but billions for the military are aggressively urged upon us by the same administration, on the grounds of protecting our "security," then I conclude we have lost all rational understanding of what our security really is.

When people's confidence in their government is lost, when people's human needs are going unmet, and when the nation's life-supporting environment is in deterioration, then our Nation is utterly insecure and will remain so regardless of how many billions we may spend elsewhere. The place to start in building a true security is with these internal needs, not with a continued obsession about the readiness to fight any foe any place around the globe.

Yet the concern over the relative amount we spend for military purposes does not go to the root of the problem.

We must recognize how victimized we are by our whole national psychology about our power.

We believe, first of all, that our power is always good, and only used for righteous purposes. The belief is that if the good guys have the power, then that power is justifiable. And of course, we inevitably look at ourselves as the good guys in virtually any situation.

We should wonder whether our experience in Indochina has taught us anything about the supposed, inherent righteousness of our power. Surely we should recognize that our power does not automatically bring peace. Frequently it may bring nothing more than war, violence, and destruction, rather than the peace which is promised to justify its use.

Power tends to make individuals, or a nation, self-righteous. That is an axiom that holds true as much for us as for any other people.

We should all realize that by voting for this measure, we are approving of a psychology that holds a majority of mankind as hostages in a mad balance of terror.

We stand ready to destroy a major portion of the world's population in a few moments once we believe that our opponents are commencing to destroy us. And that is to make no mention of the technological or emotional accidents which can propel mankind to destruction.

There is something misguided about this whole psychology. We are told that the reason we build up our arsenals of power, and our deterrent force, is in order to do what is necessary until some process of disarmament can begin. We are told that these measures are only temporary compromises necessary to live in a world where mistrust and enmity still reign. But who honestly supposed that our military arsenals are "temporary" in any meaningful sense? Where is the serious progress to move all this power in the opposite direction? For every one step that moves toward that direction, we take two rapid steps toward building up more of our power.

While doing so, we deny the oneness of man. We declare that human life is expendable, and rationalize this axiom on the sole basis that this is what our enemy believes, so this is then what we must believe.

The following words express this attitude best:

> Already the apologists of "realism" are busy exhorting us to accept the realities of life in the atomic age, and learn to live with the Bomb. According to these theorists—and they are to be found high in the councils of Church and State—we have never been so secure as we are today under the umbrella of the Bomb. The terror inspired by the equilibrium of fear is such that we can rely on the Bomb as an effective deterrent, a super-policeman guaranteeing the peace of mankind. In other words, the peace which man has been unable to gain through two millennia of the advocacy of brotherly love will now be secured through fear. What we failed to win under the symbol of the star of Bethlehem, we shall gain under the symbol of the mushroom cloud. Men will not act rationally from love, but they will learn to do so from fear. In fact, the atomic age has at last "proved" what so many men have always wanted to believe in their hearts: that the doctrine of the carpenter of Nazareth is a monumental irrelevance; that his sacrifice on Calvary was pathetic, noble perhaps, but futile and pointless. For this is the logic of the maintenance of peace through the deterrent. (R. V. Sampson, *Psychology of Power.*)

Finally, there is a moral and spiritual dimension to the issue of this Nation's security. Our Nation has sought to place the hopes for its ultimate security in the wrong gods, in the idols of its own making.

We think that our security comes through our military power. So we build that power to the brink of militarism, and then become ensnarled by the ever-increasing demands for more and more of our money.

We believe our security comes through our materialism, our wealth, our gross national product. So we despoil our environment and neglect the quality of man's spirit in order to expand our materialistic self-indulgence.

We suppose that our security comes through an inherent belief in our Nation's self-righteousness. So we create a civil religion that baptizes our established powers of government and creates an idolatry of the Presidency, and forget the truth that power corrupts.

In a very real way, restoring the strength of our people can only begin with a spirit of repentance. It is only by recognizing our errors, our wrongs, and our false gods that we can come to a proper understanding of ourselves. That is the beginning of any true security.

In the end, it will not be the power of our military might that will usher in greater reconciliation between the people of the world. Rather, that will only come from the power of spiritual love.

Such spiritual love must take root first in each one of us—and then extend out to our neighbor, to our communities, through our Nation, and to the world—even to our enemies.

That is our only true hope for security.

As the words of the prophet say:

> Not by might, nor by power, but by my spirit, says the Lord of Hosts.

For all these reasons, I shall vote against final passage of the military procurement authorization bill.

THE WRONG BILL AT THE WRONG TIME

Mr. HUGHES. Mr. President, I want to make a brief statement before we vote on final passage of this bill, but I ask unanimous consent that the balance of my remarks be printed as if delivered in the RECORD.

Mr. President, I cannot in good conscience, or in considering the abundant evidence, vote for this bill.

I want a strong defense for our country—strong enough to make us secure against any attack and strong enough that, if we ever do get involved in a war through proper constitutional processes, our Armed Forces will have the best possible means to fight and win.

In my judgment, we have that capability now. And we can preserve our military strength in the future without spending such vast amounts as are in this bill.

This has been a sad week for the D.S. Senate. Despite the widespread consensus of our people that we are spending too much on defense, majorities in this body have rejected virtually every effort to make cuts in this bill. We have even added hundreds of millions of dollars to it, far above what even our colleagues in the House of Representatives thought necessary or prudent.

I recognize how hard it is for Members, especially those not on the Armed Services Committee, to reach judgments about these many requests for new programs, often justified on the basis of highly classified information. The tendency is to err on the side of caution, to defer to the judgment of the supposed experts, because no one wants to make a mistake in vital matters of national security.

But, Mr. President, I believe this bill is riddled with mistakes. And I predict today that the many extravagant or unnecessary programs in this bill will saddle us with a high interest mortgage for our future tax dollars.

If we ever pay all these bills, it will likely bankrupt our efforts to meet our Nation's human needs.

Instead of protecting us, huge defense expenditures rob us of resources for health, education, care of the elderly and poor, and so forth.

When will we finally say—to the so-called experts, the lobbyists, the contractors, the vested interests in the Pentagon—Enough! No more!

The shameless arm-twisting, the undisguised scare tactics, the misleading arguments, and the unprecedented lobbying of recent days has undermined rational debate on this crucial bill. The Pentagon has fired a propaganda barrage with devastating consequencies.

If we vote out of fear, we surrender hope and rationality.

We do need some military procurement bill, Mr. President, probably amounting to billions of dollars. But we must protect our Nation with many other programs as well, programs for life as well as the tools of death and destruction.

This bill is the wrong bill, at the wrong time, with the wrong national priorities, for meeting our true national security needs.

Mr. McINTYRE. Mr. President, with the passage today of the defense authorization bill of 1973 I want to say that I believe we have fashioned legislation that will provide our Nation adequate defense now and in the future.

If it was mine alone to say what would be in this bill I might have made some changes. But, this program was hammered out in the give and take of Senate deliberation and reflects the collective wisdom of this body.

This process was properly accomplished without partisanship, without acrimony, and with full expression of all viewpoints.

No little credit for the success of our deliberations was due to the judicious and understanding leadership of my friend and most able Senator from Missouri (Mr. SYMINGTON). When the chairman was so brutally attacked last spring, Senator SYMINGTON was placed in the position of acting chairman of the Armed Services Committee, and his dedication during this trying time is worthy of the highest commendation.

Of course, each of us rejoiced that our chairman, the able and highly respected Senator from Mississippi (Mr. STENNIS) had recovered sufficiently to be on the Senate floor from time to time during our debate. Even though he could not spend every minute with us, as he has always done in the past, we benefited from his wisdom and guidance when he was here for our deliberations.

I want also to thank the members of my Subcommittee on Research and Development, the Senator from Virginia (Mr. HARRY F. BYRD, JR.), the Senator from Iowa (Mr. HUGHES), the Senator from Colorado (Mr. DOMINICK), and the Senator from Arizona (Mr. GOLDWATER). They were diligent, understanding, and dedicated in helping to reach difficult decisions in the subcommittee, in the full committee, and on the floor of the Senate.

I cannot conclude these brief remarks without praising the excellent work done by the committee staff under the more than competent leadership of staff director Ed Braswell. Every Senator depends on good staff work and Ed and every member of the staff performed his tasks with great ability.

But, there are two staff members with whom I had the closest association and for whom I want to say a special word.

Bob Old brought knowledge and understanding to serving the minority members of the Research and Development Subcommittee. He was of immeasurable assistance in assuring the successful conclusion of the R. & D. input into the defense measure.

And, finally, may I pay a special tribute to Hy Fine who served the Research and Development Subcommittee with such distinction. Hy brought a lengthy and impressive record of experience in defense matters to the R. & D. Subcommittee when he arrived in the Senate 2 years ago. His knowledge and dedication have increased during his tenure here, and he has truly become a strong right arm to me. I want these facts about Hy's many contributions to the work of both myself and the subcommittee to be clearly on the record.

A REPORT TO THE SENATE ON $380 MILLION OF SAVINGS

Mr. PERCY. Mr. President, while we are considering the military procurement bill, I think it is appropriate for me to update the Senate on a savings which has resulted from an amendment which I offered in August of 1970 to the military procurement bill of that year, cosponsored by Senator STENNIS and Senator GOLDWATER.

At that time, I offered an amendment to cut back on permanent change of station rotations by 25 percent. Though that amendment was accepted by the Senate, it was modified somewhat in conference, and no percentage was set. I must admit that at the time, I was not too enthusiastic about the prospects of the military taking the necessary steps to save money in this area of PCS rotations. But I can report today that the military has indeed acted upon both the spirit and the language adopted in 1970, and significant savings have been realized, a total of $380 million up to the present fiscal year.

I want to point out that economy was not the only factor upon which I based my amendment. From every indication that I had, and that included my own military experiences, the Fitzhugh report and many, many letters from servicemen around the world, the morale of the military man would be improved if he and his family were not constantly and unnecessarily moved around too frequently. And, in addition to the economics and morale involved, there would also be an increase in the efficiency of the military services. These were the three results I hoped to accomplish by the adoption of that amendment.

I have already reported to the Senate in the past concerning the savings that have been reported by the military by reducing PCS rotations. On June 30 of 1971, I reported that the estimated savings in PCS costs between fiscal year 1970 and fiscal year 1972 was in the neighborhood of $318 million.

I have just received from the Department of Defense the latest figures on PCS savings. I ask unanimous consent that this letter dated September 28, 1973, be printed at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. PERCY. Mr. President, from fiscal year 1972 to fiscal year 1973, the Army has realized savings of $51.4 million. Admittedly, some of these savings resulted from the overall cutbacks in the size of the Army. However, as the letter from General Benade points out, while Army strength dropped 12 percent in that one year period, PCS moves were reduced by 35 percent. So I think we can see that the Army has responded to the congressional initiative in this area.

Since fiscal year 1970, the Navy has saved $26.8 million by cutting back on the number of PCS moves. Their biggest savings came in fiscal year 1972. This year, they shaved another $2.4 million off of their PCS expenses. Of course, the Navy is in a different situation than the Army, and it is not advisable to keep extending ship duty at the expense of morale. So we may have reached a saturation point in the Navy.

In this year's report, the Air Force did not provide any specific figures of savings, but they indicate that there have been reductions in their PCS rotations. Some of the savings we might have realized have been eaten up by inflation. However, without these reductions, our costs would have been much higher indeed.

The Marines saved $7 million in the last fiscal year, and they specifically refer to the beneficial effect on morale of these reductions.

Therefore, Mr. President, in the last fiscal year alone, at least $60.8 million has been saved by cutting back on the number and frequency of PCS rotations. Thus, since the time that my amendment was passed by the Senate, and the modified version accepted in conference, nearly $380 million has been saved by the military.

I congratulate the military not only for saving this money, but also for taking the spirit of the amendment which I, Senator STENNIS and Senator GOLDWATER offered and the Senate accepted and acting in a manner consistent with good morale, good economy, and increased efficiency. Despite the fact that the military originally opposed this idea, they have fully supported the mandate of Congress and have worked diligently to see that it would be successful.

Mr. President, I think it is important to audit and report back to the Senate from time to time on actions we have taken in the past, and determine whether, what we have done, has had practical effects. In this case, there have been very important results and important savings.

EXHIBIT 1

ASSISTANT SECRETARY OF DEFENSE,
Washington, D.C., September 28, 1973.

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

DEAR SENATOR PERCY: As you have requested, each of the Military Services has furnished information to update the progress report made to you on October 18, 1972, which outlines the actions taken to decrease the number of PCS moves within the Department of Defense.

ARMY

1. Personnel stability and the means of attaining it were primary considerations in taking personnel actions and in making personnel policy decisions in FY 73. Progress

has been made in this area. From FY 72 to FY 73, the total number of PCS moves were reduced by 35% while the Army strength dropped by 12%. Specific actions taken to increase stability were:

a. Providing for voluntary extension of overseas tours in long tour areas up to a maximum of 72 months.

b. Permitting voluntary extension of tour in long tour overseas areas for any amount of time less than six months on a one-time basis.

c. Requiring members of units deploying overseas to have a minimum of 12 months service remaining in lieu of the 90 days previously required.

d. Requiring members of units moving in CONUS to have a minimum of 12 months service remaining to serve at the new station; also, requiring members to have completed a minimum of one year at the old station since returning from overseas.

e. Guaranteeing non-prior service combat arms enlistees a minimum of 16 months in unit of choice, CONUS or overseas long tour area. Wherever possible, personnel on their initial period of enlistment serve the remainder of their tour at one location in CONUS or overseas following completion of advanced individual training. (Personnel sent to a short tour location complete only the established overseas tour.)

f. Not reassigning non-CONUS residents returned to area of residence for a minimum of three years.

2. Monetary savings resulting from reduced PCS moves in FY 73 are as follows:

a. Monetary savings as a result of stabilization have been realized in the rotational and operational PCS travel category.

b. An increase in overseas average tour lengths in long tour areas between FY 72 and FY 73 resulted in the following estimated cost savings in PCS rotational travel for FY 73:

Reduction in moves and cost savings

Officer	4,424	$10,767
Enlisted	56,386	32,647
Total	60,810	43,414

c. Between FY 72 and FY 73, the percentage of operational moves per Army Manyear, declined from 9.4% to 7.3%. This reduction resulted in the following estimated cost savings in FY 73:

Reduction in moves and cost savings

Officer	1,210	$2,558
Enlisted	16,014	5,509
Total	17,224	8,067

d. Total PCS cost savings in FY 73 are $51.4 million.

NAVY

1. As the result of force drawdowns, the Navy has experienced numerous realignment and force adjustment problems. Despite these demands, the Navy has been able to reduce the number of moves in the other than mandatory move category.

Moves and costs—in millions

Fiscal year 1970	176.6	163.6
Fiscal year 1971	146.6	163.0
Fiscal year 1972	125.9	139.2
Fiscal year 1973	88.5	136.8

2. While the numbers of moves are decreasing, the cost per move reflect the rising economic factors involved.

3. The following is an updated list of policies and actions to constrain the number of moves to the minimum that will allow the Navy to maintain its forces in readiness:

a. Extending overseas assignments to the maximum tour length allowed.

b. Limiting the numbers of dependents for enlisted personnel when considering eligibility for overseas duty.

c. No longer shortening officer tours solely because of promotion or non-selection for promotion.

d. Making concerted efforts to reassign personnel within the same geographic area.

e. Extending tour lengths for commanding officers.

f. Assigning first term enlisted personnel a tour length that corresponds to the length of their enlistment, but not to exceed four years.

g. Establishing a minimum tour of 24 months for enlisted personnel.

h. Permitting the early release of selected personnel who are near the expiration of their enlistment if a member of an activity being deactivated or moved.

i. Increasing all tours after an initial tour for unrestricted line officers in CONUS Sea or Shore Tours an average of six months.

j. Extending all USNR officers serving three-year obligations and not career-motivated until the active duty release date unless the tour length is otherwise directed by departmental or Department of Defense Directives.

k. Defining CONUS Short Tours as five years in the same geographic area for officers in the grades of lieutenant commander/commander, who have failed of selection for promotion.

l. Modifying rotational policies for medical officers serving two-year obligations.

m. Extending the initial tour for surface warfare junior officers to 36 months in FY 73.

n. Reassigning newly appointed warrant officers only where no valid billet vacancy exists at the present duty station.

o. Deferring transfer on a selective basis of school-eligible personnel to a projected rotation date.

4. The management system to monitor and control the PCS Program continues to promote efforts to reduce costs of each move. In spite of those efforts, inflationary factors have reduced the number of moves available for a given dollar. Some dollar saving actions have had a deleterious effect on Navy retention and in the long run, policy must be tempered by that factor.

5. During FY 73, the following short-term cost avoidance actions were employed to live within the underfunded PCS Budget:

a. Extending Accompanied Overseas Shore Tours to six months beyond DoD maximum for officers for FY 73, but not to exceed 48 months (Proviso of DoD waiver—authority to impose extensions expired 30 June 1973.)

b. Delaying the filling of selected overseas billets.

c. Extending projected rotation dates of most enlisted personnel for six months.

d. Eliminating all except no-cost split sea tours for certain enlisted ratings. (Split sea tours for FY 74 will be limited for retention reasons.)

6. The Navy believes it has reached the point that more stringent policy/actions to reduce PCS moves and further limit sea/shore rotation would be detrimental to morale, well being of personnel and fleet readiness.

AIR FORCE

1. Total operational and rotational moves were reduced by 116,868 moves from FY 71 to FY 73. This is a direct result of increased average time on station in the CONUS and the marked reduction in the number of rotational moves in relation to the number of Air Force personnel stationed overseas. These reductions have done much to stabilize the lives of personnel.

2. Unfortunately, specific cost savings cannot be isolated for some actions. However, the following actions which have resulted in reducing PCS moves:

a. Extending the average time on station for airmen being reassigned within CONUS from 19 months in FY 71 to 22 months in FY 73.

b. Extending the average time on station for officers being reassigned within CONUS from 30.5 months in FY 71 to 33 months in FY 73.

3. The number of operational moves has been reduced from 76,189 in FY 71 to 52,730 in FY 73; however, even with the reduction of 23,459 in this two-year period, the total cost of operational moves has increased as a direct result of rising transportation costs.

4. Rotational moves to and from overseas decreased from 320,158 in FY 71 to 226,749 in FY 73. The reduction of 93,409 moves was achieved while overseas strengths dropped less than 35,000. Again, the total cost of rotational moves did not show a similar decline due to increased rates and inflationary impacts on cost factors.

5. Commanders are being reminded annually that it is Air Force policy to solicit and encourage extensions of CONUS stabilized tours and overseas tours. The commanders are advised that if the individual's duty performance and conduct was up to Air Force standards, approval of extensions should be the rule, and disapproval the exception. This policy has resulted in over 13,000 extensions from FY 73 into later years. This action alone has produced a significant portion of the decline in PCS moves and will result in long-term savings.

MARINE CORPS

1. The major thrust of the Marine Corps' efforts to effect further PCS cost reductions was taken in conjunction with planned operational moves (CONUS to CONUS). These were reduced by about 50% during FY 73. Of the 23,306 moves which were originally projected, only 13,276 were actually executed.

This action resulted in:

a. Avoiding PCS costs of approximately $7.0 million.

b. Decreasing the turbulence caused by PCS moves for 12,030 Marines by extending their time on station.

You may rest assured that each of the Military Services will continue with positive efforts to maximize the stabilization of military personnel without impairing mission requirements.

Your interest in matters pertaining to military personnel is appreciated.

Sincerely,

LEO E. BENADE,
Lieutenant General, U.S. Army,
Deputy Assistant Secretary of Defense.

INFLATION AND THE DEFENSE BUDGET

Mr. MOSS. Mr. President, I will vote today in favor of final passage of the military procurement authorization bill. This bill will provide funding for certain weapons systems that are essential to the continued capability of the United States to defend itself.

But it should be apparent from my votes on the series of amendments that have been offered in the past week that I believe the level of spending contained in the bill is much too high. While a good portion of the money authorized is absolutely essential if we are to continue to maintain a strong and credible defense, the bill also funnels large amounts of Federal money into projects that are not essential to our defense, and indeed, will not even contribute significantly to our continued military superiority.

It would be bad enough if this unnecessary spending were simply a matter of waste—a case of tax dollars being thrown down the drain. But in a time of soaring prices, this overspending on military hardware has the further effect of feeding the fires of inflation, weakening the dollar, and jeopardizing the economic health of the Nation.

In the long run, overspending in the defense budget has a result that is just the opposite of what the advocates of such pending intend: Our economy is

weakened, and as a result, our ability to maintain a strong defense is diminished.

Before last week, I believed that the President and the Democrats in Congress were in agreement on at least one issue. There appeared to be a fundamental consensus that something must be done about skyrocketing prices. For some time now, the Nation has been in the midst of a severe inflationary crisis, which, in my view, has become our No. 1 domestic issue.

But last week, when the administration came to Capitol Hill to lobby for a high level of defense expenditures, they seemed to have forgotten all about inflation. They argued for rapid development of one expensive project after another, without heed to what the effect would be on the price of washing machines in Des Moines or Salt Lake City.

While the administration has been lobbying intensely for a record level of military spending, consumer prices have been rising at the fastest rate in 27 years. In the past 3 months retail prices have been rising at an annual rate of more than 10 percent, and in August alone they rocketed upward at the astounding rate of 22.8 percent annually. Although we are told by Secretary Schultz that the price increases should slow down in the months ahead, Mr. Nixon and his economic advisors appear to have resigned themselves to a rate of inflation of at least 6 percent next year. It should be emphasized that even this figure will look good only by comparison with the present astronomical rate of inflation. A rate of 6 percent will still create considerable hardship for consumers.

What worries me after last week's performance on the defense budget is that the administration has forgotten that there is a relation between the level of Government spending and inflation. President Nixon at least paid lip service to the notion of fiscal responsibility over the past several years when he impounded funds appropriated for highways, education, and pollution control. But when you look at the way he has wanted to increase spending in other areas, there must be serious doubt that he really wants to cut the overall Federal budget. It became clear last week, for example, that he wants to spend more money on a single aircraft carrier than he has supposedly saved by impounding vital Federal funds for education. Last week the administration lobbied vigorously against an amendment that would have saved more than half a billion dollars in the next fiscal year alone simply by postponing development of a carrier that would simply increase by one our already overwhelming lead over the Soviets in this particular weapons system.

The administration also lobbied against an amendment that would have saved $885.4 million in fiscal 1973–74 by putting the development of the Trident submarine on a nonaccelerated schedule. This amendment would have reduced the Federal budget, lessened inflationary pressures, and at the same time, would not have reduced the future effectiveness of our sea-based deterrent, which depends on the already superior Polaris-Poseidon fleet.

There were a number of other amendments offered that would have brought the military procurement budget down to a reasonable size, and it should be noted that most of these amendments had the support of a majority of Democrats. But unfortunately, they were defeated by narrow margins after the White House applied strong pressures.

As the bill now stands, the Senate will have succeeded in trimming nearly $1 billion from the President's $22 billion request. But I believe that a majority of Senate Democrats would have preferred to come in at just under $20 billion.

Nonetheless, the close votes have demonstrated that the Democratic majority is commited to controlling inflation by reducing the size of the Federal budget. It is the White House and a majority of Republicans who, when it comes to the military budget, do not understand that the more you spend, the greater the inflationary pressure.

Hopefully the administration and its supporters eventually will learn that this fiscal lesson applies to military spending as well as to other parts of the budget. And I think they had better come around to this way of thinking pretty soon. The Nation has grown weary of astronomical interest rates, tax surcharge trial balloons, and the seemingly endless series of phases.

The PRESIDING OFFICER. Under the previous order, the hour of 4:30 having arrived, the Senate will now proceed to vote on final passage of H.R. 9286, as amended.

Mr. ROBERT C. BYRD. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is, Shall the bill pass? The yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. GRIFFIN. I announce that the Senator from New York (Mr. JAVITS) is necessarily absent.

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

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

The result was announced—yeas 91, nays 7, as follows:

[No. 448 Leg.]

YEAS—91

Aiken	Curtis	Johnston
Allen	Dole	Kennedy
Baker	Domenici	Long
Bartlett	Dominick	Magnuson
Bayh	Eagleton	Mansfield
Beall	Eastland	Mathias
Bellmon	Ervin	McClellan
Bennett	Fannin	McClure
Bentsen	Fong	McGee
Bible	Goldwater	McIntyre
Biden	Gravel	Metcalf
Brock	Griffin	Mondale
Brooke	Gurney	Montoya
Buckley	Hansen	Moss
Burdick	Hart	Muskie
Byrd, Harry F., Jr.	Hartke	Nunn
	Haskell	Packwood
Byrd, Robert C.	Hathaway	Pastore
Cannon	Helms	Pell
Case	Hollings	Percy
Chiles	Hruska	Proxmire
Church	Huddleston	Randolph
Cook	Humphrey	Ribicoff
Cotton	Inouye	Roth
Cranston	Jackson	Saxbe
Schweiker	Stennis	Thurmond
Scott, Hugh	Stevens	Tower
Scott, William L.	Stevenson	Tunney
	Symington	Weicker
Sparkman	Taft	Williams
Stafford	Talmadge	Young

NAYS—7

Abourezk	Hatfield	Nelson
Clark	Hughes	
Fulbright	McGovern	

NOT VOTING—2

Javits	Pearson

So the bill (H.R. 9286) was passed.

Mr. TOWER. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. THURMOND. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. SYMINGTON. Mr. President, I move that the Senate insist on its amendment and request a conference with the House of Representatives and that the Chair be authorized to appoint conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. STENNIS, Mr. SYMINGTON, Mr. JACKSON, Mr. CANNON, Mr. MCINTYRE, Mr. THURMOND, Mr. TOWER, Mr. DOMINICK, and Mr. GOLDWATER conferees on the part of the Senate.

Mr. STENNIS. Mr. President, I ask unanimous consent, if it is in order, that the Senator from Missouri be the first named Senator as a conferee.

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

Mr. SYMINGTON. Mr. President, I appreciate the courtesy of the distinguished Senator.

Mr. President, I ask unanimous consent that the Secretary of the Senate may be permitted to make technical corrections in the bill that may be required as a result of the Senate floor amendments, such as the renumbering of sections, and so forth.

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

Mr. SYMINGTON. Mr. President, I ask unanimous consent that the bill (H.R. 9286) be printed with all Senate amendments.

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

TRIBUTE TO SENATOR SYMINGTON AND OTHER SENATORS ON DISPOSITION OF MILITARY PROCUREMENT AUTHORIZATION BILL

Mr. MANSFIELD. Mr. President, I rise to pay tribute to the distinguished senior Senator from Missouri (Mr. SYMINGTON), the able and distinguished manager of the military authorization bill. It was Senator SYMINGTON, may I say, who last winter, in the wake of the tragedy that left Senator STENNIS incapacitated, stepped in to fill an enormous void and undertake a responsibility of gigantic proportions in preparing the military authorization bill. He did so with outstanding competence and ability.

Indeed, STUART SYMINGTON need yield to no other individual in his immense knowledge and understanding of military requirements and security interests of this Nation. I look to him, as does the Senate, as one of the truly great military experts of this century. In steering this measure through to its final dis-

position, his dedication and devotion were joined by an expertise that is unsurpassed in this body. The Senate is deeply in his debt.

The Senate is similarly indebted to Senator STENNIS, the able chairman of the committee. It was with the deepest gratitude for his recovery that the Senate welcomed JOHN STENNIS back to his responsibilities on the eve of the consideration of this most important bill. Upon his return, he wasted little time in devoting his unexcelled advocacy to the support of this measure and, as always, his views were most persuasive and effective.

The same may be said of the participation of the Senator from South Carolina (Mr. THURMOND), who serves so ably as the ranking minority member of the committee. He, along with the Senator from Washington (Mr. JACKSON), the Senator from New Hampshire (Mr. MCINTYRE), and the Senator from Arizona (Mr. GOLDWATER), urged strong and effective views on all of the many features of this highly complex proposal.

I would commend also the many other Senators who joined with their support, their assistance and their viewpoints. Senator HARTKE, Senator CLARK, Senator EAGLETON, Senator BYRD, and Senator HUMPHREY and many other Senators deserve our praise.

But to Senator SYMINGTON goes the Senate's high commendation. He asserted the most effective leadership qualities over issues that are of the most complicated and important as any faced by the Senate. He presented the measure to the Senate with enormous skill and clarity and we are deeply grateful.

Mr. THURMOND. Mr. President, I would like to say just a word before we move on.

The PRESIDING OFFICER. Does the Senator ask unanimous consent to do so?

Mr. THURMOND. Mr. President, I ask unanimous consent that I may be permitted to speak for 1 minute.

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

Mr. THURMOND. Mr. President, I want to take this opportunity to express that the acting chairman of the committee, the Senator from Missouri (Mr. SYMINGTON), my appreciation for his unfailing courtesy throughout the hearings and throughout the consideration of the bill on the floor.

The Senator from Missouri has been very helpful in many ways. Although we do not agree on some matters, we have had fine cooperation and have worked together. And I think that we have brought through the Senate a splendid bill.

Mr. SYMINGTON. Mr. President, in reply to the distinguished Senator from South Carolina, I state that I deeply appreciate his constructive support on the things we agreed on and the Senator's fair position taken on those things we did not agree on.

It we had not worked together, we would not have passed the bill today.

Mr. THURMOND. Mr. President, I also express my appreciation to the Senator from Mississippi (Mr. STENNIS) who, although he has been through a terrible ordeal lately, came to the floor and was a tower of strength on many of the crucial amendments.

We deeply appreciate what he has done to help us.

Mr. SYMINGTON. Mr. President, I join in that commendation expressed by the Senator from South Carolina.

The PRESIDING OFFICER. The time has expired.

Mr. THURMOND. Mr. President, I ask unanimous consent that I may be recognized for an additional 2 minutes.

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

Mr. SYMINGTON. Mr. President, as the Senate has voted final passage on this bill, I would like to express my appreciation for the cooperation and assistance which has been extended to me by all concerned on this legislation. I especially want to thank the ranking minority member, Senator THURMOND. As we all know, both Senator CANNON, chairman of the Tactical Air Power Subcommittee and Senator MCINTYRE, chairman of the Research and Development Subcommittee have also carried heavy responsibilities on this entire procurement bill.

Lastly, I would like to extend my personal appreciation for the consistent hard work performed by our able staff. As we know, the floor action is only a small portion of the time consumed in the preparation of this bill. The staff worked on hearings totaling over 6,000 pages and a report totaling over 200 pages. The entire staff was involved in this to some degree. I would like to specifically mention Mr. T. Edward Braswell, our chief counsel and staff director, Mr. R. James Woolsey, Mr. Edward Kenney, Mr. Don Lynch, Mr. George Foster, Mr. Hyman Fine, Mr. Charles J. Conneely, Mr. Charles Cromwell, Mr. Robert Q. Old, Mr. Ben Gilleas, Mr. Francis J. Sullivan, Mr. John Goldsmith, Miss Nancy Bearg, Miss Christine Cowart, Mrs. Marie Dickinson, and Mr. James Coleman, who has handled the printing of our voluminous hearings.

Mr. THURMOND. Mr. President, I join in the expression of appreciation by the acting chairman of the committee, the distinguished Senator from Missouri, to all those who have participated actively in this measure and also to the efficient staff to whom the Senator has referred.

I would like to take this opportunity to pay special tribute to the distinguished Senator from Texas (Mr. TOWER), who has been on the floor the entire time. He has rendered invaluable service. We are very proud of the work he did on the bill.

I would like to also thank Senators DOMINICK, GOLDWATER, SAXBE, and SCOTT for their valuable service on the bill.

FOREIGN ASSISTANCE ACT OF 1973

The PRESIDING OFFICER. Under the previous order, the Senate will now continue with the consideration of S. 2335, which the clerk will report.

The assistant legislative clerk read as follows:

S. 2335, a bill to amend the Foreign Assistance Act of 1961, and for other purposes.

The PRESIDING OFFICER. The pending question is the amendment of the Senator from Minnesota (Mr. MONDALE). The Senator from Minnesota has 19 minutes.

ORDER OF BUSINESS

Mr. TOWER. Mr. President, would the Senator from Minnesota yield to me?

Mr. MONDALE. Mr. President, I yield.

Mr. TOWER. Mr. President, I ask unanimous consent that the time not be charged against the Senator from Minnesota.

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

PROGRAM

Mr. TOWER. Mr. President, I inquire of the distinguished majority leader what he has in mind for the remainder of the day.

Mr. MANSFIELD. Mr. President, we will proceed with the consideration of the pending business. Whether there will be rollcall votes, I am not able to state at this time. It appears that we will be unable to finish the pending bill tonight. On tomorrow that will be the unfinished business.

Hopefully, that will be followed by one of a number of legislative proposals on the calendar, among which are S. 2365, a bill to regulate interstate and foreign commerce as it relates to the conduct of organized amateur athletic competition within the United States and the participation of American athletes in international amateur athletic competition. There will also be the continuing resolution on appropriations which I understand expired last night. There will also be the Labor-HEW appropriations bill which should be reported out today and taken up this week.

It is anticipated that, if necessary, we may have to call up S. 1379, the Federal Aviation Act, as amended, the bill reported to the Senate by the distinguished Senator from Nevada.

Then there is also a most important bill, along with the others, S. 425, the so-called strip mining bill.

So we have a very heavy schedule ahead of us.

I think that it should be added with all candor that the Senate by and large has made a remarkable record so far. We have worked and cooperated very well. It speaks well for the constructive work this body has done.

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

Is there a possibility this afternoon that we could lay aside the pending business for a short period of time and that the Senator from Alabama (Mr. SPARKMAN) and I may call up House Joint Resolution 719 which expires tonight and another resolution which has to do with the Federal Reserve requirements that is a companion to the other measure.

I think that these could be disposed of within a relatively short period of time.

Mr. MANSFIELD. Yes, indeed. After we are through with the pending business, that will be in order. I hope in the meantime that contact will be made with the Senator from Wisconsin (Mr. PROXMIRE), the Senator from New Hampshire (Mr. MCINTYRE), and others concerned.

Mr. TOWER. Mr. President, I believe that all bases have been touched. So, I think we are ready to go at any time.

Mr. MANSFIELD. Mr. President, I am glad the Senators have made the necessary contacts.

Mr. ROBERT C. BYRD. Mr. President, will the Senator yield?

Mr. TOWER. Mr. President, I yield.

Mr. ROBERT C. BYRD. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. ROBERT C. BYRD. Mr. President, is the amendment by the Senator from Minnesota (Mr. MONDALE) the pending amendment to the Foreign Assistance Act of 1973?

The PRESIDING OFFICER. The Senator is correct.

Mr. ROBERT C. BYRD. Mr. President, has the amendment of the Senator from South Dakota (Mr. ABOUREZK) been set aside temporarily for that purpose?

The PRESIDING OFFICER. The Chair understands that there was no agreement respecting the time within which the amendment of the Senator from South Dakota would be taken up. There was an agreement as to a rollcall vote.

ORDER TO CONSIDER THE ABOUREZK AMENDMENT

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent, if it is agreeable with the distinguished author of the amendment, that upon the disposition of the Mondale amendment, the Senate proceed to the consideration of the Abourezk amendment.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request?

Mr. MCCLURE. Mr. President, reserving the right to object, and I shall not, I have a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MCCLURE. Mr. President, I understand that on the pending amendment the Senator from Minnesota has 19 minutes remaining.

The PRESIDING OFFICER. The Senator is correct.

Mr. MCCLURE. Mr. President, who controls time in opposition and how much time remains on that side?

The PRESIDING OFFICER. The Senator from Minnesota being a cosponsor, the Chair understands that the minority leader designates the control of the time with the sponsor of the amendment.

Mr. MCCLURE. Mr. President, how much time remains to that side?

The PRESIDING OFFICER. Twenty-four minutes remain.

Mr. MCCLURE. Mr. President, I thank the Chair. I withdraw my reservation of objection.

Mr. TOWER. Mr. President, reserving the right to objection, I wonder if the Senator from South Dakota would forbear and let us get these two resolutions disposed of. I believe that these are relatively noncontroversial. Now, that everything has been resolved, we could dispose of them by a voice vote following disposition of the Mondale amendment.

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

Mr. ROBERT C. BYRD. Mr. President, reserving the right to object to my own request, I include in that request a unanimous-consent provision that, following the disposition of the amendment by Mr. MONDALE and prior to the taking up of the amendment by Mr. ABOUREZK, there be a time limitation of not to exceed 20 minutes to be equally divided between the Senator from Alabama (Mr. SPARKMAN) and the Senator from Texas (Mr. TOWER) for the disposition of both the items to which the distinguished Senator from Texas has alluded.

The PRESIDING OFFICER. Is there objection?

Mr. PROXMIRE. Mr. President, reserving the right to object, I want 15 minutes to speak against that resolution. I am not going to ask for a rollcall, but I do want to make my position crystal clear.

Mr. ROBERT C. BYRD. Mr. President, I wonder if the Senator from Texas will allow us to proceed then with the Abourezk amendment first, and then get to this other matter. There will be a yea and nay vote on the Abourezk amendment; the yeas and nays have already been ordered. That would allow Senators to make their votes and leave.

Mr. TOWER. Mr. President, I am sorry. I did not understand that. I was under the impression that the yeas and nays had not been ordered. I concur with the request of the Senator from West Virginia. We will certainly withhold, if we might come on behind the Senator from South Dakota.

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

Mr. PROXMIRE. Would the Senator clarify that request? Is the Senator limiting debate on the FHA renewal bill?

Mr. ROBERT C. BYRD. Mr. President, in response to the inquiry of the distinguished Senator, may I rephrase my request?

I ask unanimous consent that immediately following the disposition of the amendment by Mr. MONDALE, the amendment by Mr. ABOUREZK be taken up—I think that has already been agreed to—and that upon the disposition of the amendment by Mr. ABOUREZK, the Senate proceed to the consideration of the two items to which the Senator from Texas (Mr. TOWER) has alluded; that there be a time limitation on each of——

Mr. TOWER. Mr. President, let me suggest this: that there be a time limitation of 10 minutes on the resolution of the Senator from Texas and the Senator from Alabama relating to Public Law 89–597, that there be 5 minutes to a side on that, to be controlled by the Senator from Texas and the Senator from Alabama; and that on House Joint Resolution 719, there be 30 minutes, 10 minutes to be controlled by the Senator from Alabama and 20 minutes by the Senator from Wisconsin.

Mr. PROXMIRE. House Joint Resolution 719 is the FHA renewal?

Mr. TOWER. Yes.

Mr. PROXMIRE. No objection.

Mr. STEVENSON. Mr. President, reserving the right to object, may I have 5 minutes?

The PRESIDING OFFICER. The Senator from Illinois reserves the right to object.

Mr. STEVENSON. I withdraw the reservation.

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

Mr. ROBERT C. BYRD. Mr. President, for the information of Senators, this will mean that there will yet be one rollcall vote today. That will be on the amendment by Mr. ABOUREZK.

Mr. MONDALE. Mr. President, will the Senator yield on that point?

Mr. ROBERT C. BYRD. I yield.

Mr. MONDALE. I do not intend to ask for a rollcall vote on my amendment, but I have no way of knowing whether others might.

Mr. ROBERT C. BYRD. That is right; there may be other rollcall votes.

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

Mr. ROBERT C. BYRD. I yield 1 minute to the Senator from North Carolina.

Mr. HELMS. Mr. President, I ask unanimous consent that it be in order to order the yeas and nays on my amendment No. 506.

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

Mr. MANSFIELD. I ask for the yeas and nays on the Helms amendment.

The yeas and nays were ordered.

FOREIGN ASSISTANCE ACT OF 1973

The Senate continued with the consideration of the bill (S. 2335) to amend the Foreign Assistance Act of 1961, and for other purposes.

Mr. MONDALE. Mr. President, we have had about a half hour discussion on this resolution before returning to the measure on which we have just voted. I had not planned to discuss the matter further, and I am prepared to yield back the remainder of my time and vote by voice vote. I had not planned to ask for a rollcall vote.

Mr. AIKEN. Mr. President, I do not believe we have used our time on this side. I yield 5 minutes to the Senator from Idaho.

Mr. MCCLURE. Mr. President, I thank the Senator for yielding this time.

I do not rise in opposition to the adoption of the resolution offered by the Senator from Minnesota, but I think we should not take this action without at least taking a look at the context in which it may be read by other people.

The Senator from Minnesota refers to the Government of Austria responding at the point of a gun and responding under the pressure of terrorism as a justification for our action in asking the Government of Austria to review their action in closing the refugee camp.

I fully concur with that statement, although I think there may be people in this world who wonder if the U.S. Gov-

ernment is in a position to point the finger of shame after the last 10 years of action in our own country, when we have yielded to civil terrorism within our own country, and as recently as the Wounded Knee incident in South Dakota, or the BIA terrorism in the District of Columbia of last December. For us now to point the finger of shame at the Government of Austria may be taken by some as pious posturing.

I think beyond that question, however, lies the question of the solution of problems within the Middle East. We now have a new Secretary of State, whose appointment was just confirmed by the Senate with a great many Senators pointing to his outstanding credentials and expressing the hope that his appointment might lead to a reevaluation of the posture of the United States with respect to the problems of the Middle East between the Israeli Government and that of the Arab States.

Now we follow on the heels of that with a resolution which will be taken by some as a further statement of blind support for the Israeli cause and for the policies which have so polarized opinion in this country and elsewhere around the world.

The Senator from Minnesota rightly says that we should in the name of humanity call upon the Austrian Government to consider the plight of the Russian Jews who seek to emigrate to Israel. I think he is entirely correct when he makes that statement, but in the name of humanity we should also take another look at the problem of the Palestinian refugees, whose plight has gone so long nearly ignored by the world.

There is an even-handedness called for in connection with this problem that so afflicts our domestic policies as well as our international politics. I think this is not the time for us to further polarize that discussion, but to call for a reevaluation and a renewal of dialog. It is time for us, rather than to raise our voices, to still our voices and allow the new Secretary of State the opportunity for new initiatives in seeking a permanent solution to the problems that afflict all of us in this area of the world.

So, while I do not rise at this time in opposition to the resolution offered by the Senator from Minnesota, I think we ought not to pass this point in time without reevaluating the extent to which that will be read by others as a polarized position on the part of the United States, when our position should instead be viewed as a renewal of humanitarian interest, which should be expressed toward the refugees on both sides of this unfortunate conflict, as well as those who seek to emigrate from the Soviet Union to Israel.

I think in passing we also ought to note that the very relocation assistance camp that is being closed by the Government of Austria also processes Jews who have sought to return to the Soviet Union after having gone to Israel, who finding life there not to their liking, have sought to return to the Soviet Union, and have found themselves turned down by the Soviet Government. There are Jews in that camp in Austria who seek to move in both directions, and I think our humanitarianism ought to be broad enough to consider the plights of those who seek to move in either direction, as well as those Palestinian refugees whose plight has not been solved after all these many years, and is the source of a festering wound that poisons the relationships between nations and affects domestic politics.

I thank the Senator for yielding.

Mr. FULBRIGHT. Mr. President, I wish to associate myself with the remarks of the Senator from Idaho. He is entirely correct about this, especially in view of the fact that the amendment was not considered by the administration. It was not submitted to them or to the Committee on Foreign Relations. I certainly think that what the Senator said is most pertinent and that this is an unwise procedure to follow, regardless of the contents of the amendment.

Mr. McCLURE. I thank the Senator from Arkansas for his comments. I heard the distinguished Senator's questions earlier when this resolution was under consideration and I agree with the comments made at that time. This is an emotional issue and a very difficult one. It is one to be approached with heads which are as cool as it is possible to muster.

Mr. AIKEN. Mr. President, it seems to me that the Senate, or the United States, should not go out of its way to slap down countries which have been longtime friends of ours. But, I have no doubt as to how a vote on this amendment would come out. I believe that if we let it alone, it will straighten itself out within the next day or two.

I submitted to the staff of the Secretary of State a copy of the Mondale amendment and asked to have it read to him. I do not believe they got to him in person, but members of his staff apparently believe that as long as this is a sense-of-the-Senate amendment, the Senate itself might as well make the decision as to what it wants to do.

Mr. HUMPHREY. Mr. President, I understand the concern we have here on procedure, but I think that we should look at the resolution, which is a sense of the Senate resolution, as not one condemning Austria, as I said earlier, but, rather, one of an affirmation of our concern over what is happening over the closing down of these facilities that would permit the Jews from the Soviet Union to have a transition point on their way to Israel or, as was stated, a transition point for Jews returning from Israel to the Soviet Union.

I had thought that the best way for us to operate would be a special Senate joint resolution which we would consider on its own merits in both bodies, but it is my feeling that what we are doing here in the resolution that my senior colleague has offered, and which I am very proud to cosponsor, is merely to express our sense of concern and, without criticizing it—I am not sure of the language as I do not have a copy of the amendment before me at the moment, but I do not believe there is a word of condemnation of Austria. If there is, we should repair it or change it.

Surely we have the right, as other countries have, to express concern. Many a country has expressed concern about our actions, and rightly so. All we are doing here is simply saying in substance that we look with concern, with worry, and with regret upon actions that have taken place that could inhibit the flow of emigrants from the Soviet Union into the State of Israel under these terms. We hope that the friendly Government of Austria, which is a very decent Government, would see fit to reconsider its action and reverse it. That is the whole purpose.

Mr. AIKEN. Mr. President, I will say that we are in a rather difficult position here, when we are expected to step in between two friends of ours and take sides with one or the other of them. I believe that we should not go any further than to encourage them to get together and straighten out the situation.

We say, "The Austrian Government's decision to succumb to the demands of extreme Arab terrorists—" That is the way it starts out. That is not good language. I wish it could be changed. We are already between two nations now, Russia and China, and surely that is enough for us to take on, rather than to take on two of our friends, the best friends we have, and have to take sides.

Mr. HUMPHREY. Mr. President, what I would hope would be the language is:

Whereas the fundamental principles of human rights and human freedom will always exceed national boundaries;

Whereas thousands of Soviet Jewish emigrants have been permitted to use Austrian soil as a temporary haven on their way to Israel;

Whereas Austrian transit facilities represent a humane and decent form of assistance to an oppressed people; Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America assembled,

(1) that the closing of the Austrian transit facilities represents a severe blow to human rights;

(2) that the Congress urges the Austrian government to reverse its actions taken as a result of terrorist blackmail and threats;

(3) that the Congress requests the President to approach the Austrian government and urge that its decision be reversed in the name of human freedom.

I think that is temperate language which would not in any way be offensive to the Russians or anyone else.

Mr. AIKEN. It would be no trouble at all to get the correct language. However, I do not feel we should start out with words which would condemn one of our friends and say that they have given in completely to the extremists, because I do not think that would last, anyway. The Secretary of State did not know about this, of course, and neither did I nor a majority of my colleagues know what the language was until about an hour ago.

Mr. FULBRIGHT. Mr. President, will the Senator from Vermont yield me 5 minutes?

Mr. AIKEN. I yield.

Mr. FULBRIGHT. Mr. President, I submit that the language suggested by the junior Senator from Minnesota (Mr. HUMPHREY) is quite different from the language of the amendment itself.

I raise again the question of procedure. This illustrates what I had in mind. It was not submitted to the Committee on

Foreign Relations. This amendment is not germane to the bill. In an ordinary case, it would not go out on a point of order, but recognizing the fact of life in a matter of this kind, if we put it to a vote, this body usually forgets all about its rules if it concerns anything to do with Israel. But it clearly is not germane to the bill and should be removed on a point of order. But I assume it will not be.

I would appeal to the sponsors of this amendment that they withdraw it as submitted, and resubmit it at least along the lines of the more moderate language of the junior Senator from Minnesota (Mr. HUMPHREY), because his language is certainly very different from the kind of language in this amendment. For example, in (b) of the Mondale amendment it says, "It is, therefore, the sense of the Senate that the President should—" It does not say "might" or "urge" but "—should take immediate and determined steps to—"

What does "determined steps" means? To bring some kind of pressure to bear? If the President is going to be determined, I do not know what he can do other than to threaten with some kind of dire punishment.

Then it comes on down and says, under (2) "—call upon the Austrian Government to reverse its decision—" That is positive language, inasmuch as it has not been considered by any committee, nor submitted by the Secretary of State, and is not germane to the bill under consideration.

So it seems to me that the sponsors of the amendment should allow it to be laid aside temporarily and submit new language along the lines of the junior Senator from Minnesota (Mr. HUMPHREY) and perhaps, if it is purely a question of "urging" or "drawing to the atention of"—that is, the humanitarian side, it would be much less offensive.

I think it would be very difficult, with a new Secretary of State, to confront him with further action by the Senate which would leave him with no discretion in his negotiations of trying to bring peace to the Middle East, which is related to this sticky and difficult problem of trying to settle the war in the Middle East on an even-handed basis. Also, the Senator from Idaho (Mr. MCCLURE) properly calls attention to the fact that there are other refugees in other countries who are suffering just as much, even more than the refugees from Russia.

But I really think it does such violence to the rules of the Senate that it ought to be brought more into accord with at least a moderate attitude towards this very difficult problem. I would hope that the sponsors would consider at least withdrawing it or rewriting it, if they can. I think that this kind of resolution makes it more difficult for the Austrians to reverse the situation, because it puts them in the position of giving in to the United States, when there is no real occasion for them to do so, because they have not done anything except what is in their own interest. Countries much stronger than theirs have given in to terrorist attacks. We have done so, I think, on several occasions in hijacking cases. One can make out a good case that we allowed hijackers to take off with a huge plane carrying more than a hundred people. We ought not to have given in. We did not stand firm. But that has nothing to do with this particular question. I think we ought to be understanding with this little country.

Mr. ABOUREZK. Mr. President, I would like to add to what the Senator from Idaho said. We are attempting to solve a political problem with the resolution, but it seems to me that the political problem in the Middle East does not arise out of emigres from Russia, but what happens to the Palestinian people. That is where the political problem is.

I have heard a number of times, by people in the administration, and by the President himself, in a news conference, that we could make peace with Jordan and Israel, and the problem would be over. But I submit that is not the real problem.

The problem is really the eviction of Palestinians from Israel. To solve that problem we somehow have to take care of this situation. I would be much more disposed to support the resolution myself if a section were added to it that would give one the right to emigrate back to his own country whether it be Jews from Russia or Palestinians to Israel, for example. I think we could then turn our attention to the way the Soviet Union treats people who want to emigrate from the Soviet Union.

Mr. MONDALE. Mr. President, I ask that the following Senators be included as cosponsors: The Senator from Washington (Mr. JACKSON), the Senator from California (Mr. TUNNEY), and the Senator from New Jersey (Mr. WILLIAMS).

In an effort to modify the amendment, so that it clearly recognizes that the Austrian Government has, up until this year, followed a very enlightened and humane policy by which they permitted Soviet emigrees to go in groups through the territory of Austria, I modify my amendment so that it reads as follows:

At the end of the bill, add the following new section:

SEC. 23. (a) The Senate finds that—

(1) The Austrian Government's decision to close the main, if not the only, transit facility for Soviet Jews jeopardizes the fate of hundreds of Jews and of Soviet refugees, and

(b) It is, therefore, the sense of the Senate that the President should take immediate and determined steps to—

(1) impress upon the Austrian Government the grave concern of the American people that capitulation to terrorists encourages further attempts at blackmail; and

(2) call upon the Austrian Government to reverse its decision and again permit group travel by Soviet Union emigrants through Austria on their way to freedom and new lives.

(3) urge all governments to take whatever actions are necessary to permit and facilitate the travel of refugees.

This is an attempt to make clear what we are interested in; namely, an expression of deep concern by the U.S. Senate as to the closing of transit facilities that are essential to the emigration of Jewish emigrees who have been subjected to oppression.

The PRESIDING OFFICER. Will the Senator please send the modification of the amendment to the desk?

Mr. MONDALE. Yes. With that modification, I am prepared to yield back the rest of my time.

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

Mr. MONDALE. I yield.

Mr. FULBRIGHT. What does the Senator mean when he says that the President could take immediate and determined steps? What determined steps does he visualize that the President should take?

Mr. MONDALE. I think the Secretary of State could well advise the Government of Austria that we are deeply concerned about closing the Schonau Palace and the announcement by the Government of Austria that it does not intend to permit group travel from the Soviet Union; and in the strongest possible terms make that position known.

This is not an inflammatory resolution. It does not seek to tie the President's hands, but it does call upon him to state what I would hope to be our viewpoint—first, that the decision to close this facility, which may be the only real opportunity for the Soviet Jews to leave the Soviet Union, is a very serious matter for those who may be denied immigration—and God knows what they have been living through; and second, that obviously this was a policy that was arrived at through the intimidation of the terrorists, who apparently are trying to prove that terrorism can succeed against humane concern.

There can be all kinds of rationalization about why we should not act now, about other complexities in the Middle East, and all sorts of things. I cannot help being impressed by similarities between what this action poses in modern times and the problems which the German Jews found in the 1930's, when they sought a chance to leave the terror of Nazi Germany, but could not do so because all the borders around Germany were sealed.

During those times, when this country and other countries were committed to freedom, and should have spoken up in the name of humanity, they were silent. That is one of the saddest pages in American history. Partly because of our silence and the silence of other free people around the world, the German Jews, the Polish Jews, and Jews from some other countries were sealed into these quarters; and, of course, the details of the holocaust are known to all of us.

This resolution is a modest one. It does not speak in inflammatory language. But if we can look at what has happened and can remain silent, I believe that our silence will be taken as an endorsement. That is why I believe the resolution will be agreed to.

Mr. FULBRIGHT. Mr. President, the Senator says that this action was taken in haste, and the Senator is asking the Senate to take action. The first I heard about this was a few moments ago. Nobody had heard of it at all until it was presented on the floor of the Senate.

There have been many instances of inhumane treatment around the world as to which we have not taken action. I do not think it was necessary, or even responsible, that every time there is an attack of inhumanity created or perpetrated on a helpless people, whether in Greece or Brazil, or anywhere else, it was incumbent upon us to submit a resolution. We have already expressed ourselves. There is nothing it demands. It does not demand any action on a minority.

I think the Senator from a procedural point of view, has proceeded in more haste than the Austrian Government did in making this regulation. I do not know why the resolution should not be considered by the Committee on Foreign Relations and the Secretary of State. After all, the Secretary of State bears a responsibility for trying to find some solution to the war in the Middle East. I think he would find it a wise thing to do.

The Senator agrees that the resolution is not germane to the bill, does he not?

Mr. MONDALE. No, I do not think it is not germane to the bill.

Mr. FULBRIGHT. There is nothing in the bill having to do with this question whatever.

Mr. MONDALE. I believe it is very germane to the purposes of the bill and, more than that, I think it is important that we act immediately.

The Austrian Government, right now, I assume, is in discussion as to whether they will continue the policy announced yesterday resulting in permanent closing of what may be the only important exit for Soviet Jews.

To remain silent and have long-term hearings and delay this effort, in my judgment, would be taken as an action of silence on what is, in my opinion, something that has an outrageous impact upon these people who wish to gain their freedom.

For that reason I do not agree with the distinguished Senator from Arkansas. I think basic human instincts would cause us to support this resolution.

Mr. President, I am glad to yield to the Senator from Alabama who, I understand, has a request to make.

Mr. ALLEN. As I understand it, the Senator's modification in section 23(a)(1), he knocks out the words "succumb to the demands of extreme Arab terrorists and," and then knocks out the entire section (2), which speaks of the decision to yield to terrorist blackmail.

I notice that in section (b)(1) the same thought carries forward in the words "impress upon the Austrian Government the grave concern of the American people"—and here is the continuation of the objectionable language which, in effect, constitutes a lecture on our part to the Austrian Government, "that capitulation to terrorists encourages further attempts at blackmail."

If that were left out it would call upon the President to determine steps to impress upon the Austrian Government the grave concern of the American people which, it seems to me, would cover the situation—if that is what the Senator wishes to convey to the Austrian Government; the concern of the American people—and would not carry over the same objectionable language.

Mr. MONDALE. If the Senator will return the amendment, because it is the only copy I have, I would be glad to respond to his suggestion by modifying my amendment to delete the following phrase appearing in subsection (b)(1) following the word "people": "that capitulation to terrorists encourages further attempts at blackmail."

I do so not because I think the language speaks inaccurately, and I do so not because I think this reaction to terrorists is something that should be unrecognized; I do it at the suggestion of the Senator from Alabama to make it clear that we seek to recognize that the traditional policy of the Government of Austria permitting the immigration of Soviet Jews through Austria is a valid and proper one; we hope they will return to it.

That is what the resolution will say with this modification.

Mr. President, I so modify my amendment. However, may I say, I do believe that based upon the evidence thus far, the phrase that is now being deleted refers accurately and precisely to what happened. This is well established policy of the Government of Austria and the only reason they changed was that two armed gunmen came aboard a train, captured some innocent Soviet emigrees, and at gunpoint threatened their lives and held them hostage until the Government of Austria changed its policy. That is what happened.

But in the interest of trying to make the main point; namely, that our Government make clear our strong concern that it reverse the decision and again permit group travel by Soviet Union emigrants, I accept that modification and I make it now.

Mr. ALLEN. I thank the Senator.

The PRESIDING OFFICER. The amendment will be so modified.

Mr. FULBRIGHT. I congratulate the Senator from Alabama. I certainly think he made a very great contribution.

I wonder if the Senator from Minnesota would consider providing that subsection (2) of section (b) might read something like this:

Urges the Austrian Government to continue its policy to continue travel by emigrants.

It would put the language in the affirmative.

Mr. MONDALE. I have no objection to that as long as it is clear we want the policy continued of group emigration.

Mr. FULBRIGHT. "Urges the Austrian Government to continue its policy of group travel by Soviet emigrants." That would make it more in accord.

Mr. MONDALE. How about "resume and continue," would the Senator object?

Mr. FULBRIGHT. No, but I prefer the affirmative approach.

The PRESIDING OFFICER. Will the Senator send the modification to the desk?

Mr. MONDALE. Subsection (2): "Call upon the Austrian Government to resume and continue"——

Mr. FULBRIGHT. No. "Urges the Austrian Government to resume and continue its decision and again permit group travel by Soviet Union emigrants." It urges them instead of calling upon them.

This demand on our part and the implication bring on all sorts of possibilities, such as cutting off credit, removing the most favored nation clause—such as we used on the Chilean Government. They could use economic and other pressures.

Mr. MONDALE. I see no difference between "call upon" and "urges." I have no objection to changing that. It will read:

Urges the Austrian Government to revive and continue its decision and again permit group travel by Soviet Union emigrants through Austria on their way to freedom and new lives.

Mr. President, I so modify the resolution.

The PRESIDING OFFICER. Does the Senator have the modification written?

Mr. MONDALE. Yes, what is left of it.

The PRESIDING OFFICER. All time of the Senator from Minnesota has expired.

The amendment is so modified.

Mr. FULBRIGHT. Mr. President, will the Senator from Vermont yield to me for 2 minutes? I do not wish to delay the matter any more.

Mr. AIKEN. If I have 2 minutes, I yield to the Senator from Arkansas.

The PRESIDING OFFICER. The Senator from Vermont has 12 minutes remaining.

Mr. FULBRIGHT. Mr. President, I, of course, think this is greatly improved, and it has removed the most offensive language. I do not think it will do any great harm.

I wish only to state my position. I am opposed to this kind of off-the-cuff action by the Senate. People abroad do not understand the Senate and they take this action more seriously than the Senate. We cannot control the way the matter is reported in the press. They say "took action condemning the Austrian Government," and I think to do this without taking committee action and without the Secretary of State is not the wisest course.

When these matters are submitted to the committee we always ask the opinion of the executive branch and the Secretary of State, and it is reported to the Senate. In addition, it is clearly not germane to the bill. There is nothing in the bill that has to do with refugees or Austria. Austria is one of the few countries no longer on our handout list. So it has nothing to do with the main subject of the bill. It would not be germane except it involves a matter in which Israel is interested and, therefore, there is no point of putting it to a vote in the Senate. It would be ruled germane if it went to a vote. I do not favor the resolution but I will not make a point of order.

Mr. MONDALE. Mr. President, will the Senator yield to me for 2 minutes?

Mr. AIKEN. I yield.

Mr. MONDALE. Mr. President, in my opinion what happened over the weekend was an outrage to humanity. Decent human beings, under a settled policy, were traveling through the only access

route they had from a state which has notoriously oppressed them, a state which has had a sad history of antisemitism, a state which has reduced the elementary human right of emigration, and they did so under the gun—not of reason, but under the gun—of two extreme terrorists who held innocent people hostages and, under the threat of death, insisted that the Government of Austria change its humane policies which permitted these Soviet emigrees to leave the Soviet Union.

This resolution simply says that it is the sense of the Senate that we would hope the Government of Austria would not bend to such terroristic attacks and would revive and resume the humane policy of permitting Soviet emigrees to pass through Austria, to use the facilities of Schonau Castle, and to permit group travel.

That, it seems to me, is the very minimum humane statement for the Senate to make.

One of the chief objections I have had to current foreign policy is that we remain silent too much——

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

Mr. MONDALE. May I have 1 minute?

Mr. AIKEN. I yield 1 minute.

Mr. MONDALE. And too often in the face of offenses against humanity

As I understand it, our Government has yet to say a word about the treatment of Chilean dissidents. I was told by one of my colleagues that it took 3 days even to send a condolence note to President Allende's widow.

This Government has remained silent in the face of statements by Solzhenitzyn and Sakharov on Soviet Union policies, except for Mr. Weinberger, who condemned our own National Academy of Sciences and spoke in behalf of the oppressors of humanity.

Here again we have a chance to stand up for human beings and say we resent a decision by a government which is against humane treatment.

Mr. AIKEN. Mr. President, I yield myself 1 minute.

I want to say that, as introduced, I could not have possibly supported the amendment of the Senator from Minnesota, but the modification which he has made to the amendment puts the United States more in the position of a peacemaker.

Incidentally, I noticed in the news media today that Austria has suggested that if we feel so keenly, the United States can send planes to Russia to take the Jewish refugees out. It seems to me they are undertaking to tell us what to do and, you know, Mr. President, it does not go over so well when one country tells another what to do.

Under the circumstances, I see no harm in the amendment offered by the Senator from Minnesota.

Mr. ALLEN. Mr. President, will the Senator yield me 2 minutes?

Mr. AIKEN. If I have it.

Mr. ALLEN. Mr. President, I support the amendment, in the form of a sense of the Senate finding, by the distinguished Senator from Minnesota, and other Senators, expressing the concern of the U.S. Senate and, through the Senate, the concern of the people of America at the plight of hundreds of thousands of Soviet Jews who, under the policy just announced by the Austrian Government, would not be permitted to travel in groups to Austria as they emigrate from Russia and go to Israel or any other nation.

I support the concept of urging that the Austrian Government continue to permit group travel by Soviet Union emigres through Austria on their way to freedom. I believe that the resolution as now worded deserves the support of the Senate.

Mr. MONDALE. Mr. President, I yield back my time.

Mr. AIKEN. Mr. President, I yield back whatever time I have remaining on this side.

The PRESIDING OFFICER. All time on the amendment having been yielded back, the question is on agreeing to the amendment of the Senator from Minnesota, as modified.

The amendment, as modified, was agreed to.

The PRESIDING OFFICER. Under the previous order, the Senator from South Dakota (Mr. ABOUREZK) is recognized.

Mr. ABOUREZK. Mr. President, this is on my amendment No. 560. It is being offered as a perfecting amendment to an earlier amendment, No. 462.

Amendment No. 560 is as follows:

On page 29, strike out lines 4 through 8 and insert in lieu thereof the following:

SEC. 20. (a) No funds made available under this or any other law shall be used to provide economic or military assistance, or to make sales, credit sales, or guaranties, to or for any foreign country during any period in which the President determines that such country practices the internment or imprisonment of that country's citizens for political purposes. Upon making that determination, such assistance, sales, credit sales, and guaranties with respect to that country shall be terminated immediately and a copy of such determination transmitted to the Speaker of the House of Representatives and the Committee on Foreign Relations of the Senate.

(b) Between July 1 and July 30 of each year, the President shall submit a report to the Speaker of the House of Representatives and the Committee on Foreign Relations of the Senate certifying each foreign country which he determines is not engaged in practices of internment or imprisonment of that country's citizens for political purposes. No such assistance, sale, credit sale, or guaranty shall be made—

(A) to or for any foreign country during that thirty-day period immediately following the day on which such report is submitted; and

(B) after the expiration of such thirty-day period, to or for any foreign country with respect to which such a certification is not made.

(c) If the President intends to provide during a fiscal year such assistance, or make such sale, credit sale, or guaranty, to or for a foreign country for which he has made no certification under subsection (b) of this section with respect to that fiscal year, or for which a certification was made but such assistance, sales, credit sales, and guaranties were terminated under subsection (a) of this section, he may submit a supplemental report to the Speaker of the House of Representatives and the Committee on Foreign Relations of the Senate certifying such country as satisfying the provisions of clauses (1) and (2) of subsection (b) of this section. No such assistance, sale, credit sale, or guaranty shall be made to or for any foreign country with respect to which the President has made such a certification during that thirty-day period immediately following the day on which such supplemental report is submitted.

(d) The provisions of this section shall not apply with respect to funds made available under section 451 of the Foreign Assistance Act of 1961.

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

Mr. ABOUREZK. I yield.

Mr. MANSFIELD. The hour is getting a little late. We do have some business to come before the Senate after this amendment is disposed of. I believe the yeas and nays are required. Would the Senator consider a limitation of time less than an hour?

Mr. ABOUREZK. I have a statement of about 15 minutes, but if the majority leader would agree, and my colleagues would agree also, we could put this amendment over until tomorrow morning. I can do it either way.

Mr. MANSFIELD. I think we ought to go ahead, then.

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

Mr. ABOUREZK. I yield.

Mr. HUMPHREY. I wonder if we could have 30 minutes on a side?

Mr. ABOUREZK. Yes.

Mr. HUMPHREY. Would the Senator be willing to take 20 minutes and we will take 10 minutes in opposition?

Mr. ABOUREZK. I will agree to that.

Mr. HUMPHREY. Mr. President, I make that unanimous consent request.

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

Mr. ABOUREZK. Mr. President, this amendment provides that no funds made available under this act shall be used to provide economic or military assistance to any foreign country which the President determines is practicing the internment or imprisonment of that country's citizens for political purposes. Upon making that determination such assistance would be terminated and a copy of the determination would be transmitted to the Speaker of the House and the Senate Committee on Foreign Relations. The amendment also sets up an annual mechanism whereby the Congress would receive from the President a certification between July 1 and July 30, that a recipient country is not engaged in practices of internment or imprisonment of its citizens for political purposes. The amendment provides that the President submit supplemental reports to Congress should the administration intend to provide assistance to a country which was not on the certified list at the beginning of the fiscal year. The funds which are ordinarily available for disaster relief and similar purposes where the President can determine such use to be important to national interest, would not be included in the provisions of the amendment.

One respected international organization—Amnesty International—has defined political prisoners as:

Those who are imprisoned, detained, restricted or otherwise subjected to physical coercion or restriction by reason of their conscientiously held beliefs, or by reasons of their ethnic origin, color or language, provided they have not used or advocated violence.

The definition has been the determining measure in which international organizations of every religious, ethnic, and cultural background have agreed upon. One country where each of these organizations have applied the definition of political prisoners most vigorously is South Vietnam.

The Paris peace agreement guarantees democratic liberties to the South Vietnamese people, including freedom of political activity. Still, Saigon refuses to release its prisoners of conscience, and even goes to the absurd length of publicly pretending they do not exist.

The Canadian Anglican News Service estimates the total of South Vietnamese political prisoners at 240,000. Other estimates range from 100,000 by the the Red Cross to 200,000 by Amnesty International, the French newspaper Le Monde quotes a South Vietnamese deputy as saying that the current Saigon prison budget calls for food allotments for 400,000 persons.

The State Department, and other U.S. agencies continue to ignore evidence of Saigon's brutality to prisoners. They continue to act as apologists for Thieu, even repeating his mistruths to members of Congress. Marshall Wright, acting secretary for congressional relations recently wrote to one of our distinguished colleagues in the Senate that the State Department sees no convincing evidence that the Thieu government is "bent upon a systematic, widespread campaign to incarcerate persons or groups with legitimate grievances." The Thieu government has expressly denied allegations of torture and executions in South Vietnamese prisons, says this State Department spokesman.

And yet, the deformed bodies of 124 political prisoners released last February gave further evidence of ill-treatment in Saigon's jails. Of these people a Time magazine correspondent wrote:

It is not really proper to call them men anymore. "Shapes" is a better word—grotesque sculptures of scarred flesh and gnarled limbs.

In testimony before a House Government Operations Subcommittee in July 1971, a former chief of the Public Safety Division in Vietnam said that public safety advisers had never made reports on inhumane treatment of prisoners to his office. And yet as far back as October, 1963, another public safety chief knew enough of prison conditions to call Con Son the "Devil's Island of the Pacific" and even described the shackling of "hard core" Reds to the floor of their cells.

The assertion that America has a responsibility for Saigon's imprisonment and treatment of political prisoners is based on the fact that the Theiu government fundamentally is a creation of U.S. policy, with the United States providing, directly and indirectly, as much as 90 percent of the Saigon budget. The United States has continued to support the South Vietnamese police through "public safety" programs since 1955 and has provided "advice and assistance" to the prison system since 1963. As of 1971, the United States was providing 200 police specialists to "train and organize the national police on all levels." Under U.S. sponsorship, the Saigon police has grown from 16,000 in 1960 to 122,000 in 1973.

Further U.S. responsibility comes from the fact that many of the civilian political prisoners now in jail were arrested during operations by the U.S. military and were later turned over to South Vietnamese police.

Not only has the United States funded, advised, and trained Saigon police and prison personnel, but it has funded the construction of South Vietnamese prison facilities. The Provincial Interrogation Centers were built with U.S. funds and according to volunteers, construction work on at least one center was actually carried out by American Navy personnel.

In 1971, the U.S. Navy paid an American firm $400,000 to build new "isolation cells" on Con Son Island to replace the old "tiger cages" uncovered in 1970. These new 6 feet by 8 feet cells which are smaller than the tiger cages were, now hold from three to five people.

Moreover, the Nixon administration shows no signs of abandoning Thieu in these policies and allowing the democratic liberties guaranteed the Vietnamese people by the Paris agreement. It is the 120,000-man force of U.S. funded police that is the mainstay of Thieu's support, not the overwhelming popular support as he would have us believe.

Lest anyone think that South Vietnam has some kind of monopoly on political repression and internment of its citizens I would remind my distinguished colleagues that at least 6 other so-called friends of ours also hold over 57,000 political prisoners and practice the most barbaric forms of political repression utilizing both extreme forms of torture and assassination.

In Brazil, political dissent has become the instant object of police brutality under the Medici military dictatorship. Even more than police brutality, the Brazilian Government now officially sanctions systematic torture to the extent that it has now become a regular practice.

According to the estimates of one Brazilian expert, since 1964 between 40 and 120 people have died from torture or beatings, the great majority since 1968. This number does not include the estimated 200 to 300 people killed by the so-called "death squads" who are off-duty Brazilian policemen. There have been over 20,000 citizens interned for political reasons since 1964 and there are probably 1,000 political prisoners in Brazilian jails at this time, the majority of which have been subjected to extreme torture,

Mr. President, the military dictatorship responsible for this will get $74 million in fiscal 1974 if this amendment fails.

When the United States is providing this kind of assistance to a government which carries out political repression there is a serious question in my mind whether we can turn our heads and extend our arms with fistfuls of dollars which are theirs for the taking.

Greece has taken our aid for years while practicing some of the severest forms of repression. The corrupt Papadappolus government is the very epitome of CIA involvement in foreign government creation. It is no longer a secret that without U.S. aid and internal security assistance, the military dictatorship could never exist.

At the same time reports of Greek repression and torture of its own citizens have come from all parts of the world, the United States is scheduled to give $66 million in aid to Greece in 1974.

In Indonesia, a country to which the Nixon administration has scheduled $250 million in 1974, over 55,000 political prisoners are being held. 55,000 men, women and children—a population the size of many of our most productive cities in this country—are being held, beaten, tortured and even assassinated with the full knowledge of U.S. officials for one reason—to stabilize the political fortunes of Indonesia's dictator, for political stability, the United States continues to allow our aid to legitimize all kinds of actions including the violation of the basic human rights which are supposedly guaranteed in the Indonesian legal system and in their constitution.

The prisoners are completely at the mercy of the soldiers in charge, who are taught to believe that their fellow citizens are "Communists," atheists, and traitors and are not worthy of humane treatment. Furthermore, the Indonesia Government has tiger cages of their own. Three and four prisoners are jammed into a cell no larger than a closet, with no medical facilities whatsoever.

And we fund this activity, Mr. President.

The United States of America, now over $400 billion in debt, is giving a quarter of a billion dollars this year alone to a country whose jails hold a political prisoner population greater than the population of 99 percent of the towns in my home State of South Dakota. Yet, once again, we hold out our money and close our eyes.

Mr. President, this situation clings like a filthy stench on the American people. How can any American rationally explain our support of this Government without taking some responsibility for their repressive actions?

It would be easy to cite these countries as unfair exceptions and claim that, outside of these, we should be proud of our foreign economic assistance.

If only that were the case.

Our support of corrupt regimes who jail their own citizens does not stop with those examples.

In Bolivia, a country which is due to receive additional millions of dollars in U.S. aid, the 5 million Bolivian citizens are suffering from the cruel and despotic tyranny of a small group of military men who are sustained in large part by the CIA and our economic handouts. More than 2,000 intellectuals, students, union leaders, mothers, their children, and en-

tire families are found languishing in concentration camps created by the Bolivian Government. Assassination has become an everyday occurrence. In the daily raiding of houses by the Bolivian death squadrons, one or more citizens are killed under the pretext of "being subversives."

In Guatemala, articles in U.S. newspapers estimated that a total of 2,000 political assassinations have occurred from November 1970 to May of 1971, alone.

U.S. complicity in the official terror of the Guatemala Government has taken several forms. According to conservative figures, the United States has spent over $34 million in supporting assistance to Guatemala. Millions have been spent on police vehicles, equipment and training. U.S. advisers train Guatemalan soldiers and police and provide them with much of the necessary equipment to carry out their constant acts of repression.

Violence and repression have become a way of life in Guatemala. Three of the last 8 years have been spent under a state of siege. On innumerable occasions, many of our largest and most respected international religious organizations have pleaded with the Government of Guatemala to put an end to the reign of terror which has existed in that country since 1968. But nothing has changed—on the contrary—things have gone from bad to worse. And to allow them to become worse, we are scheduled to give this government $20.9 million in 1974.

Mr. President, our aid to these countries has not enhanced the living conditions of the people subjected to this repressive rule, it has not increased the understanding between our citizens and those of other countries, and it certainly has not enhanced the basic human rights of the people in these countries where torture, internment and constant surveillance are a matter of daily course.

The billions of dollars we give these countries has led to nothing but more bloodshed, more torture, and even graver degrees of repression of individual freedom and rights than ever before.

It is the teargas and ammunition we give to Brazil, the detention trucks we give Guatemala and the lime and tiger cages we give South Vietnam that has caused the American people to share in the guilt and horror which is inflicted on the poor people who live in these countries.

How can we give a quarter of a billion dollars to Indonesia, over $2 billion to South Vietnam and billions of dollars to scores of other countries on one hand while at the same time cutting $1.5 billion in elementary and secondary education, $200 million in child nutrition, $86 million in health training and education and hundreds of millions more in critical domestic needs in fiscal 1974 alone? Mr. President, I fear for the future of this country, if our priorities continue to be so malalined. If ever we needed to take a close, painful look at our foreign economic assistance, the time is now. No longer can we allow our aid to be used for the cruelest and most inhumane treatment of the millions of people who live in the countries of so-called friendly governments. Our conscience and national economic conditions will not allow it.

For us to prop up the foreign national military police forces, the "death squadrons" and the domestic intelligence organization which are used as instruments of political suppression and are responsible for the torture and assassination of thousands of people is a grave moral error. It simply cannot be allowed to continue.

The right of every sovereign nation to deal firmly with those citizens who have committed serious criminal acts is an inherent right and cannot be challenged. But for any country to expect assistance from the United States for initiating policies of terror and constant surveillance is ridiculous.

Only by ending our economic support for those governments holding political prisoners and by cutting all aid for foreign police and prisons can we ever, in good conscience, be proud of our foreign economic assistance program.

Only by directing our scarce funds to those programs which construct, rather than destroy the societies and living conditions of our friends throughout the world can we ever hope to regain the respect of the millions of people who compose the real mainstay in every soverign country.

Our economic assistance will not be wasted, and the time we have spent here in debate will have been well spent, if we will only halt the irrational and immoral funding of these irreparable acts of repression and torture.

I urge my colleagues in the Senate to join me in a vote to clear our consciences and the conscience of the American people and once again restore our economic aid to the constructive assistance which it is intended to be.

I ask you to join me in supporting this amendment.

Mr. PERCY. Mr. President. I share the strong feelings of the junior Senator from South Dakota about regimes which intern and imprison citizens for political purposes, and I commend his effort to legislate a control on U.S. assistance to such nations. Therefore, I would be inclined to support this amendment were it not so all inclusive. For example, under this amendment we could not provide aid to such a nation for child care, refugee relief, education, population planning, or the expansion of its agricultural production, even though these are areas of vital need.

My point is that denying some forms of foreign aid would actually make conditions of life even more difficult for the poor people of a country who should not be penalized because their government holds political prisoners. I see no reason why the people should be penalized for the sins of their masters.

Moreover, another area of foreign assistance which is of great personal interest and importance to our own people is aid in controlling the growth and distribution of narcotics which are carried to our country in the illicit international narcotics trade. Such assistance is in our national interest and should not be ruled out because a government willing to cooperate may also hold political prisoners.

I would be eager to support, and I do support, other efforts to dissuade certain governments from the practice of oppressing their citizens for political purposes, but I do not believe that this proposal is prudent.

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

The PRESIDING OFFICER. Who yields time?

Mr. AIKEN. Mr. President, there is a Senator who wants to speak on this proposal. I think that he will be here momentarily.

Mr. ABOUREZK. Mr. President, I ask unanimous consent that the name of the Senator from Illinois (Mr. STEVENSON) be added as a cosponsor of my amendment.

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

Mr. HUMPHREY. Mr. President, the amendment does pose some serious difficulties. I understand the concern that the Senator has about political prisoners and our cooperation with countries who have incarcerated some of their fellow citizens.

The pending bill has a provision which reads as follows:

SEC. 20. It is the sense of Congress that the the President should deny any economic or military assistance to the government of any foreign country which practices the internment or imprisonment of that country's citizens for political purposes.

That language in my mind is still unsatisfactory. However, it was the best that the committee could come up with after giving long consideration to the whole subject matter proposed by the Senator from South Dakota. Who is a political prisoner and what is he? They incarcerate someone who may try to overthrow a government, even if the government is a legitimate democratic government.

Mr. ABOUREZK. Mr. President, if the Senator will yield, I am sorry that the Senator from Minnesota was not here when I gave a definition. I would be happy to do it again.

Mr. HUMPHREY. Mr. President, I would be delighted to have it repeated. May I say that there is no definition in the measure.

Mr. ABOUREZK. Then I would like to offer an amendment to provide that definition.

Mr. HUMPHREY. The Senator will do that on his own time.

Mr. ABOUREZK. I will do it on my own time. I understand that I have more time than the Senator from Minnesota does.

Mr. President, I offer this amendment as a definition:

A political prisoner shall be defined as someone who is interned or imprisoned for political purposes, which shall include those who are imprisoned, detained, restricted or otherwise subjected to physical coercion or restriction by reason of their ethnic origin, color, or language, provided they have not used or advocated violence.

Mr. HUMPHREY. Mr. President, may I say that we are trying to define some

international law here tonight. I think that it would be rather difficult to make it sufficiently precise to have real meaning.

The PRESIDING OFFICER. Does the Senator from South Dakota desire to so modify his amendment?

Mr. ABOUREZK. Mr. President, I ask unanimous consent to so modify my amendment.

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

Would the Senator from South Dakota send the modification of his amendment to the desk?

Mr. PASTORE. Mr. President, would the Senator yield to me for a moment?

Mr. ABOUREZK. I yield.

Mr. PASTORE. Mr. President, I think that this amendment should be taken to conference. I say frankly that the Senator from Rhode Island is very much disturbed not only with this matter, but we are also talking about how much aid we are going to give Thieu and his government.

We pick up the paper and find out about the tiger cages in which people are incarcerated.

The United States believes in freedom of thought and freedom of speech and in the ability of a man to be free and to say what he thinks.

I think this is a good amendment. It may need refinement. However, I would hope that it would go to conference. I would hope that we would vote.

I realize that it gets pretty difficult to define exactly what a particular situation is in this whole panorama of the world's injustices. However, I think we know what a political prisoner is. And I think all that the Senator from South Dakota is saying is that what we want here is to see that this Government not give money to people who practice those very principles that are anathema to our system. That is what we are saying. Let them use their own money.

Mr. ABOUREZK. Mr. President, I thank the Senator from Rhode Island.

Mr. HUMPHREY. Mr. President, may I say to the Senator from Rhode Island, that is exactly what we have in the bill. The bill already says:

> It is the sense of Congress that the President should deny any economic or military assistance to the government of any foreign country which practices the internment or imprisonment of that country's citizens for political purposes.

It is in the bill.

Mr. PASTORE. That is right.

Mr. HUMPHREY. And it stems to me that what we have in the bill is thoroughly adequate.

I might point out that the Amnesty International report, to which the Senator alluded, includes the United States. The United States is at the top of the list. Other countries that are involved, some of them rather friendly to us, in Latin America, include countries like El Salvador, Mexico—we do not do much for Mexico except, may I say, in terms of technical assistance, but that could be quite substantial—Uruguay, Colombia—these are friendly countries to us.

Israel would be excluded; she has political prisoners, and has incarcerated people who were incarcerated not because they used violence, but because they would be considered a threat to the state. There is Jordan, Iran—a country with whom we have most friendly relations.

I think we are better off to leave the language we have in the bill, which surely states our deep concern and directs the President to examine meticulously into these matters. There is nothing more that the amendment of the Senator from South Dakota does than that, except that it broadens the whole concept. I happen to believe that we ought to leave well enough as it is.

I repeat again that the committee unanimously approved the language in section 20 of the bill. It is not as if this subject matter was not given serious consideration. Every member of that committee really went into it, and we came out with what we thought was the best we could get out in terms of defining what we mean by political prisoners, and directing the President to deny economic or military assistance to the government of any foreign country which practices the internment or imprisonment of that country's citzens for political purposes.

I must say in conclusion that I doubt that we are going to change the face of the world by this, but we do have a right, as I said about the Senator's other amendment, to see that our aid, whatever it is, and in whatever amount it is is used for constructive development purposes. We hope that is what it will be used for, but I think we are deluding ourselves if we think that, for example, the countries of Africa, which desperately need American aid, the six countries of Western Africa do not do this. We know they do have political prisoners, but their people are starving to death, and have been through 4 years of drought.

All I am saying is that some of those people would be more victimized if we have such a restriction.

Mr. ABOUREZK. Mr. President, if the Senator will yield, there is a provision in my amendment which exempts disaster relief from the restriction.

Mr. HUMPHREY. So my argument about West Africa would not prevail. But there are other areas of the African Continent. Take a country, for example, like Tunisia. There is no one more friendly to the United States than Bourguiba, the President of Tunisia. Tunisia is listed as one of those countries that would have to come under the purview of this amendment.

I think it is wise to have a sensible leader like Bourguiba speak up as he does for reason. All I am saying is that I believe the language in the bill has taken care of what the Senator from South Dakota really has in mind, and I do not believe we can give it any more positive construction than we have there.

I have no further comment.

Mr. ABOUREZK. Mr. President, I have just one comment. There is no attempt, by virtue of this amendment, to shut off money for people who are starving and who are poor. There is an attempt to stop dictatorships around the world from punishing and torturing their own people simply for speaking out against their government.

I think that is exactly what this amendment would do; it would frighten those governments into stopping torture and imprisonment. I am sure they are not going to give up this sizable fortune from the U.S. taxpayers in order to keep torturing their people. I think it would send them a message, as George Wallace used to say. Any of these countries that imprison their own people are certainly going to make the choice of continuing the money from America, rather than continuing that.

Mr. HUMPHREY. Mr. President, so that the record may be clear, the amendment of the Senator from South Dakota does not exempt Public Law 480 transactions, which are frequently used for assistance to countries that are impoverished.

Second, I would like to have printed in the RECORD a list of all the countries that would be affected by the terms of this amendment, as reported by the 1973 report of the amnesty international.

Mr. ABOUREZK. Mr. President, I object to that. Did the Senator ask unanimous consent?

Mr. HUMPHREY. I can read them into the RECORD.

Mr. ABOUREZK. I object that this amendment does not use the list provided by amnesty international. It requires the President to certify to Congress each year that the countries that are going to receive aid are not perpetrating what I talk about in this amendment. It has nothing to do with the amnesty international list.

Mr. HUMPHREY. Mr. President, I ask unanimous consent to include the list, with the understanding that it is not definitive insofar as the Senator's amendment is concerned.

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

THE AMERICAS

United States	El Salvador
Colombia	Mexico
Dominican Republic	Peru
Haiti	Bolivia
Uruguay	Cuba
Argentina	Guatemala
Brazil	Paraguay

THE MIDDLE EAST

Israel	Iran
Iraq	Jordan
Yemen	Libya
Saudi Arabia	Syria
Bahrain	Oman
Egypt	

ASIA

Indonesia	Sri Lanka
Taiwan	Cambodia
Malaysia	Thailand
Singapore	South Korea
Philippines	North Korea
Nepal	Bangladesh
Pakistan	South Vietnam
India	North Vietnam

AFRICA

Mali	Chad
Mauritania	Congo-Brazzaville
Senegal	Gabon
Algeria	Guinea

Mauritius	Mozambique
Sudan	Namibia
Angola	Nigeria
Uganda	Rhodesia
Botswana	Sierra Leone
Burundi	South Africa
Ivory Coast	Somalia
Ghana	Tanzania
Kenya	Tunisia
Lesotho	Togo
Madagascar	Zambia
Malawi	Guinea Bissau
Morocco	

EUROPE

West Germany	Northern Ireland
Netherlands	Portugal
Yugoslavia	Hungary
Spain	U.S.S.R.
German Democratic Republic	Switzerland
	England
Rumania	Turkey
Greece	Czechoslovakia
Italy	Poland

Mr. HUMPHREY. I yield back the remainder of my time.

Mr. ABOUREZK. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER (Mr. CLARK). All remaining time having been yielded back, the question is on agreeing to the amendment (No. 560) of the Senator from South Dakota (Mr. ABOUREZK). On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The second assistant legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from North Carolina (Mr. ERVIN), the Senator from Arkansas (Mr. FULBRIGHT), the Senator from Wyoming (Mr. MCGEE), the Senator from Rhode Island (Mr. PELL), the Senator from West Virginia (Mr. RANDOLPH), the Senator from Mississippi (Mr. STENNIS), and the Senator from Missouri (Mr. SYMINGTON) are necessarily absent.

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

Mr. GRIFFIN. I announce that the Senator from New York (Mr. JAVITS) and the Senator from Tennessee (Mr. BAKER) are necessarily absent.

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

The result was announced—yeas 23, nays 67, as follows:

[No. 449 Leg.]

YEAS—23

Abourezk	Hart	Nelson
Bayh	Hartke	Pastore
Biden	Haskell	Proxmire
Burdick	Huddleston	Ribicoff
Church	Mansfield	Stevenson
Clark	McGovern	Tunney
Cranston	Metcalf	Williams
Gravel	Moss	

NAYS—67

Aiken	Chiles	Hathaway
Allen	Cook	Helms
Bartlett	Cotton	Hollings
Beall	Curtis	Hruska
Bellmon	Dole	Hughes
Bennett	Domenici	Humphrey
Bentsen	Dominick	Inouye
Bible	Eagleton	Jackson
Brock	Eastland	Johnston
Brooke	Fannin	Kennedy
Buckley	Fong	Long
Byrd, Harry F., Jr.	Goldwater	Magnuson
	Griffin	Mathias
Byrd, Robert C.	Gurney	McClellan
Cannon	Hansen	McClure
Case	Hatfield	McIntyre
Mondale	Saxbe	Stevens
Montoya	Schweiker	Taft
Muskie	Scott, Hugh	Talmadge
Nunn	Scott, William L.	Thurmond
Packwood		Tower
Percy	Sparkman	Weicker
Roth	Stafford	Young

NOT VOTING—10

Baker	McGee	Stennis
Ervin	Pearson	Symington
Fulbright	Pell	
Javits	Randolph	

So Mr. ABOUREZK's amendment was rejected.

Mr. TOWER. Mr. President, I move that the Senate reconsider the vote by which the amendment was rejected.

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

The motion to lay on the table was agreed to.

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

The PRESIDING OFFICER. The clerk will call the roll.

The third 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, I ask unanimous consent that I may proceed for 1 minute, without the time being charged to either side.

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

AMENDMENT NO. 535

Mr. ROBERT C. BYRD. Mr. President, on behalf of the Senator from California (Mr. TUNNEY), and at his request, I call up Amendment No. 535 and ask that it be stated, only for the purpose of laying it before the Senate and making it the pending question before the Senate, for resumption on Tuesday, when the Senate returns to the consideration of the foreign assistance bill.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

On page 19, line 12, insert the following:

"SEC. 16. Chapter 3 of part III of the Foreign Assistance Act of 1961 is amended by adding at the end thereof the following new section:

"'SEC. 659. LIMITATION ON ASSISTANCE TO PORTUGAL.—(A) The Congress declares that it is the policy of the United States that no military or economic assistance furnished by the United States, nor any items of equipment sold by or exported from the United States, shall be used to maintain the present status of the African territories of Portugal.

"'(B)(1) The President of the United States shall, as soon as practicable following the date of the enactment of this section, make a determination and report to Congress with respect to the use by Portugal in support of its military activities in its African territories of—

"'(a) assistance furnished under the Foreign Assistance Act of 1961, as amended, after the date of the enactment of this section;

"'(b) defense articles or services furnished after such date under the Foreign Military Sales Act, as amended;

"'(c) agricultural commodities or local currencies furnished after such date under the Agricultural Trade Development and Assistance Act of 1954, as amended, or any other Act; or

"'(d) items for which validated export licenses are granted after such date for export to Portugal or its territories.

"'(2) The President shall include a report similar to that specified in the previous subsection in each year at the time of submitting the budget request for foreign assistance. Such report shall also specify the steps being taken to implement the policy contained in this section.

"'(C) All assistance, sales, and licenses referred to in the preceding paragraph shall be suspended upon the submission to Congress of a report by the President containing his determination that any such assistance, or item so furnished or exported, after such date, has been used in support of Portugal's military activities in its African territories. Such suspension shall continue until such time as the President submits a report to Congress containing his determination that appropriate corrective action has been taken by the Government of Portugal. The authority contained in section 614 of this Act shall not apply to programs terminated by reason of this section.'".

On page 25, line 21, change "SEC. 16." to "SEC. 17.".

On page 28, line 5, change "SEC. 17." to "SEC. 18.".

On page 28, line 10, change "SEC. 18." to "SEC. 19.".

On page 28, line 20, change "SEC. 19." to "SEC. 20.".

On page 29, line 4, change "SEC. 20." to "SEC. 21.".

On page 29, line 10, change "SEC. 21." to "SEC. 22.".

On page 30, line 4, change "SEC. 22." to "SEC. 23.".

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that no time be charged on the Tunney amendment today.

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

EXTENSION OF CERTAIN LAWS RELATING TO PAYMENT OF INTEREST ON TIME AND SAVINGS DEPOSITS

The PRESIDING OFFICER. Pursuant to previous order, the Senate will now proceed to the consideration of Senate Joint Resolution 160.

The senate proceeded to the consideration of Senate Joint Resolution 160, to provide for an extension of certain laws relating to the payment of interest on time and savings deposits, and for other purposes, which was read first by title and the second time at length.

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

Mr. President, I ask unanimous consent that the following staff members of the Committee on Banking, Housing, and Urban Affairs be permitted the privilege of the floor during the consideration of Senate Joint Resolution 160 and House Joint Resolution 719: Carl A. S. Coan, Tom Brooks, Mike Simpson, Jerry Buckley, and Kenneth McLean.

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

Mr. TOWER. Mr. President, this resolution would provide a congressional instruction to the Federal Reserve Board, the FDIC, and the Federal Home Loan Bank Board to set some ceiling on the interest rates paid on the so-called "wild-card" CD's—4-year certificates of deposit of less than $100,000 in amount. Since July, these CD's have been exempt from

interest rate ceilings by regulation, so that savings institutions and banks can use these vehicles to compete with other money market instruments for funds during tight money periods. The thrift institutions have a difficult time, however, paying top interest rates on deposits like this, because their asset portfolio is heavily in long-term mortgages. Hence they have still lost funds to the open market, and, possibly, to commercial banks. To protect against this latter possibility, it has been proposed that we require a ceiling to be placed on all 4-year CD's, and thus overcome the portfolio advantage that commercial banks have as against savings institutions.

Until we legislate a full package of Hunt Commission legislation, hopefully next year, this is the type of bandaid approach we will have to take to protect the housing sector during tight money periods.

I urge that the Senate pass the joint resolution.

Mr. SPARKMAN. Mr. President, I am in hearty accord with the statement by the Senator from Texas. Savings and loan associations have been going through a difficult time, and we must have something of this order so as to relieve them of the difficulties they have been incurring. I join in urging the passage of the joint resolution.

Mr. HUMPHREY. Mr. President, I am very pleased to see that the Senate is taking prompt action to institute an interest rate ceiling on certificates of deposits. I strongly endorse this resolution, Senate Joint Resolution 160, which is, in effect, an amendment version of the Emergency Home Finance Act (S. 2454) which I introduced with seven cosponsors on Septmeber 20. Undoubtedly, this legislation is needed to assure the continuation of an adequate flow of consumer savings into the home finance market.

The difference between the resolution before us and my bill is that while my proposal would set a firm 6¾-percent ceiling on certificate of deposit interest rates, the resolution before us, Senate Joint Resolution 160, would leave the actual ceiling at the discretion of Federal bank regulating agencies. While I believe this to be a less desirable approach, I am willing to accept this compromise with the administration if we can be sure that the administration will move vigorously to institute their new ceilings.

This resolution would bring a halt to the disastrous "interest rate war" that has been going on since the ill-conceived action by the Federal banking agencies to permit a "wild card" certificate of deposit. Hopefully, our home financing system will then be able to quickly recover from this financial nightmare and a serious hardship will be lifted from many Americans who have found themselves locked out of the housing market.

The Federal Government must act to restore order in the consumer savings market. Savings and loans will have approximately $10 billion in savings certificates maturing in the fourth quarter of this year—with a large portion of this massive figure falling due in the traditional quarterly reinvestment period beginning today. As these certificates mature, commercial banks' advertising of consumer savings certificates at 8 and 9 percent will pose a serious threat to the continued vitality of the savings and loan business—the principal source of mortgage credit in this Nation. We know this because of the experience in cities such as New Orleans where banks promoting 8½ percent consumer CD's gained $30 million in these certificates in approximately 2 weeks in late July while savings and loans lost an identical amount in savings.

Figures recently released by the Federal Reserve Board and the Federal Home Loan Bank Board show that the Nation's savings and loan associations lost $313 million in July, their first net outflow since January 1970. At the same time, the country's 328 largest commercial banks gained $510 million in consumer sized savings deposits in the 8-week period ending August 22.

If Congress does not act on this immediate threat to housing and home finance, there are still more severe problems on the horizon. With the quarter beginning January 1, savings and loan associations will have an additional $20 million in certificates maturing. Savings and loans, with gross earnings from mortgage holdings at about 7.2 percent of assets and operating expenses of about 1.1 percent, obviously cannot match the 8 percent and 9 percent interest being advertised by commercial banks. And, if you want to pay the savings customer 9 percent for his certificates, then you should face up to the fact that the home borrower then must pay 10 percent for his mortgage.

It may be argued that without these high rate CD's, many savers will abanernment obligations. That may well be—but two things should be pointed out. First of all, commercial banks are the main competitors with savings and loans for consumer savings. Second, those sophisticated investors wanting to "play" the Government securities markets will do so anyway—since the Treasury and Federal agency rates are much more attractive and available for not only short-term but long-term securities as well. To the extent that consumer savings go into Government securities, it may help to reduce those rates. In the meantime, the Congress should—and must— cool off the cut-throat rate competition now going on between financial institutions.

The barrage of super-rate advertising and promotion for the consumer saver by commercial banks endangers our home financing system and creates financial chaos—to the detriment of American consumers. It must be stopped before literally billions of dollars are withdrawn from savings and loans and other thrift institutions and from investment in long-term home mortgages.

The average home owner cannot afford to pay 9 or 10 percent interest on his mortgage. Interest rate costs are passed on to the Federal Government or the consumer in one way or another. The elimination of any ceiling on consumer certificates of deposit has proved to be disastrous and I can tell you, without qualification, that if we do not do something very soon we may experience a major financial crisis in this country. Home financing will be virtually halted and interest rates will skyrocket even higher than they are today.

The facts are here for everyone to see. We are on notice of an impending crisis and we must act promptly. I urge all of my colleagues to support the resolution before us.

The PRESIDING OFFICER. Do Senators yield back all time?

Mr. TOWER. I am agreeable to yielding back my time.

Mr. SPARKMAN. I yield back the remainder of my time.

The PRESIDING OFFICER. All time is yielded back. The question is on passage of the joint resolution.

The joint resolution (S.J. Res. 160) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S.J. RES. 160

Joint resolution to provide for an extension of certain laws relating to the payment of interest

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

SEC. 1. In carrying out their respective authorities under the Act of September 21, 1966 (Public Law 89–597) and under other provisions of law, the Secretary of the Treasury, the Board of Governors of the Federal Reserve System, the Board of Directors of the Federal Deposit Insurance Corporation, and the Federal Home Loan Bank Board shall take action to limit the rates of interest or dividends which may be paid on time deposits of less than $100,000 by institutions regulated by them.

Mr. TOWER. Mr. President, I move that the Senate reconsider the vote which the joint resolution was passed.

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

The motion to lay on the table was agreed to.

EXTENSION OF AUTHORITY OF SECRETARY OF HOUSING AND URBAN DEVELOPMENT WITH RESPECT TO LOANS AND MORTGAGES

Mr. SPARKMAN. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on House Joint Resolution 719.

The PRESIDING OFFICER laid before the Senate House Joint Resolution 719, which was read twice by its title.

Mr. TOWER. Mr. President, I feel that action on this joint resolution is highly essential. As we all know, this piece of legislation has been the subject of congressional consideration since last May when the House first passed the simple extension of FHA and VA authorities. The difficulty in getting a years' extension for these programs has stemmed from two amendments that the Senate approved to the original House passed House Joint Resolution 512.

We have held many conferences on this proposal and the House finally agreed to take the two amendments added by the Senate, back to their body for consideration. On September 5, 1973, the House considered the conference report to House Joint Resolution 512, and by a vote of 202 to 172, they agreed to recommit the conference report. If you

will examine the record of the debate on this vote, you will find that the resulting vote was due to the strong opposition in the House to the two controversial amendments to which I have previously referred.

Since the House vote occurred, the conference committee met again to try to iron out the differences between the two bodies. Unfortunately, no agreement could be reached by the conferees. Shortly after our last and unsuccessful conference on House Joint Resolution 512, I submitted a joint resolution, Senate Joint Resolution 152, which contained all the provisions that the conferees to House Joint Resolution 512 had agreed to. It does not contain the two amendments that the House refused to accept. At the same time, Representatives PATMAN and WIDNALL introduced an identical piece of proposed legislation, House Joint Resolution 719, the proposal we are presently considering.

Mr. President, this Nation cannot afford any further delay in the passage of this legislation. Home mortgage interest rates are in the range of 9 to 10 percent in all parts of this country. In 18 of the States, there is a usury law which for all practical purposes, prevents any mortgage lending in today's market.

In 9 of those 18 States, however, FHA insured loans are exempted. In those States, FHA or VA is the only way a home can be financed. In the other 32 States, homebuyers, lenders, and homebuilders are increasingly turning to FHA as the only means of financing housing. There is no question that other measures must be taken to make available more mortgage money at reasonable interest rates. The Banking, Housing, and Urban Affairs Committee will shortly be considering proposals which would attempt to provide some solutions to this problem. But whatever we decide in this area will have very little impact if we do not extend the FHA authorities for another year.

I urge that the Senate act upon this measure and pass it in the same form as it came to us from the House.

Mr. PROXMIRE. Mr. President, I understand that under the unanimous-consent agreement entered into by the distinguished majority whip I have 20 minutes.

The PRESIDING OFFICER. The Senator is correct.

Mr. PROXMIRE. Mr. President, I expect to yield 5 minutes of that time later to the Senator from Illinois.

The PRESIDING OFFICER. The Senator may proceed.

THE ABANDONMENT OF OUR HISTORIC HOUSING PROGRAM

Mr. PROXMIRE. Mr. President, This is a very sad day in the Senate and in the history of housing policy in the United States.

For the last 24 years this country has had a national housing policy whose purpose was to help all income groups. We have had public housing for the poor, the home ownership interest rate subsidy programs for moderate income Americans, and the regular FHA program for those whose incomes were sufficient to buy their own home provided it was guaranteed by the Federal Government through an insurance program.

MOST FAMILIES PRICED OUT OF HOUSING MARKET

Today, because of the high interest rates—the astronomic interest rates—the overwhelming majority of American families are priced out of the housing market. They cannot afford to buy a new home. With mortgage interest rates at the 9 percent level the cost of money, as well as the cost of construction, places a new home beyond the reach of more than 60 percent of American families.

MORATORIUM

During such a period one would think that the Federal Government would move decisively to help those of low and moderate incomes who cannot now afford to buy housing. But instead of that the administration has placed a moratorium on virtually every program to help low and moderate and even middle income families. Here is the long sad list of programs which have either been suspended or terminated or for which no new starts have been allowed.

LIST OF PROGRAMS

Housing programs

Rent supplements, suspended on January 5, 1973.

Homeownership assistance (Sec. 235), suspended on January 5, 1973.

Rental housing assistance (Sec. 236), suspended on January 5, 1973.

Public housing, suspended on January 5, 1973.

Nonprofit sponsor assistance, suspended on January 5, 1973.

College housing, terminated on January 5, 1973.

Community development programs

Water and sewer facilities, terminated on January 5, 1973.

Public facilities loans, terminated on January 5, 1973.

Open space land, terminated on January 5, 1973.

Urban renewal programs, termination on June 30, 1973.

Neighborhood facilities, termination on June 30, 1973.

Model cities programs, termination on June 30, 1973.

Rehabilitation loans (Sec. 312), termination on June 30, 1973.

Community planning and management programs

Community development training and urban fellowships, termination on June 30, 1973.

Supplementary grants for new communities, termination on June 30, 1973.

This was brutal, tragic action by the administration.

But it was accompanied by a proposal to make a comprehensive evaluation of all housing programs and to report to Congress by September 7. The hope was held out that by this time we would have a program which could go into effect at least by July 1, 1974.

NO NEW HOUSING PROGRAMS PROPOSED

We have just had that message. But there is no comprehensive new program.

First, there are a series of palliatives, aimed at the short run, to aid the conventional housing market. This helps upper income groups who are buying homes at $40,000, $50,000, or higher. They do not help in any way whatsoever the average American family with an average income of $11,000 a year who cannot possibly afford a home at present interest rates costing more than $25,000. And with the monthly payments where they are because of the high interest rates, I doubt if the average family can actually afford a home costing much more than $20,000. And there are no decent homes at that price.

LOW- AND MODERATE-INCOME FAMILIES ABANDONED

In addition, however, the administration's housing program does almost nothing for low- and moderate-income families through all the programs Congress has placed on the books since 1949.

The home ownership program—section 235—is terminated.

Apparently there will be no new starts for conventional public housing.

And instead of 600,000 units a year as called for by the 1968 Housing Act to meet the legally established housing goals, the administration is calling for, at best, 150,000 units of new construction under programs and conditions not yet made clear.

HOUSING ALLOWANCES NOT OFFICIALLY PROPOSED

And the bold new approach they are holding forth—so-called housing allowances or cash assistance—is not even offered on any basis until after 1975.

In the housing message the President stated:

> But right now . . . our principal efforts should be directed toward determining whether a policy of direct cash assistance—with first priority for the elderly poor—can be put into practical operation.

That is no program. Instead of a program they are going to determine whether there should be a program.

And they tell us that if they do go ahead with cash allowances beginning in 1976, the program will ultimately cost $8 to $11 billion a year. Now, who is going to buy that?

MORATORIUM CONTINUES IN EFFECT

The reality of the housing message is simply this. With the exception of a few short-run palliatives aimed at the present high-interest rate situation for high-income housing, and with the exception of a few crumbs thrown to the poor through a very unclear and imprecise leased housing program, the housing moratorium continues in effect.

The new program is like Lincoln's description of homeopathic soup: made from the shadow of a pigeon which had been starved to death, cast at midnight on a black moonless night.

Instead of being called the Department of Housing and Urban Development, it should be called the Department of No-Housing and Urban Undevelopment.

The historic policy put into effect by the Taft-Ellender-Wagner Housing Act is abandoned. Now we will house the very well-to-do, but there is essentially nothing for the poor, for moderate-income families, and for middle income and average Americans.

The extension of the FHA program in this bill, without the antimoratorium amendment which was attached to the original bill, provides housing for the well-to-do but abandons the remaining

60 to 70 to 80 percent of the American families.

BILL SHOULD CONTAIN AN ANTIMORATORIUM PROVISO

It was my view that Congress should hold this bill hostage to the carrying out in good faith by this administration of our historic housing policy.

This is all the administration really wants.

I am for an FHA program for those with $20,000 a year or more in income. I am not opposed to that.

But like the animals going into Noah's Ark, a program to provide for low income and moderate income and middle income families should accompany it.

If the administration wants housing for well-to-do, and that is what they want and what the major portion of the housing message is designed to do, let them also provide for housing on a modest scale—600,000 units a year as the housing goals provide—for low and moderate and middle income Americans.

SHOULD USE THIS BILL AS WEAPON

This bill, in my view, is the only weapon we have to achieve that result. And I am willing to use it to achieve that result. But apparently few want to put the tough price on that policy and there is a limit in what one Senator in a Congress of 535 people can do.

The passage of this bill without an effective anti-moratorium provision, essentially abandons the overwhelming majority of American families so far as housing is concerned. They cannot afford it and they will not get it.

And in 1976, I predict that the housing allowance program will not go into effect for two fundamental reasons.

First, housing allowances cannot be used as the major housing program. They can be effective only in limited circumstances. Elsewhere their effect is merely to bid up existing housing prices.

In fact, that is what the housing message was all about. There will be no new construction to speak of for at least another 2½ years for low and moderate income families. That will tighten the housing market, and raise the price of rents and housing in general. Of course that is immensely important. That benefits landlords but not renters.

Second, there will be no program after 1975 because a comprehensive housing allowance program will cost too much. No Congress will support it and I am willing to predict that the Nixon administration will not even officially propose an $8 to $11 billion a year program.

HISTORIC HOUSING POLICY ABANDONED

So, for all practical purposes this country is without a housing program for the first time since the beginning of public housing in the 1930's and especially since the landmark 1949 act.

The passage of this bill without an effective antimoratium provision, abandons the promise made in 1949 of "A decent home in a suitable living environment for every American family."

This is a brutal, tragic, evil policy. It condemns millions of American families and American children to living in substandard, dilapidated, and overcrowded housing for years to come.

Mr. President, I yield the remainder of my time to the Senator from Illinois.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. STEVENSON. Mr. President, this legislation is imperfect in another respect.

People buy FHA-insured homes with the reasonable understanding that they have been inspected by FHA and meet HUD standards.

Too often they discover later that their trust was misplaced. Their homes contain structural defects: The plumbing does not work or the roof leaks—or the electrical wiring does not comply with local requirements.

In such cases the owners are put to the expense of repairing the defects. Frequently they cannot afford this expense. The mortgage then goes into default, and the FHA must make good on its guarantee. The expense to the Government of redeeming such defaulted mortgages is enormous

The FHA extension legislation originally passed by the Senate included an amendment I authored which granted FHA reimbursement to homeowners for the cost of repairing such defects undetected by the FHA.

Such protection is currently available to the innocent purchaser of housing under section 235. This amendment provided the same protection to the innocent purchasers of housing under sections 203 and 221 of the Housing Act. Justice requires such reimbursement for homeowners injured by the neglect of FHA inspectors. Consistency requires such an amendment. And the repair of structural defects would cost the FHA less than the redemption of defaulted mortgages. This amendment would have saved FHA money.

Today we are, however, faced with the situation we faced last June and August. The FHA housing programs are again about to expire.

Congressmen ASHLEY, ROSTENKOWSKI, BARRETT and others have made strenuous efforts in the House of Representatives, and still the House of Representatives and the administration are adamantly opposed to reimbursement. Twice we went to conference with the House and twice the House and the administration refused to compromise. Efforts to revise the amendment to meet objections failed. The administration and the House are prepared at this time to see all FHA programs suspended rather than accept reimbursement for the innocent and injured owners of FHA-insured housing.

This resolution does not, therefore, contain a reimbursement provision, and it would, at best, be an act of futility for me to object or to offer such an amendment again. But before acquiescing in support of this resolution, I would very much hope that the distinguished chairman of the Committee on Banking, Housing and Urban Affairs could assure the Senate that a generous reimbursement provision for past and future homeowners would receive serious consideration and his continued support in the forthcoming markup session of the Banking, Housing and Urban Affairs Committee on housing legislation.

Could the chairman give me assurance that, before supporting this measure, such provisions would continue to receive his support in the forthcoming markup sessions?

Mr. SPARKMAN. Yes, I am glad to give that assurance. Of course, my friend knows that all along I have assured him of it. It will be remembered that I supported him in committee and here in the Senate on his amendment, and I have suggested that, since the housing hearings are starting tomorrow, our best chance of getting this matter really taken care of was to write it into the comprehensive housing bill which I hope we will be able to pass through the Senate before the end of October.

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

Mr. SPARKMAN. I yield.

Mr. TOWER. We are starting the markup next Monday. Are we not?

Mr. SPARKMAN. We are starting hearings tomorrow and the markup on the eighth.

Mr. STEVENSON. The chairman has energetically and consistently supported such reimbursement provisions.

With that assurance, I am confident another housing bill will be reported to the Senate which will include such a provision, and with that understanding, I urge the Senate's support of the joint resolution.

Mr. SPARKMAN. I thank the Senator from Illinois. The Senator knows that I have expressed myself many times on this matter. I feel that the FHA, when it sells a house to somebody, ought to be required to stand behind that house; and that is, in effect, what the amendment of the Senator from Illinois provides for.

Mr. STEVENSON. I thank the Senator.

Mr. SPARKMAN. By the way, I saw a newspaper article about a week or 10 days ago which stated that a Federal district judge had held to that effect. As I recall, I gave that article to the Senator from Illinois.

I hope it may be written into the law, as this district judge did, so far as I can understand it. I have not seen the opinion itself, but I did see the newspaper article, and I am very strongly in favor of the FHA's being required to stand up for the housing that it sells.

Mr. STEVENSON. I thank the Senator.

Mr. SPARKMAN. And HUD would have to stand up to see that the inspections and appraisals are properly done.

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

Mr. SPARKMAN. I yield.

Mr. PROXMIRE. I do not expect to ask for a rollcall on this measure, but I want to make sure I am recorded as being against the joint resolution, because I think it unconscionable for the Senate and the Congress to enact a measure which provides for 30 or 40 percent of the upper income level people and neglects the overwhelming majority of the people who cannot afford to buy homes without assistance from the Government.

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

The PRESIDING OFFICER. The Senator has 3 minutes remaining.

Mr. SPARKMAN. I want to say to the Senator from Wisconsin that he knows I supported him on his moratorium provision in the bill.

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

Mr. SPARKMAN. I yield.

Mr. TOWER. By the way, the chairman stood firm in the conference on both the amendment of the Senator from Illinois and of the Senator from Wisconsin.

Mr. SPARKMAN. I did that, and I think we can do some things in the Housing Act that we are going to write. The Senator mentioned its being a shame. I think it is a shame to be cut down the way it has been cut down and the way the recommendations we are going to have under consideration tomorrow stand in the new proposal. But one does not get anything by standing back and saying that because he cannot agree on one thing, he is not going to get anything. I think we have got to stand up and begin with the program that has been authorized, and starting tomorrow, we ought to stand fast for a good housing act, regardless of what may be proposed by the President or by the Secretary of Housing and Urban Development. We have the job of saying what the housing program ought to be. I am in favor of standing for a good program and writing one, passing it through the Senate, and I hope through the House, and delivering it to the President for his approval or disapproval—approval, I hope.

Mr. President, I am ready to yield back my time.

Mr. CRANSTON. Mr. President, I am gravely concerned for the future of the home building and saving and loan industry in the current money climate. The outflow of funds from saving and loan associations by savers seeking higher interest rates elsewhere has been the chief contributor to the sudden drying up of money in the mortgage market.

The recent action of July 5, by the Federal Reserve System introducing the "wild card" certificate of deposit has had a disastrous effect on the savings and loan industry and the housing market in this country. The Nation's federally insured savings and loan associations incurred during August the third largest savings outflow in their history according to the Federal Home Loan Bank Board. The August savings outflow was $1.21 billion followed by a $291 million drop in July when the outflow was the first since January 1970. This outflow was exceeded only by a $1.5 billion drain in July 1966, a previous period of a crunch in the mortgage market.

The Federal Home Loan Bank of San Francisco has indicated a net outflow of savings from California savings and loan associations for the month of July of $192 million and based on a sample of associations in California a net outflow of savings of some $260 million for the first 20 days of August.

Three times in the past 7 years, 1966, 1970, 1973, there have been periods of tight money, high interest rates and dislocations in the credit markets. The primary burden in times of tight money falls upon the American home buyer and home builder. These tight money periods cannot be ascribed to the inadequacies of our financial system or the financial structure of this country. Rather, it is the administration's attempt to manage the Nation's fiscal and monetary affairs so as to minimize inflation. This use of monetary policy as the sole mechanism to control inflation is causing the drain of billions of dollars from thrift institutions and is resulting in a severe liquidity crisis. Saving and loan associations are unable to continue normal lending activities and this is bringing home building and home buying to a virtual halt. Historically in 1966 and 1970, interest rate ceilings on saving deposits were not the cause of dislocations in financial money markets. The administration should deal with the "cause" of inflation rather than the "effect" of inflation.

Congress intended there be interest rate ceilings to avoid rate wars between financial institutions with the differential in favor of thrift institutions over the rate paid by banks because of the special role they perform as long-term housing lenders. This arbitrary action by the Federal Reserve Board introducing the ceiling free, 4 years certificate of deposit has tipped the balance against the savings and loan industry in favor of commercial banking institutions. Clearly, the greater profitability of banking institutions enables them to respond more successfully to heavier costs inherent in the bidding for funds contest implicit in the no limit certificate. The July 5 experience has proved that experiments with rate decontrol should not be attempted during periods of inflation and rising interest rates nor should it be done on a piecemeal basis.

The Nation has been particularly well served by the savings and loan business since the mid-1930's, when Congress created the Federal Home Loan Bank System. Congress must keep the flow of mortgage credit available to the American home buyer and the savings and loan industry functioning. For these reasons Senators SPARKMAN, TOWER, McINTYRE and I are introducing a bill that requires Federal banking regulatory agencies to set maximum interest rates levels on all certificates of deposits under $100,000.

The PRESIDING OFFICER. Does the Senator from Wisconsin yield back his time?

Mr. PROXMIRE. I yield back my time.

The PRESIDING OFFICER. All time having been yielded back, the question is on third reading of the joint resolution.

The joint resolution (H.J. Res. 719) was ordered to a third reading, read the third time, and passed.

Mr. SPARKMAN. Mr. President, I move to reconsider the vote by which the joint resolution was passed.

Mr. TOWER. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. What is the will of the Senate?

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

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk called the roll.

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

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

FOREIGN ASSISTANCE ACT OF 1973

The Senate continued with the consideration of the bill (S. 2335) to amend the Foreign Assistance Act of 1961, and for other purposes.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the amendment by Mr. TUNNEY be temporarily laid aside; that the Senator from North Carolina (Mr. HELMS) be recognized to call up an amendment; that he speak on his amendment, at the conclusion of which speech the Senate return to the consideration of the Tunney amendment.

The PRESIDING OFFICER. Without objection——

Mr. TAFT. Mr. President, reserving the right to object, in view of the fact that the Senator from North Carolina is going to bring up his amendment, I ask unanimous consent that, in the unanimous-consent agreement, there be permission for me to introduce into the RECORD, following the offering of the amendment, a letter written to Congressman ZABLOCKI by William H. Draper, Jr., dated June 14, 1973.

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

(See exhibit 1.)

Mr. HELMS. Mr. President, I thank the distinguished Senator. I shall be brief.

I call up my amendment.

The assistant legislative clerk read as follows:

On page 9, line 11, strike out the quotation marks.

On page 9, between lines 11 and 12, insert the following new section:

"SEC. 116. PROHIBITING USE OF FUNDS FOR ABORTIONS—None of the funds made available to carry out this part shall be used in any manner, directly or indirectly, to pay for abortions, abortifacient drugs, or devices, the promotion of the practice of abortion, or the support of research designed to develop methods of abortion. The provisions of this section shall not apply to any funds obligated prior to the date of its enactment."

Mr. HELMS. Mr. President, I ask unanimous consent that the distinguished junior Senator from Oklahoma (Mr. BARTLETT) be listed as a cosponsor of my amendment.

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

Mr. HELMS. Mr. President, the amendment which I propose is very simple and straightforward. It is intended to prevent the use of AID funds—that is to say, funds collected from the taxpayers of the United States—in the practice and promotion of abortion.

At the present time, AID supports abortion in at least three major ways. First, AID supports, in many individual countries, population programs in which abortion is one of the approved methods of

population control. Second, AID is a major supporter of international organizations and funding mechanisms which provide training programs, hospital facilities and equipment for performing abortions, and propaganda programs to make abortions culturally acceptable in foreign countries. Third, AID funds research both in the United States and abroad aimed at developing cheap methods of abortion, principally through so-called abortifacient drugs, that is, chemicals which induce abortion. The research in this third category is envisioned by AID as developing a pill or simple self-administered drug which will become the primary method of population control throughout the world. Unlike the pill which is merely contraceptive, this will be the pill that kills.

My amendment would therefore stop the use of U.S. Government funds to promote and develop ways of killing unborn children. It would not affect other AID population programs. It would not reduce the amount of funds available for AID population programs, or any other programs of the Foreign Assistance Act. There are many of us in this Chamber, myself included, who favor reducing foreign aid. But that is another issue, one to be discussed in a broader context. In this amendment I am simply trying to restrict the use of whatever amount of funds is authorized and appropriated from being used for the purposes of the abortionists.

This amendment will not interfere with our relationship with other countries receiving assistance or with the international population organizations. It requires only that U.S. Government funds made available for legitimate purposes not be commingled with funds from other sources that might be used for abortion. I am under no illusion that governments and agencies that have been promoting abortion for years will suddenly stop when they are not allowed to use U.S. Government funds for that purpose.

Foreign countries already understand that assistance is received only if they adhere to reasonable conditions. Title X of the act, the very title of the act which relates to population growth, specifically authorizes the President to set up "such terms and conditions as he shall determine." Section 291(c) requires the President to "establish reasonable procedures to insure, whenever family planning assistance from the United States is involved, that no individual will be coerced to practice methods of family planning inconsistent with his or her moral, philosophical, or religious beliefs."

Moreover, the very bill before us, as approved by the committee, contains a section 115 prohibiting funds from being used to conduct police training.

Finally, it is in the very nature of AID assistance that conditions for fiscal responsibility, social reform, and financial participation of the host country be attached. Every loan and grant has them. We could, in fact, go far beyond the present amendment and require all abortion activities, from whatever funds, to be stopped before our assistance could be received. But the present amendment does not do that. It only requires that the United States does not participate in the spread of abortive practices. If it is permissible, as I think everyone agrees, to put the condition of voluntarism upon any participation, it is certainly permissible to require each recipient to agree not to use our money for killing the unborn.

No new public policy is being introduced through this amendment. I doubt that any Senator who first voted for the Foreign Assistance Act in 1961 ever dreamed that AID's population programs in foreign countries would allow abortion, much less become potentially structured around abortion in 1973. I believe that is the reason that the 1961 act failed to contain a specific prohibition or even to mention abortion.

Our domestic policy is quite clear. The Family Planning Services and Population Research Act of 1970 contains the following two clauses:

> Sec. 1004(a). In order to promote research in the biomedical, contraceptive development, behavioral, and program implementation fields related to family planning and population, the Secretary is authorized to make grants to public or nonprofit private entities and to enter into contracts with public or private entities and individuals for projects for research and research training in such fields.
>
> Sec. 1008. None of the funds appropriated under this title shall be used in programs where abortion is a method of family planning.

Unfortunately, the proponents of abortion have found other ways of getting Federal funding, particularly for research in the field. One of these ways is through AID funds, apparently on the grounds that abortion is contrary to public policy for domestic purposes, but that it is all right to promote abortion among foreign nations with U.S. money. Dr. Carl Djerassi, an ardent proponent of abortion, writing in the Bulletin of Atomic Scientists—January 1972—put it this way:

> I believe that research on chemical abortifacients should be at, or near, the top of the priority scale for future fertility control agents. Fortunately, at least two important federal funding agencies (Agency for International Development and the Center for Population Research of the National Institutes of Health) seem to have found ways of circumventing Sec. 1008 of the 1970 Family Planning Act and have continued to inject significant, though insufficient, financial support into this highly important area of research.

The result, as Dr. Djerassi avidly points out, is that abortion research is being carried out with AID funds under the guise that it is done for the alleged benefit of foreign nations. Of course, once the technology is available, it is available for domestic use as well. I find it reprehensible that public funds would be used for such purposes, no matter what the intended use.

After reviewing current AID materials, I find it clear that abortion is an approved method of family planning in AID programs at the present time, and that AID regards abortion as potentially the largest sphere of its activity in the near future. Although AID currently supplies funds, training, technology, and equipment to programs which include surgical and suction abortions, AID makes it plain that its future lies in promoting chemical abortions on a massive scale, using U.S. Government funds. To this end, AID has been funding research into chemical methods—research, I might add, that is associated with clinical tests upon U.S. citizens. According to the latest available statistics, some $30 million was spent between fiscal year 1965 and fiscal year 1972 for such research alone. This is entirely the policy of bureaucrats, not the policy of Congress.

One has to look carefully in AID literature to discover these facts, because the official publications prefer to use euphemisms to hide the truth.

The true medical definition of abortion is not difficult for the layman to understand. In 1963, HEW's Public Health Service Publication No. 1066 used the following technical definition:

> All the measures which impair the viability of the zygote at any time between the instant of fertilization and the completion of labor constitute, in the strict sense, procedures for inducing abortion.

The layman needs only to learn that the zygote is the fertilized egg cell—the cell with the complete pattern of determinants that make up an individual human being—to understand that abortion is the process of bringing death to that individual. Abortion ends the life of a human being who has done no wrong and has made no choice.

AID prefers to avoid such terms in its public literature. The current issue of "Population Program Assistance," the official summary of AID's population programs, speaks deceptively of "post-conceptive fertility control" and "relief of unwanted pregnancy" as the most effective area of future activity. AID says:

> Such pregnancy-centered programs can be much more efficient than ordinary family planning programs because women who believe they may have an unwanted pregnancy will actively seek out any facility offering relief, and hence educational and promotional costs of the family planning program can be greatly reduced, and the time from inception of the program to reduction of fertility can be minimized.

What this bureaucratic gobbledegook means is that by killing the child in the womb, you are already one up on reducing the population.

This is both a crime against humanity and a crime against language. Fertility relates to the ability to conceive, not to the capacity of giving birth. This so-called "post-conceptive fertility control" is nothing less than the induction of abortion and the death of a child already conceived.

The head of AID's Office of Population, Dr. R. T. Ravenholt, was quoted as saying in the July 1973 issue of HEW's Family Planning Digest that "AID will also support provision of such clinical methods as pregnancy termination." Dr. Ravenholt made a similar statement at the meeting of the International Planned Parenthood Association in August 1972, as quoted in the IPPF Medical Bulletin:

> Dr. Ravenholt summed up his findings by saying that there was a considerable basis for optimism, but that it was becoming increasingly important to reach young women to curb early reproduction. Access to oral

contraceptives should be as free as possible. No coercion should be made available in family planning programmes, including abortion.

Thus we can see that there is no doubt whatsoever that the policy of AID and the policy of AID's Director of the Office of Population, Dr. Ravenholt, is to extend U.S. support to programs that make abortion available.

I want to make it clear that my amendment touches only abortion; it does not affect AID programs of family planning which prevent conception. For example, AID is the world's largest purchaser and distributor of present oral contraceptives. This program would not be affected by my amendment. Nor would AID programs in demographic research, or manpower training in contraceptive programs.

The main thrust of my amendment is toward the future—toward the research being done now to realize the abortion potential of the future. It would stop U.S. Government funds from being used to do abortions now, but it is more important that AID's abortion policy be reversed. Unless Congress does so now, we will soon see the day when abortifacient drugs and techniques dominate AID's program, and the United States becomes the world's largest exporter of death.

This is clear from the 1971 edition of Population Program Assistance. The main emphasis is placed upon the development of the drugs known as prostaglandins, which it is hoped will become as cheap and as available as aspirin. The prostaglandins are drugs which induce muscle contractions and expel the developing child. They are not contraceptives or true fertility control. AID reports as follows:

With unusual speed, and at least partly due to AID support, the prostaglandins have emerged as a new method of fertility control with high future potential . . . AID has moved rapidly to explore the potential of prostaglandins. It now has contracts totalling $4.4 million with outstanding investigators and institutions.

Problems of synthesis and production appear to have been largely solved; intensive studies of administration and safety are in progress; and collaborative clinical trials of prostaglandins already in progress in North Carolina, Michigan, Massachusetts, Connecticut, Missouri, and Hawaii in the United States.

Rarely, if ever has the testing and introduction of such a new technology proceeded so rapidly on a worldwide basis.

Research interest is focusing increasingly on the use of prostaglandins that can be self-administered. It is already known that prostaglandins by the intra-amniotic and extra-amniotic injection offer substantial improvement over previous methods for termination of mid-term pregnancies.

Dr. Ravenholt is also ecstatic over the possibilities of chemical abortions. In testimony before the Senate Appropriations Committee in July, 1971, he said that prostaglandins show promise of—

. . . a breakthrough in contraceptive technology, particularly suited to less developed countries . . . the potential of prostaglandins to contribute to the solution of demographic crisis is so great that the most rapid exploration of their worth is warranted.

It was with a deep sense of regret that I discovered that my own State of North Carolina is a leader in developing the new death technology with AID funds. I have two articles which give authoritative accounts of the North Carolina research, one from the January 1972 issue of HEW's HSMHA Health Reports, and the other from the September 1971 issue of AID's journal, "War on Hunger." I call upon the Senate to end such activity wherever it is sustained by Federal money.

Mr. President, I ask unanimous consent that the two articles I have just mentioned be inserted in the RECORD at the conclusion of my remarks.

Mr. President, I also ask unanimous consent that the following documents also be inserted in the RECORD at the conclusion of my remarks:

First, "A 5-year Plan for Family Planning Services and Population Research—Second Progress Report to the Congress of the United States," May 1973—excerpts reference AID.

Second, "Report of the Secretary of HEW Submitting 5-Year Plan for Family Planning Services and Population Research Programs," October 1971—excerpts reference AID.

Third, excerpts from "Inventory of Federal Population Research, Fiscal Year 1972," DHEW publication No. (NIH) 73-133, "Development of New Fertility Regulation Techniques."

Fourth, "Summary of AID Dollar Obligations for Populations and Family Planning Projects, Fiscal Years 1965–72" from Population Program Assistance, AID Bureau for Population and Humanitarian Assistance, December 1972.

Fifth, "AID Population Funds Obligated for Research in Fiscal 1966–72," from Population Program Assistance.

Sixth, "A Fact Sheet on Prostaglandins, Today—Tomorrow?"

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

UGANDAN PRESSES PROSTAGLANDIN RESEARCH

(By Jan Palmer, Assistant Editor of Front Lines)

Sultanali Magan Karim is a third generation Ugandan who may hold one of the keys to the well-being of future generations, not only in his own developing country but throughout the world.

He is presently professor and head of the Department of Pharmacology and Therapeutics at Makerere University in Kampala, Uganda. Dr. Karim is also a foremost researcher in the use of prostaglandins as an important new method of family planning. (Prostaglandins are fatty acid compounds which occur naturally in the body. Scientists have recently found that these compounds are effective for inducing the menstrual period and can be used as a once-a-month means of fertility control.)

The significance of prostaglandins was noted recently in testimony submitted to the Foreign Operations Subcommittee of the Senate Appropriations Committee in July by Dr. R. T. Ravenholt, Director of the Office of Population, Agency for International Development. He said prostaglandins show promise of "a breakthrough in contraceptive technology, particularly suited to . . . less developed countries.

". . . the potential of prostaglandins to contribute to the solution of the demographic crisis is so great that the most rapid exploration of their worth is warranted."

AID has implemented this belief, according to Dr. Joseph Speidel, Chief of the Population Office Research Division. The agency has obligated $4.4 million for prostaglandin research over the past four fiscal years. In June AID provided an $800,000 grant to assist Dr. Karim in his research for the next three years.

Clinical trials of prostaglandins in a number of countries is one of the projects being initiated under another $3 million grant to the International Fertility Program organized at the University of North Carolina under the direction of Dr. Elton Kessell. Dr. Karim is a key member of the program and the clinical trials are one of the purposes of his wide travels in Europe, the United States and Asia.

Dr. Karim is of Indian origin with the distinguishing black wavy hair and fine features of his heritage. He looks younger than his 36 years and has the quiet, reserved manner of a lecturer or professor deep in thought.

He is an example of the fitness brought about by hard work. He is trim, appears relaxed and speaks enthusiastically of his studies. When he is not traveling or in his lab, he is at home in Kampala with his wife, Pitu, and his three children, Nina, Natasha, and Sharaz.

"The potential for the use of prostaglandins in the control of fertility is now obvious," he said recently in an interview while visiting the United States. The advantages of a once-a-month contraceptive are many: the possibility of self-administration, presence of fewer side effects, and the contraceptive may only be necessary at the time of a delayed menstrual period (possibly three to four times a year)."

Dr. Karim first became actively interested in prostaglandins in 1965 when he was working as a physiologist in obstetrics in London. He had already spent 12 years in London, and was to spend two more studying the mechanisms of natural childbirth and natural abortion. Actual clinical studies with prostaglandins began in 1967.

He was the first scientist to use prostaglandins in humans for the induction of labor in 1968 and a pioneer in the later use of the compounds for abortion. Dr. Karim also reported the first oral use of prostagladins to induce labor at or near full term.

Most of Dr. Karim's work has been carried out at Makerere University in Kampala. The major part of his study is devoted to the use of prostaglandins in inducing the menses when delayed up to seven days and in terminating a pregnancy when the gestation period has been 13 weeks or more.

"We have tried various methods of administering prostagladins," Dr. Karim explained, "intravenously, through muscular injections—but thus far the intravaginal method has proved the best." This method was first suggested by Doctors Speidel and Ravenholt in a letter to the British Medical Journal, *Lancet*, in March 1970.

Dosages of prostaglandins are based in part on a woman's weight and size. Dr. Karim said. Higher dosages are required for oral contraception.

Witnessed side effects include nausea, vomiting and diarrhea in some cases. "But," Dr. Karim said, "we are trying to eliminate these conditions."

Asked about the implications of prostaglandins in family planning in the developing countries, Dr. Karim expressed two approaches in his answer.

Prostaglandins are now readily synthesized and as such will become available at a low cost—a few pennies per use."

"The motivation factor is less important with prostaglandins. Instead of having to remember to take a pill every day, it is an after-the fact-approach."

But Dr. Karim added, "The availability to any woman is dependent on the length of the gestation period. While prostaglandins are presently used routinely in inducing childbirth and the tests are positive for its use in inducing menstruation in cases where

the delay is up to seven days, the use of prostaglandins for terminating pregnancy after 13 weeks is under continued study."

"Even 50 years from now," Dr. Karim said, "the use of prostaglandins in terminating a pregnancy where the gestation period has been 13 weeks or more will most probably be an in-hospital procedure."

"Therefore, while prostaglandins will cost only pennies in themselves, the most important cost will arise from the supply system."

Dr. Karim also mentioned other considerations affecting the use of prostaglandins.

"Abortion as a means of population control in underdeveloped countries such as Uganda is a thing of the future because of present religious and medical restrictions."

"But restrictions and laws are gradually changing," he added.

Presently, the use of prostaglandins for terminating pregnancies of 6 to 12 weeks "offers no real advantages over other methods, such as the vacuum," Dr. Karim explained. "Thus we have restricted our primary tests to 13 or more weeks.

"In some countries," Dr. Karim said, "Prostaglandins for this procedure may be available as soon as two years from now. In the United States my guess is about three years."

"But this is limited availability," he added.

Dr. Karim was enthusiastic about the free exchange of information among various prostaglandin researchers and felt that progress was being made more quickly because of the pooling results.

He was also encouraged by the support he had received from AID and other organizations. But he cautioned against undue optimism.

"It will be five years until prostaglandins are readily available and commonly used," Dr. Karim said. "I have been told that is an optimistic guess—perhaps. But we have made rapid and encouraging progress which allows us to be optimistic."

An "after-the-fact" new method of birth control is being tested at Chapel Hill, N.C. If it is successful, a sigh of relief will go up from millions who find the estrogen pill too dangerous and contraceptive devices such as the intrauterine device (IUD), the diaphragm, and the condom too inconvenient, uncomfortable, or ineffective.

The first clinical research in the United States using chemicals called "prostaglandis" as menstrual regulators is beginning at the University of North Carolina at Chapel Hill. Physicians there hope that their research will lead to a safe birth control pill which is used only once a month.

Ten women have volunteered to use prostaglandins for birth control in the first clinical trials. Surgical abortion will be available to any in whom the drugs are ineffective.

Clinical trials will then be expanded to about 100 and then to 1,000 women. The health of these women will be watched closely and their bodies monitored for physiological changes during administration of the drugs and for a prolonged period afterward.

Prostaglandins act by causing the uterus to contract. This brings on menstruation which expels the ovum, whether it has been fertilized or not.

Prostaglandins occur naturally in semen and in certain female tissues. Their role, if any, in human reproduction is unknown. The process through which prostaglandins initiate menstruation is also unknown. These mechanisms will be studied in the research.

Research into prostaglandins has a long but uneven history. In 1930 it was discovered that semen causes the uterus to contract. The active ingredients in semen which cause this contraction were isolated and identified as prostaglandins. No use was known for the new-found chemicals for 40 years. Then in 1969, an event was reported which led to the present University of North Carolina research. Dr. S. Bergstrom and his co-workers at the Karolinska Hospital in Stockholm, Sweden, had used prostaglandins to induce abortion. In August 1970, a research team at the university, headed by Dr. Charles Hendricks, chairman, department of obstetrics and gynecology at the university's Memorial Hospital began using prostaglandins as abortifacients.

Administered into the vagina, the uterus, or directly into the bloodstream, prostaglandins have brought on abortion in 46 women who were 6 to 20 weeks pregnant during 1971.

According to Dr. William Brenner, a member of the research team, none of these women sustained injury: "Serious complications observed in surgical abortions have not been observed with prostaglandins."

Besides being effective abortifacients, prostaglandins were found to bring on menstruation prior to implantation of the egg. Implantation of the fertilized egg in the uterine wall normally occurs about 6 weeks after intercourse.

Research into the use of prostaglandins as menstrual regulators was begun while they were being used for abortions. Researchers reasoned that if menstruation could be brought on regularly at the end of each monthly cycle, unwanted pregnancies would be averted.

Prostaglandins have been used successfully as menstrual regulators in research on three species of animals, including monkeys. In the clinical research with women, two varieties of naturally occuring prostaglandins will be administered into the vagina.

Synthetic varieties of prostaglandin, however, may prove more valuable than natural ones. It is hoped that synthetic prostaglandins will be developed which can be given orally, in pill form, and which will have fewer side effects than those being used now.

When prostaglandins have been used to induce abortion, patients have had nausea and pelvic pain. Physicians at the university hope to lessen these side effects by experimenting with different "routes and rates of administration" and to demonstrate that prostaglandins are superior to the daily estrogen pill and other birth control methods.

Dr. Frederick Kroncke, another researcher in the project, pointed out that there are areas of the world where people are interested in birth control but do not have the money nor the medical counsel necessary for the presently used contraceptives. In these areas prostaglandins may prove to be the cheapest and most effective means of birth control.

Until recently, most of the funds for the prostaglandins research have come directly from the University of North Carolina Department of Obstetrics and Gynecology with some assistance from the Upjohn Company, which supplies prostaglandins to the investigators. Since mid-July 1971, money has also been received from a grant from the Agency for International Development to the North Carolina Population Center.

[COMMITTEE PRINT]

REPORT OF THE SECRETARY OF HEALTH, EDUCATION, AND WELFARE SUBMITTING 5-YEAR PLAN FOR FAMILY PLANNING SERVICES AND POPULATION RESEARCH PROGRAMS

OCTOBER 12, 1971.

BACKGROUND AND OBJECTIVES

In recent years the Agency for International Development and the less developed countries to which it extends assistance have become increasingly aware of the importance of population problems. There is growing recognition that rapid population growth and concentration of population are often detrimental to attempts to accelerate social and economic development in these countries.[1, 2, 3, 4,]

The Agency for International Development has therefore increasingly supported programs in the developing countries that aim to reduce population growth rates and to improve the conditions of human reproduction. AID population assistance is designed to achieve these specific objectives by strengthening the action programs of national governments, international agencies and private voluntary organizations. Such programs usually aim first and foremost at making family planning information and services freely available to those who want and would benefit from better means of fertility control.

Within the AID population program, research activity has developed gradually, not as an independent effort, but as an integral part of the backstopping, evaluating and strengthening of voluntary family planning programs. AID's research, therefore, is an applied or "goal directed" effort, seeking specific new knowledge that can be translated directly into action programs in the less developed countries.

SCOPE OF THE PROGRAM

The research component of AID population assistance is, from a legal standpoint, the oldest part of the program. In the first population legislation ever enacted by Congress, the Foreign Assistance Act was amended in 1963 to provide that AID funds "may be used to conduct research into the problems of population growth."[5] Subsequently, these research activities were endorsed by Congress in Title X of the Foreign Assistance Act (1967)[6] and by President Nixon in the Presidential Message on Population (July 18, 1969)[7]. * * *

The first objective of AID population research in the mid-1960's was to define and describe the still little-understood relationship between population growth and economic development. Studies by the National Planning Association, the University of Pittsburgh, General Electric TEMPO Center for Advanced Studies and others helped to document the fact that in many developing countries high birth rates were reducing the hoped-for gains in per capita income and in funds for capital investment, while at the same time creating a higher ratio of dependents for the working population to support and a higher demand for food, shelter, schooling and other immediate consumer needs. Reducing birth rates, these studies indicated, would hasten the achievement of other economic and social goals.

As these relationships were recognized and as the AID worldwide population program increased from $2.1 million in fiscal year 1965 to approximately $100 million in fiscal year 1971,[8] population research programs also increased in a comparable manner. The goal of the research program has consistently been to develop and relate new family planning methods, new social science insights, and new distribution systems to incipient and ongoing family planning programs of developing nations. Allocations for population research increased from about $1 million annually in fiscal years 1965–68 to $11.6 million in fiscal year 1970–71. In the five years, fiscal 1965 to 1970, a total of $26 million has been obligated for population research projects and pilot or demonstration projects which are principally research-oriented. In addition, throughout this period, technical assistance projects totalling approximately $10 million have been funded which are partially research or have research implications. Also in these years, about $10 million has been provided to institutions to strengthen their capabilities and support the conduct of population programs including research.

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In fiscal 1971, obligations for population projects which are solely or primarily research are expected to total $12 million. Funding levels for the population research program are shown in Figure 1.[9, 10]

STRATEGY

AID's population program assistance is being directed selectively at high priority action needs in the two categories of population policy and population programs. This overall assistance strategy is outlined in Table 1.[11]

The research program is considered an adjunct to this strategy and therefore encompasses a broad range of activities, including biomedical research to improve means of fertility control, research on demography, population dynamics, and operational research to improve family planning delivery systems.

Two decades of experience within AID and the assistance agencies preceding AID have led to the realization that adaptive research is needed for transference of knowledge and technology between nations. There are now 148 professional AID personnel working in population worldwide. The input on needed research from this network of AID personnel and action programs helps provide AID with perspective and the ability to focus on gaps in knowledge which are hindering the success of these programs.

AID's experience with other developmental programs has shown that it is important to provide coherent leadership and direction to research efforts. AID encourages the development of cooperative arrangements for carrying out research between institutions in the United States and the less developed countries. But whenever outside experts are involved, the research design and execution should involve host country nationals as collaborating professionals. In addition to making it more likely that highly relevant topics of research will be chosen, this practice is designed to enhance assurance that research results will find their way into practical application within the less developed countries. With the partial exception of biomedical research, it is essential that as much of the research as possible be carried out within the developing countries.

Most research should include training functions. By involving host country nationals in a training function, AID-sponsored research can hope to build up a valuable resource for the host country, namely, indigenous qualified research investigators. Ultimately, a core of skilled investigators in the developing countries should grow to a point where outside technical assistance in performing research is rendered unnecessary.

Research should demonstrably result in the development and strengthening of institutions within the host country, such as universities, hospitals, clinics, etc. This institutional development is often best fostered by organization affiliations between a U.S. research team and a specific institution within the host country.

Where adequate personnel and facilities exist, AID will enter into research contracts directly with host country institutions and nationals.

Although solution of important problems in a single country context has high priority, AID prefers, because resources are limited, to fund research projects of sufficient importance and generality that they can be applied in more than one less developed country. Typically, AID will support research in an initial country with the understanding that, should the project demonstrate success, efforts will be made to repeat the project in other countries.

RESEARCH NEEDS AND PROGRAM

AID has selected four functional areas in the field of population research for particular emphasis. The following sections present a brief description of research topics important to AID's assistance program, the program developed to date to meet these needs, and future plans.

DESCRIPTIVE DEMOGRAPHY

In the less developed countries of the world there is a paucity of accurate and complete information concerning the demographic status of the country. As one example, a consultative group of the Economic Commission for Africa, meeting in Addis Ababa in January 1971, concluded that current demographic information on the self-governing territories of Africa is, at best, spotty. Twenty-three of these territories have taken at least one census since 1950 yet 16 of the countries have not. Where censuses have been taken, the range of topics is quite narrow: only eight countries have collected data permitting analysis of national fertility levels; only 15 have data on internal migration. The situation is no better with regard to registration of vital events. While 33 of the African self-governing territories make provision for such registration, in only 10 of these countries does vital registration ostensibly apply to the entire population; elsewhere coverage extends only to urban areas or—in the case of four countries—to the non-African population.[12]

The obstacles facing achievement of accurate and complete demographic information for less developed countries are in large part the problems of development itself. The information cannot be obtained because of the relatively high cost and administrative difficulty of taking decennial censuses; the rapid outdating of census statistics due to delays in tabulation and analysis; the lack or nonexistence of efficient administrative machinery for vital registration and vital statistics collection; and the relatively high recording or response error.

In these situations, traditional approaches to census and vital registration systems will not yield the critically needed information. New methods for data collection relative to fertility, mortality and migration are required, as well as innovative techniques for collecting and analyzing information concerning family planning practices, pregnancy out of wedlock, incidence of induced abortion, early infant deaths, family formation and dissolution, and the age of onset and patterns of childbearing and marriage.

To improve the reliability and predictive value of data for population and family planning assistance programs, the University of North Carolina, with AID support, is helping to establish POPLABS, or Population Laboratories, at universities and research institutions in various countries. These POPLABs, initially established in Columbia, Morocco and the Philippines, concentrate on development of new methodologies (such as dual recording systems) for meeting census and vital registration requirements, and apply newer analytic techniques to the interpretation of existing demographic data.[13]

AID missions in many countries have also supported research to collect demographic data, develop new methods of analysis and improve the accuracy of descriptive and predictive demographic information. Considerable support has been provided to the building of demographic institutions, particularly in Latin America.[14]

To meet the need for improved demographic data and methods, AID has provided $7.5 million for technical assistance and research projects between FY-65 and FY-70. In the coming years, AID expects to continue support of a strong research effort in this area.

Determinants and consequences of population characteristics and change

In many countries success of family planning programs is hindered by lack of official policy or low priority support of such programs on the part of government and other leaders. The result is unavailability of adequate resources for population programs, failure to use all available contraceptive technology, and poor quality administrative systems. Studies of the dynamics of policy formation and decision-making as they relate to population and family planning programs are important in order to suggest strategies for bringing about change. To assist policy formulation and decision-making in less developed countries, investigation is needed of the impact and interrelationships of a broad range of government policies and activities on population such as tax laws, subsidies for childbearing, policies concerning housing, agriculture, education and welfare, laws concerning legal age of marriage, abortion laws, provision of governmental maternity care, and pro- or anti-notalist family planning policy.[15]

Beyond the policy sphere, social science research on population dynamics is needed to elucidate factors operating at both the individual and societal level.[16] At the individual level, studies are needed of factors directly affecting fertility, such as exposure to and frequency of intercourse, use of contraception and abortion to prevent or interrupt pregnancy, factors relating to pregnancy such as infertility, fetal wastage and length of lactation and the social psychological factors relating to acceptance of methods of fertility limitation including sterilization and abortion.

At the group level, more knowledge is needed concerning the dynamics of development of societal norms relating to fertility and how these norms interact with other factors such as education, socioeconomic status or religion to affect fertility behavior. Still awaiting more thorough exploration are the relationships between fertility and such factors as migration, urbanization, sex education, employment status and educational opportunities for women, and the commonly perceived relations between children (especially sons) and economic and social security. Work on population trends in society as studied by historians[17] and of the dynamics of smaller elements of society as studied by anthropologists has not received adequate emphasis within the population community.

In AID's program, behavioral and social science technical assistance and research projects have received $6.5 million between FY–65 and FY–70. Support is being provided, for example, to the Rand Corporation for an inquiry into the determinants of fertility.[18] The primary purpose of this project is to develop both a general theoretical statement of the determinants of fertility, and to explore elements of this theory from various conceptual, empirical and policy points of view. The goal is to help provide a basis for better defining alternative population/family planning program strategies, indicate their potential comparative advantage and test cost-effectiveness of actual operations.

Information on abortions is being developed through an AID supported project at Johns Hopkins University, which is conducting epidemiological studies in Taiwan. The project aims at determining the incidence of induced abortions and how this relates to health, fertility levels and other socioeconomic factors.

For the future, more attention is needed concerning social psychological factors in family decision-making as related to fertility.[19] A desirable product, from AID's point of view, would seem to be research which articulates an understanding of family decision-making with the organization of family planning services. Articulation would consist of structuring family planning services so as to take explicit account of empirically tested social psychological findings.

Efforts are going forward at several universities in the U.S. and elsewhere for the development of population education, a newly created discipline which seeks, in part, to broaden the traditional definition of

Footnotes at end of article.

sex education by incorporating an awareness of population problems. Research is needed for the development, first, of instructional theory in this field; next, for curricular materials and programs of teacher training.[20]

The present "economic case" for reducing rapid population growth rates because of their adverse effect on development is based on highly discounted streams of future costs and benefits. While the ratios are impressive, they have little meaning to administrators hard pressed with present problems and whose planning horizons are counted in weeks and months rather than decades. Much more work is required to learn how population growth is immediately affecting present efforts to improve living conditions, reduce unemployment, and speed development in specific developing countries. Conversely, the contribution of modernization and economic development to secular declines in levels of fertility are generally recognized, but specific information on important variables which might be open to a policy of planned intervention in developing countries is quite limited.

Operational research

The most successful national family planning programs have benefited from an integration of research and evaluation activities with ongoing programs.[21] These programs have provided important information about user characteristics, what birth control methods they employed, and their rate of acceptance and continuance as measures of program impact and success. These operational research programs serve to identify and study problems and provide essential information to program administration, allowing changes and modifications in programs to insure their success.

Research is needed to determine the best methods of educating, communicating with and motivating people to use available family planning services. Study of factors ensuring continuance as well as initial acceptance of family planning services are important, as are studies of fertility of acceptors, nonacceptors and terminators. Personal relationships with clinic personnel or field workers and side effects of contraceptives seem particularly important to acceptance and continuing use of contraception. More studies of these relationships are needed. Innovative studies with respect to determinants of fertility control behavior involving house-to-house visits by field workers, popular mass media, peer group leaders and other approaches require trial and evaluation.

Less developed countries typically have relatively little trained manpower and weak administrative, transportation and communications systems. These conditions call for action research on optimal organization and administration of family planning programs, focusing particularly on target population locations, proper location and make-up of services, linkage of family planning and other services such as commercial systems or health services, how to provide family planning for rural populations, and other organizational problems relating to provision of services. Staffing needs of service programs dictate research into manpower problems and the development of new training methods for family planning workers.

Investigation of program impact, including relative cost effectiveness of various delivery patterns, developing simplified and accurate means of keeping service statistics, new approaches to measuring impact of service programs on fertility, better measures of the demographic effectiveness of specific contraceptives and reasons for departure from theoretical effectiveness are some of the areas where research is needed.

In the years FY–65 to FY–70, AID has provided $6.9 million for technical assistance and operational research projects to meet these needs. The Population Council has received AID assistance to conduct research on the impact of a demonstration postpartum family planning program in selected maternity hospitals in more than 15 countries. Areas of investigation have included the extent of participation, age-parity patterns, characteristics of acceptors, and measurements of costs and of cost-effectiveness.

Pilot studies on the use of various fertility control methods, development of improved service statistics systems and testing of mobile clinics and other delivery systems have been carried out in India, Pakistan, Turkey, the Philippines and in other Asian, Carribbean and Latin American Countries.[22]

Wake Forest University is conducting research, in collaboration with the University of Costa Rica, to determine what attitudes and values husbands and wives hold that affect utilization of available family planning services in Costa Rica. The investigators are evaluating the impact on utilization of a variety of experimental action inputs, including, for example, the use of home meetings as a group dynamic for increasing utilization of family planning services.[23]

In Africa, investigators from UCLA are working with the University of Accra and the Ghanian government to study various patterns of delivery of family planning services. Working in the Danfa rural district, researchers are testing pilot systems to deliver services independent of, and linked to, other services such as health care.

Between FY–65 and FY–70, over 40 operational research activities have been initiated under AID sponsorship in 12 countries in Asia, Africa, and Latin America. This area of research is one of growing importance, for the delivery system frequently is a crucial element in the success of family planning programs. Efficiency of the delivery system is often more important than methods provided or motivation of recipients as a limiting factor in the success of these programs. Therefore, operational research will continue to be an essential and important part of AID's total population research program. Its importance can be expected to increase until nations are fully mobilized to provide family planning service to their citizens.

One project currently under development is a broad-ranging program of research and evaluation at the American University in Cairo. Sponsored jointly by the Ford Foundation and AID, the program involves intensive and repeated studies of sample communities within the U.A.R. on topics ranging from basic demographic data to changes in the roles of women, from communication and educational investigations to improvement of client record-keeping systems.

Much interest has been generated in recent years concerning the use of monetary and nonmonetary incentives for increasing the rate of family planning acceptance in less developed countries. Six countries—India, Pakistan, South Korea, U.A.R., Taiwan and Ghana—now have incorporated some form of incentives scheme—whether to the client, doctor, family planning worker or canvasser—within their family planning programs. In the FY–70 family planning budget for India, approximately 22 percent of funding went for incentives.[24] Despite such large-scale investment in incentives, little research has yet been carried out to systematically evaluate the sociological or psychological impact of such programs: their cost-effectiveness, political ramifications or demographic effectiveness, not to mention their effects on continuation rates and the ethical problems which arise from faulty administrative systems. As pressure for incentives programs increases, there is corresponding need for rigorously designed research to untangle the pros and cons of incentives.

IMPROVED MEANS OF FERTILITY CONTROL

Evolutionary changes in fertility control technology during the last century, and implications for the nature and cost of fertility control programs are presented in Table 2.[25] The highly determinative influence of fertility control technology on the effectiveness and efficiency of family planning programs is readily apparent from studies of family planning practices and programs in many cultures.

Levels of education, availability of supply, transport and health care systems and other factors all mean that development of contraceptive techniques suitable for specific local conditions is essential. Increasing experience in family planning programs suggests that use of a variety of methods of fertility regulation is important to ensure success. Oral contraceptives may be preferred by young women than those who wish to use IUDs. A different age group prefers sterilization.

Cultural differences may seriously limit acceptability of certain methods, e.g., those requiring intra-vaginal examinations or those causing the side effect of vaginal bleeding. Other problems may arise with methods successful in the U.S. because of health and nutritional considerations: increased bleeding is a serious problem for IUD users already anemic from parasitic infestations [26] and decreased lactation among users of oral contraception may possibly compromise infant nutrition in certain settings.[27] Therefore, new methods which have greater acceptability in less developed countries are needed.

NEW MEANS

Priority has been given to research aimed at development of new and improved means of fertility control. The major focus of AID's research program is applied research and product development on methods now in view which appear to be most suitable and acceptable in the less developed countries.

When launching this program in 1968, AID defined the most essential missing element in fertility control technology to be a "nontoxic and completely effective substance which when self-administered on a single occasion would ensure the non-pregnant state at completion of a monthly cycle." [28] Since then, AID has obligated more than $11 million for support of research aimed at development of such "once-a-month" methods. The logic underlying this choice of principal research goal is indicated in Table 3.[29]

Studies of world fertility patterns and family planning programs had made it apparent that two foremost determinants of the efficacy of a means of fertility control for implementation of family planning programs in developing countries were the time of use (relative to sexual activity) and the requirements for administration (relative to clinical or self-application).

Effective use of precoital or preconceptive (contraceptive) means of fertility control requires the exercise of foresight. For many individuals, particularly in developed countries, these methods have been quite successful. But for many others in all societies and particularly in the developing countries, use of foresight means of fertility control is difficult and reliance solely on these means is less efficient and more expensive. For these groups, access to postcoital or postconceptive (hindsight) means of fertility control is imperative for adequate control of fertility.[30, 31, 32]

Ideally, the development of a substance or method which could be self-administered to control fertility after exposure to or recognition of pregnancy would fill the void in quadrant D (Table 3), establish Fifth Tier Technology (Table 2), and produce a marked increase in the speed and effectiveness with which family planning could be extended around the globe.

Footnotes at end of article.

The initial project funded with the goal of developing a once-a-month means of fertility control was for $107,000, provided in fiscal 1968, to the Worcester Foundation to study uterine luteolytic factors. This study used the auto-transplanted sheep ovary wherein the blood supply of these organs is made accessible by their transplantation into the neck. Using this technique, the still elusive uterine luteolytic factors have been tentatively identified as prostaglandins.

In fiscal 1969, $3 million was provided to the Population Council for a four-year program of research toward a once-a-month method especially for anti-progestational agents. This approach relies on the fact that progesterone is essential to establish and maintain pregnancy. Techniques being explored for interference with progesterone activity include interference with progesterone synthesis, and, competitive and noncompetitive inhibition of progesterone action at the endometrial level. The use of certain classes of infertility compounds which do not primarily interfere with progestins action are also being tested.

Also in fiscal 1969, $1.5 million was provided to the NICHD-Center for Population Research to support 28 studies focused on the corpus luteum. These studies have focused on obtaining the necessary knowledge concerning the role and function of the corpus luteum in reproduction needed to seek ways of altering corpus luteum function so as to regulate fertility. One of these studies has established the essentiality of the corpus luteum in the establishment and maintenance of pregnancy. Another study carried out by the Upjohn Company has further elucidated the role of prostaglandins in reproductive physiology.

In fiscal 1970, $2.3 million was provided to the Salk Institute to study the development of gonadotrophin releasing factor inhibitors as contraceptive agents. These releasing factors, such as the luteinizing hormone releasing factor (LRF) which is the focal point of the Salk project, are chemical "messengers" that link an area of the brain, the hypothalamus, with the anterior pituitary, which, as one of its functions, produces hormones involved in conception. By determining the chemical structure of the releasing factors, it may be possible to synthesize antigonists which can stop release of hormones and prevent conception.

Initial experimentation suggests that these chemicals will be active when taken orally. It is hoped that they will be effective either once-a-month or with a relatively short duration of use. There are also indications that they will have few of the systematic side effects of present steroidal contraceptives.[33]

Evidence is growing that prostaglandins can be developed as a pharmacologic "once-a-month" means of fertility control which is effective postcoitally and has the potential for self-administration. Reports of recent clinical experience confirm the efficacy of intravenous, intrauterine and intravaginal prostaglandins to induce the menses. These trials have also raised concern about bothersome side effects, including nausea, vomiting, and diarrhea, and a number of women have experienced incomplete uterine evacuation or therapeutic failures.

Although evidence is still inconclusive, factors relating to successful use of prostaglandins appear to be enhanced by early use on a once-a-month basis or immediately after the missed menses. When used early, completeness and proportion of women successfully using postaglandins appears maximal and side effects appear to be minimized.

Although no serious side effects have come to light in over 500 trials of these compounds as means of fertility control, their extreme potency and their ubiquitous occurrence and effects require thorough testing for side effects.

Footnotes at end of article.

Several pharmaceutical companies are actively developing analogs which may have more favorable characteristics in terms of side effects, potency and duration of action. New delivery systems, e.g., intrauterine and and the "second generation" of analogs can be expected to increase efficacy, simplify use and minimize side effects by ensuring a dosage form of greater duration, gradual onset and controlled intensity.

Although considerable careful work remains to be completed, prostaglandins show promise of a breakthrough in contraceptive technology, particularly suited to the needs of AID assisted programs in less developed countries. For these reasons, over the past four fiscal years, (including FY–71), AID has obligated $4.4 million for prostaglandin research.[34, 35]

The largest of these grants, $3 million, was made in fiscal 1970 to the Worcester Foundation for Experimental Biology. Of the total, $2.7 million is for a broad research program in Worcester, including study of the effects of prostaglandin on reproductive processes, work to develop new assay techniques, and information gathering and dissemination. Through this program, collaborative studies are underway with Yale University and the Royal Veterinary College in Sweden to develop new assay techniques. Through subcontracts work on new means of synthesis is being carried out at Harvard and clinical trials are being conducted at Yale.

Additional grants will be made in the current fiscal year (1971) to Dr. S. Karim at Makerere University in Uganda to carry out clinical trials, to the University of Wisconsin to seek improved synthesis using micro-organisms to carry out key interconversions and to Washington University in St. Louis to study mechanism at action of prostaglandins.

Although success is not yet certain, and as yet unrecognized risks of prostaglandins may come to light, their potential to contribute to the solution of the demographic crisis is so great that the most rapid exploration of their worth is warranted.

OTHER BIOMEDICAL RESEARCH PROGRAM OBJECTIVES

A continuing focus of AID's research program is to further perfect and evaluate the role of currently available means of fertility control which are being used in the less developed countries. (See Table 4.)

Many countries (e.g., India, Korea, Pakistan) have emphasized sterilization as a means of fertility control because of the very high effectiveness of the method, the relatively low initial programmatic and clinical inputs needed and the lack of need for continuing motivation, supplies or other program inputs.[36] A sterilization by either partner may also be the safest means for a couple to achieve fertility control.[37] New methods are needed which would allow female sterilization without the risks and requirements for skilled personnel now needed for general anesthesia, intra-abdominal operation and hospitalization.

Simplification and greater reversibility of male sterilization could serve to retain the programmatic and demographic advantages of this method and decrease the importance of its single most important drawback which is low acceptance because of irreversibility. A continuing effort will seek methods which are simpler, safer, more reversible and less dependent upon skilled medical care practitioners.

Current projects include a study at the University of North Carolina seeking improved male and female sterilization techniques. This work is exploring the use of tantalum clips and other means of tubal occlusion. Simplified operative techniques for the use of current and new sterilization methods are also being investigated. A study to be initiated in the current fiscal year will be carried out by the Battelle Memorial Institute to seek improved and more reversible male sterilization procedures.

Other methods currently in use which will receive a continuing research effort to increase safety, contraceptive effectiveness and to decrease untoward side effects are presented in Table 4 and include steroidal contraceptives, IUDs, condoms, rhythm, vaginal foams, etc.

Work now in progress on currently available fertility control methods includes a three-year $913,000 program at the Southwest Foundation for Research and Education to study metabolic and vascular effects of the steroids used in current hormonal contraceptives and a three-year $581,000 program at the University of Pittsburgh School of Public Health to develop a combined intravaginal disease prophylaxis and contraceptive.

Rapid worldwide increase in venereal diseases have been documented by the World Health Organization, and both WHO and the Pan-American Health Organization have received a steady increase in requests to combat the problem.

Availability of an agent effective against venereal and other genital tract disease as well as against unwanted pregnancy would advance both health programs and family planning programs and could be distributed at both facilities. Such an agent would be especially useful for women in primitive conditions where clinical methods of contraception and treatment facilities are not available.

Another project, being carried out at the Pacific Northwest Laboratory of the Battelle Memorial Institute, is a three-year $645,000 research program to improve IUDs. IUDs, along with oral contraceptives, are among the most important contraceptive means now used in family planning programs in most countries. High rates of removal caused by side effects, spontaneous expulsions and accidental pregnancies limit the effectiveness of IUDs in current use. The Korean IUD program provides a good example. Since it began in 1964, up to 1969, a total of 1.5 million IUDs were inserted, reaching 36 percent of all married women aged 20–44. However, fewer than 600,000 of these remained in place. The majority were removed because of undesirable side effects.[38] The program at Battelle is correlating IUD performance patterns with physical and chemical characteristics of the IUDs to allow establishment of design criteria and development of improved devices. Such characteristics as size, shape compliance, and chemical composition are being studied. The improved performance characteristics of copper containing IUDs, have been shown to be possibly related to direct toxicity of copper to spermatazoa.

To evaluate fertility control methods which may have differing efficacy and risks associated with them when used in the less developed countries, a strong component of the AID research program is collaborative and comparative clinical trials of new methods in the field. The focus of this effort is the epidemiologic evaluation of the effects of these methods under use conditions in the field. By this technique, it has been possible to carry out double blind trials of new methods in the same clinic setting and to accurately evaluate the characteristics of the new technique.

Beginning in fiscal 1967, AID supported the development of the International IUD Program of the Pathfinder Fund. This $1.5 million field study of IUD performance characteristics is in its fifth year of operation and has provided high quality comparative data from 40 countries. Uniform records and centralized data processing has allowed the determination of which performance patterns are related to IUD's user and clinic characteristics. For example, the highly important category of removals because of bleeding or pain has been shown to be highly related to individual clinics providing contraceptive services.

To extend the availability of a clinical net-

work for field trials, an International Fertility Research Program will be funded in fiscal 1971. This $3 million program will be under the direction of Dr. Elton Kessel and based at the University of North Carolina. The program will conduct collaborative field trials of new IUDs, sterilization techniques, steroidal contraception and other promising new means of fertility control in many countries.

In conjunction with these field trials, AID will sponsor "anticipatory" social research concerning the effects on the population of introducing new contraceptive technologies. It is hoped that these studies can speed the acceptance and diffusion of new innovations in fertility control technology. Under a new project to be funded in fiscal 1971, the American Institutes of Research will carry out some of these studies.

In the fiscal years 1967–1970, AID has obligated $14.6 million for research to improve birth control technology. In the future, AID's biomedical research program will focus on applied and developmental work needed to further perfect and evaluate the safety and role of methods demonstrated to be effective in family planning programs in the developing countries. And, it will concentrate on applied research and product development concerning methods now in view which appear to be more suitable and acceptable in the less developed countries. For example, the development of methods which do not rely on clinical delivery systems, which require infrequent use or administration, which minimize supply problems. and are effective on a once-a-month basis. AID will particularly emphasize the support and development of collaborative networks in the LDCs to facilitate early and appropriate utilization of these technologies. Support for more fundamental research will be limited to that needed to buttress applied research and family planning program activities. Strengthening institutional capabilities within LDCs will continue to be an important goal of AID support of all LDC research activities including those in reproductive biology and contraceptive development.

SUMMARY

Since fiscal 1965, AID has rapidly expanded its research program in population. AID seeks to use research to augment and strengthen the action program providing technical assistance to countries seeking to solve their population problem. For this reason, the bulk of AID funds will go to the action program, but perhaps 10 percent of these monies will continue to be devoted to population research.

Depending on other priorities and availability of funds, AID foresees annual expenditures of over $10 million for population research activities with annual increases commensurate with total budget growth. It seems likely that any successor agency to AID will continue to place high priority on population research.

FOOTNOTES

[1] *Population Program Assistance*, 1970. The Agency for International Development, Washington, D.C.

[2] Declaration of Population: The World Leaders Statement *Studies in Family Planning*, No. 26, p. 1–3, January 1968.

[3] Lyons, T. C., Population Policies: A World Overview presented at the Population Policy Conference, University of Ife Nigeria, March 1971.

[4] Piotrow, Phyllis T., *Congressional—Executive Relations in the Formation of Explicit Population Policy*, Unpublished Ph. D. dissertation, Johns Hopkins University, Baltimore, 1971.

[5] Section 241(b) of the Foreign Assistance Act, as amended.

[6] The Foreign Assistance Act authorizes AID to provide assistance for programs relating to population growth and "the term programs relating to population growth, includes, but is not limited to, demographic studies, medical, psychological and sociological research and voluntary family planning programs, including personnel training, the construction and staffing of clinics and health centers important to effective population programs, specialized training of doctors and paramedical personnel, the manufacture of medical supplies, the dissemination of family planning information and provision of medical assistance and supplies."

[7] Nixon, R. M., July 18, 1969. Message to the Congress of the U.S. on the establishment of a "U.S. Commission on Population Growth and the American Future." President Nixon "asked the Secretary of State and the Administrator of the Agency for International Development to give population and family planning high priority for attention, personnel, research and funding among our several aid programs."

[8] *Population Program Assistance*, 1970. The Agency for International Development, Washington, D.C.

[9] *Population Program Assistance*, 1970. The Agency for International Development, Washington, D.C.

[10] *The Federal Program in Population Research*, U.S. Department of Health, Education and Welfare, National Institutes of Health, December 31, 1970. 68 pp.

[11] Report on AID's Population Program Assistance in Relation to Envisioned Worldwide Needs, AID, Washington, D.C., November 27, 1970.

[12] Towne, Marvin W., Report on African Census and Demographic Studies, Bureau of Census, March 15, 1971.

[13] Linder, Forrest E., The Concept and Program of the Laboratories for Population Statistics, Laboratory for Population Statistics, Scientific Series, No. 1, University of North Carolina, March 1971.

[14] *Population Program Assistance*, 1970. The Agency for International Development, Washington, D.C.

[15] Lee, Luke T., "Law and Family Planning," Background paper prepared for Expert Committee on Family Planning in Health Services, World Health Organization, Geneva, November 1970.

[16] Freedman, Ronald, "Social Research and Programs for Reducing Birth Rates." Working paper prepared for Rockefeller Foundation conference on population, Villa Serveloni, Bellagio, Italy, April 1970.

[17] An exception to this generalization is: E. A. Wrigley, *Population and History*, New York: McGraw-Hill, 1969.

[18] For an early publication concerning this work cf. T. Paul Schultz, "An Economic Model of Family Planning and Fertility," Journal of *Political Economy* 77(2): 163–180, April 1969.

[19] For a recent critical review of literature in this area, cf. James T. Fawcett, *Psychology and Population*, The Population Council, New York, 1970.

[20] For a recent summary of development in this field, cf. "Population Education: A Challenge of the Seventies," *Population Bulletin*, XXVI, No. 3, the entire issue. Cf. also, Noel-David Burleson, "The Time Is Now: Population Education," Society for International Development, 11th World Conference, New Delhi, India, November 1969. It should also be noted that Mr. Stephen Viederman of the Population Council is conducting a worldwide survey of the state of population education, results of which should be available in the summer of 1971.

[21] Freedman, Ronald, *op. cit.*

[22] *The Federal Program in Population Research*, U.S. Department of Health, Education, and Welfare, National Institutes of Health, December 31, 1970, 68 pp.

[23] For reports on previous work by the same investigators using the same techniques with lower-class black populations in the U.S., cf. Clark E. Vincent, *et al.*, "Familial and Generational Patterns of Illegitimacy," *Journal of Marriage and Family*, Nov. 1969, 659–667; Fleetus L. Gobble, et al., "A Nonmedical Approach to Fertility Reduction," *Obstetrics and Gynecology*, Vol. 34, Dec. 1969, 888–891; Clark E. Vincent, et al., "Abortion Attitudes of Poverty-Level Blacks," Seminars in *Psychiatry*, Vol. 2, August 1970, 309–317.

[24] Rogers, Everett, *Personal Communications*, May 1971.

[25] Ravenholt, R. T., Piotrow, P. T., and Speidel, J. J., "Use of Oral Contraceptives: A Decade of Controversy," *International Journal of Gynecology and Obstetrics*, Vol. 8, 1970, 941–956.

[26] Hefnawi, F., Younis, N., Azki, K., Rassik, S. A., and Mekkawi, T., "Menstrual Blood Loss During Oral Contraceptive Therapy and IUD Use," *Egyptian Population and Family Planning Review: An International Journal 3* (1), June 1970.

[27] Kleinman, R. L., ed., *Comments on Steroidal Contraception*, International Planned Parenthood Federation, London, 1970, 55 pp.

[28] *Population Program Assistance*, 1968, Agency for International Development, Washington, D.C.

[29] Ravenholt, R. T. and Speidel, J. J., "Prostaglandins in Family Planning Strategy," p. 537–552, ed. by Ramwell and Shaw, in "Prostaglandins," *Annals of the New York Academy of Sciences*, 180, April 30, 1971, 568 pp.

[30] Ravenholt, R. T. and Speidel, J. J., *ibid.*

[31] Ravenholt, R. T., "A.I.D.'s Family Planning Strategy," *Science*, 163–124.

[32] Speidel, J. J., Brackett, J. W., and Jamison, E., "The Role of Postconceptive Methods of Fertility Control in the Solution of the Demographic Crisis," presented at the Population Association of America annual meeting, April 1971, Washington, D.C.

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[34] *The Federal Program in Population Research*, U.S. Department of Health, Education and Welfare, National Institutes of Health, December 31, 1970, 68 pp.

[35] Speidel, J. J., and Ravenholt, R. T. "Current Status of Prostaglandins as a Means of Fertility Control," *International Planned Parenthood Federation Medical Bulletin*. (in press)

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[37] Potts, D. M., and Swyer G. .I. M., "Effectiveness and Risks of Birth Control Methods," *British Medical Bulletin*, 26 (1): 26–32, 1970.

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BIRTH CONTROL TECHNOLOGY AND IMPLICATIONS FOR FAMILY PLANNING PROGRAMS[1]

Technology tiers	Advent of method	Methods generally available	Family planning program needs
5	1970's	Methods listed below plus: "a nontoxic and completely effective substance or method which when self-administered on a single occasion would insure the nonpregnant state at completion of a monthly cycle."	Minimal regulation of sexual activity reduced need for education, main emphasis on insuring availability of contraceptives and post conceptives through medical and nonmedical facilities.

Footnotes at end of table.

BIRTH CONTROL TECHNOLOGY AND IMPLICATIONS FOR FAMILY PLANNING PROGRAMS[1]—Continued

Technology tiers	Advent of method	Methods generally available	Family planning program needs
4	1970's	Methods listed below plus legal surgical abortion.	Slight regulation of sexual activity, less emphasis on education, main emphasis on provision of contraceptive services through medical and nonmedical facilities and abortion services through medical facilities.
3	1960's	Methods listed below plus oral contraceptives and intrauterine devices.	Some regulation of sexual activity; continued emphasis on education and provision of contraceptives and family planning services through medical and nonmedical facilities.
2	[2] 1960	Methods listed below plus condoms, diaphragms, vaginal chemicals, rhythm, and surgical sterilization.	Considerable regulation of sexual activity; emphasis on education and provision of materials and services through medical and nonmedical facilities.
1	[2] 1870	Abstinence, coitus interruptus, delayed marriage and nonmarriage, crude vaginal barriers (E.G., sponges) douching, and illegal abortion.	Strict regulation of sexual activity, emphasis on education.

[1] Ravenholt, R. T., Piotrow, P. T., Speidel, J. J. Use of Oral Contraceptives A Decade of Controversy. Int'l J. Gyn. Obst. 8.941, November 1970.
[2] Before.

Source: From HEW 5-year plan, October 1971.

PRINCIPAL MEANS OF FERTILITY CONTROL[1] (BY TIME AND ROUTE OF ADMINISTRATION)

	Preconceptive	Postconceptive
1968		
Clinical administration required.	A. IUDS: surgical sterilization, vaginal diaphragm, oral contraceptives (in some countries).	B. Surgical abortion intra amniotic injection.
Self-administration feasible.	C. Abstinence, noncoitus, rhythm, coitus interruptus, condoms, vaginal sponge, foam, douche, etc., oral contraceptives (in some countries)	D.
1970		
Clinical administration required.	A. IUDS, surgical sterilization, vaginal diaphragm, oral contraceptives, (in some countries).	B. Surgical abortion, intra amniotic injection, prostaglandins (intravenous and intrauterine since January, 1970).
Self-administration feasible.	C. Abstinence, noncoitus, rhythm, coitus interruptus, condoms, vaginal sponge, foam, douche, etc., oral contraceptives (in some countries).	D. Prostaglandins (vaginal since September, 1970).

[1] Ravenholt, R. T., Speidel, J. J., "Prostaglandins in Family Planning Strategy" Prostaglandins Annals New York Academy of Sciences 180 537, Apr. 30, 1971.

A 5-Year Plan for Family Planning Services and Population Research

(Second Progress Report to the Congress of the United States, Pursuant to Section 5, Public Law 91–572, May 1973)

AGENCY FOR INTERNATIONAL DEVELOPMENT

Population research programs of the Agency for International Development (AID) within the Department of State are conducted under the 1968 Title X Amendment of the Foreign Assistance Act of 1961. AID funds are being used for support of family planning programs in 35 developing countries, for contraceptive and other supplies distributed to more than 70 countries, for development of new means of fertility control, and for support of population activities by the United Nations, the International Planned Parenthood Federation, and many other international organizations.

The goal of the AID research program is to develop and relate new family planning methods, new social science insights, and new distribution systems to incipient and on-going family planning programs of developing nations. AID funding for population research was $10.2 million in fiscal 1970, $13.1 million in fiscal 1971, $13.5 million in fiscal 1972, and an estimated $13.5 million in fiscal 1973.

AID emphasizes the following four functional areas in the field of population research:

1. *Descriptive Demography.* In the less developed countries of the world, census and vital registration data are frequently lacking or inadequate, and traditional methods of information gathering and analysis are not appropriate. AID is supporting the development of new methods for data collection relative to fertility, mortality, and migration, as well as innovative techniques for collecting and analyzing information concerning family planning practices, out-of-wedlock pregnancy, incidence of induced abortion, early infant deaths, family formation and dissolution, and patterns of childbearing and marriage. In fiscal 1972, AID awarded a $1 million grant in partial support of the first two-year costs of a World Fertility Survey (WFS). The WFS is a five-year program to assist some 30 to 50 countries to carry out fertility surveys. To meet the need for improved demographic data and methods, AID has provided $15.5 million for technical assistance and research projects between fiscal 1965 and fiscal 1972.

2. *Determinants and Consequences of Population Characteristics and Change.* To assist policy formulation and decision-making in less developed countries, AID supports investigations of the impact of government policies on population, e.g., tax laws, subsidies for child-rearing, policies concerning housing, agriculture, education and welfare, laws concerning legal age of marriage, and abortion laws. AID also supports social science research on population dynamics to elucidate factors operating at both the individual and societal level. AID funds for behavioral and social science technical assistance and research projects totaled $13 million between fiscal 1965 and fiscal 1972.

3. *Operational Research.* AID supports research to assess the impact of family planning programs in less developed countries, including cost effectiveness of various delivery patterns, developing simplified and accurate means of keeping service statistics, new approaches to measuring the impact of service programs on fertility, better measures of the demographic effectiveness of specific contraceptives, and reasons for departure from theoretical effectiveness. From fiscal 1965 to fiscal 1972, AID provided $15 million for over 60 technical assistance and operational research projects in 18 countries.

4. *Improved Means of Fertility Control.* In the less developed countries where health care systems are weak and the acceptor population is frequently poorly educated, it is important to develop fertility control techniques especially suited to the local conditions of these countries and less dependent upon sophisticated delivery systems. During fiscal 1965 to fiscal 1972, $30 million has been obligated for fertility research in three areas: (a) Research to develop a once-a-month, self-administered method; (b) Research to improve currently available means of fertility control; and (c) Comparative clinical field trials of means of fertility control under use conditions in less developed countries.

Excerpts From "Inventory of Federal Population Research, Fiscal Year 1972"

(DHEW Publication No. (NIH) 73–133, "Development of New Fertility Regulation Techniques")

373 Effect of PGE–1 and PGF–2 on Uterine Contractility and Endometrial Morphology: Behrman, Samuel J., Michigan, University of, Ann Arbor, Mich.; AID-PHA Grant 93111570923F; Project Period, July 1971–June 1973: Total Project, $67,290.

379 Research on Side Effects and Mechanism of Action of Prostaglandins (Humans, Rabbits: Csapo, Arpad Istvan, Washington University, St. Louis, Mo.; AID–PHA Contract 93117570541.

389 Development of Inhibitors of LH Releasing Factors as Contraceptive Agents (Sheep and Pigs): Guilleman, Roger, Salk Institute for Biological Studies, San Diego, Calif.; AID–PHA Contract 93117570518.

394 An Investigation of the Clinical Efficacy of Prostaglandin F2 as a Luteolytic Agent: Jones, Georgeanna Seegar, Johns Hopkins University, Baltimore, Md.; AID–PHA Grant 9311570916D; Project Period, June 1971–June 1973; Total Project, $49,995.

395 Luteolytic Action of Prostaglandin F2 in Human Pseudopregnancy; Jones, Georgeanna Seegar: Johns Hopkins University, Baltimore, Md.; AID–PHA Grant 9311570916E; Fiscal Year 1972 Funds, $50,000; Project Period, July 1972–June 1973; Total Project, $50,000.

396 Research on Prostaglandins in Relation to Human Reproduction (Uterus): Karim, Sultan M. M., Makerere University Medical School, Kampala, Uganda; AID–PHA Contract 93117570540.

397 Simplified Techniques of Fertility Control (Multiple Anatomical Sites in Humans): King, Theodore M., Johns Hopkins University, Baltimore, Md.; AID–PHA Contract 93117580548; Fiscal Year 1972 Funds, $2,673,650.

399 Prostaglandins and Other Research for Development on Contraceptives (Multiple Anatomical Sites): Klaiber, Edward, Worcester Foundation for Experimental Biology, Shrewsbury, Mass., AID–PHA Contract 93117580520.

411 Contraceptive Development (Anti-Progestational Activity in Multiple Anatomical Sites): Segal, Sheldon J., Population Council, New York, N.Y., AID–PHA Contract 93117580512.

412 Research for the Development of a Once-A-Month Contraceptive Pill (Corpus Luteum): Shaikh, A. A., Worcester Foundation for Experimental Biology, Shrewsbury, Mass., AID–PHA Contract 93117580493.

413 Studies on the Synthesis of Prostaglandins (Microorganisms): Sih, Charles, Wisconsin, University of, Madison, Wis., AID–PHA Contract 93111570532.

418 Investigation of the Clinical Effects of Prostaglandin F2 in the Second Trimester: Wentz, Anne C., Johns Hopkins University, Baltimore, Md., AID – PHA Grant 93111570916B; Project Period, June 1971–March 1973; Total Project, $49,996.

419 Investigation of the Clinical Effects of Prostaglandin F2 in the First Trimester: Wentz, Anne C., Johns Hopkins University, Baltimore, Md., AID – PHA Grant 93111570916C; Project Period June 1971–March 1973; Total Project, $49,998.

SUMMARY OF AID DOLLAR OBLIGATIONS FOR POPULATION AND FAMILY PLANNING PROJECTS, FISCAL YEARS 1965-72

[In thousands of dollars]

Project	1965-67	1968	1969	1970	1971	1972
Nonregional:						
Office of Population	2,079	10,623	17,398	22,055	35,270	49,355
Office of Health					978	1,355
Office of International Training	132	38	40	304	546	503
AID/W other	524	435	1,431	1,932	2,536	3,265
U.N. Fund for Population Activities		500	2,500	4,000	14,000	29,040
Nonregional total	2,735	11,596	21,369	28,291	53,330	83,518
Africa:						
Country projects	23	404	983	2,484	2,084	6,508
Regional projects	30	259	457	179	5,699	4,759
Africa total	53	663	1,440	2,663	7,783	11,267
East Asia:						
Country projects	446	3,475	6,388	8,673	10,739	11,512
Regional projects	350	1,325	1,608	623	1,942	1,826
East Asia total	796	4,800	7,996	9,296	12,681	13,338
Near East-South Asia:						
Country projects	2,437	[1] 9,061	3,349	[2] 22,908	5,181	1,379
Regional projects		655	963	277	1,409	1,521
Near East-South Asia total	2,437	[1] 9,716	4,312	[2] 23,185	6,590	2,900
Latin America:						
Country projects	1,539	5,457	3,071	5,437	7,085	7,223
Regional projects	2,861	2,468	7,256	5,520	8,161	3,911
Latin America total	4,400	7,925	10,327	10,957	15,246	11,134
South Vietnam	50	50		180	238	1,108
Country and regional total	7,736	23,154	24,075	46,281	42,538	39,747
Grand total	10,471	34,750	45,444	74,572	95,868	123,265

[1] Includes $2,700,000 loan to India for program vehicle parts.

[2] Includes special $20,000,000 grant to India.

AID POPULATION FUNDS OBLIGATED FOR RESEARCH IN FISCAL YEARS 1966-72 (EXCLUDES TECHNICAL ASSISTANCE PROJECTS WITH A RESEARCH COMPONENT)

Subject	1966	1967	1968	1969	1970	1971	1972
Population dynamics and descriptive demography:							
Family size and growth (CELAP)		$160,000	$200,000	$230,000	$350,000	$100,000	
Pregnancy outcome				194,000			
Study of family structure		239,000	96,000				
Population growth in Latin America (Population Council)		200,000	300,000	300,000	300,000	500,000	$450,000
Determinants of fertility (Rand)			143,000		326,000		
Cross cultural fertility behavior research						842,000	
Study of Latin America migrants						223,000	
Fertility survey in Afghanistan				35,000	45,000	1,431,000	
Demographic study in Pakistan						118,000	
World fertility survey (ISI)							1,043,000
Other studies	204,000	126,000	717,000	808,400	1,035,000	808,000	1,636,000
Subtotal	204,000	725,000	1,456,000	1,567,400	2,056,000	4,022,000	3,129,500
Operational research:							
Integrated FP and health services				575,000		630,000	908,000
Postpartum family planning studies		300,000		300,000			
Evaluation studies in Philippines			41,000	55,000	336,000	200,000	
Utilization of family planning services				262,000		101,000	
Population decisions study					276,000	480,000	
Family planning in East Asia			84,400	108,700	117,600	328,000	19,700
Family planning in the Middle East						270,000	
Other studies	2,000	260,000	185,000	353,000	178,000	342,000	217,000
Subtotal	2,000	560,000	310,400	1,653,700	907,600	2,351,000	1,144.700
Improved methods of fertility regulation:							
Corpus luteum studies:							
Worcester Foundation			109,000			99,000	
NICHD-CPR				1,510,000	53,000		
Antiprogestins, Population Council				3,000,000			
Prostaglandins:							
Worcester Foundation					2,980,000		
University of Wisconsin						227,000	
Washington University						293,000	
Makerere University						821,000	
Other						217,000	150,000
Gonadotropin releasing factor inhibitors, Salk Institute					2,255,000		
Intrauterine devices:							
Battelle Memorial Institute					150,000	495,000	
Other						12,000	
Contraceptive safety, southwest foundation					913,000		
Contraceptive and disease prophylaxis agent, University of Pittsburg					581,000		
Devices, sterilization, and training:							
Battelle Memorial Institute						830,000	199,000
University of North Carolina				79,000		135,000	
Johns Hopkins University							2,797,000
Field trials:							
International IUD Program—Pathfinder Fund		194,000		1,289,000			
International fertility research program—University of North Carolina						3,106,000	1,800,000
Conventional contraceptives			346,000	440,000	340,000		
Small grants program: Applied research on fertility regulation—University of Minnesota							3,350,000
Other studies		97,000	107,700	103,000	99,000	182,000	66,000
Subtotal		291,000	562,700	6,421,000	7,371,000	6,417,000	8,362,000
Total	206,000	1,576,000	2,329,100	9,642,100	10,334,600	12,790,000	12,636,200

A FACT SHEET ON PROSTAGLANDINS

TODAY—TOMORROW?

What are they?

They are a newly discovered group of human hormonal chemical substances. They have many functions known and unknown and are still being investigated. One function is to cause the onset of labor and of emptying the uterus. This will occur at any stage of pregnancy that they are used.

Who manufactures them?

The Upjohn Company of Kalamazoo, Michigan holds most of the rights and has been involved in most of the research to date. It is possible that other companies will ultimately also market prostaglandins resulting from their own research or will obtain licensure from Upjohn and also manufacture and sell these products.

How are they used?

Many methods of administration are being investigated. These include oral, intravenous, intra-amniotic, extra-amniotic, and vaginal suppositories.

Do they cause abortion?

Exact details vary in different studies, with different methods, and with different forms of the drug. They do, however, apparently produce abortion and an emptying of the uterus, at any stage of pregnancy in a high percentage of the cases.

Are there complications?

Yes! Some modes of administration, such as intravenous, have severe side effects and may not be approved for use. Some, such as the vaginal and the amniotic routes may well be approved in spite of some problems. One problem is that this method doesn't always "work" and another method must then be used to complete the abortion.

An abortion?

The one constant about using this drug is that it results in abortion. It produces contractions of the uterus (labor) and the baby, of whatever age, if not killed by the drug effects and the contractions, is born alive.

Who gives approval for a new drug?

Any new drug must ordinarily go through years of exhaustive investigation. Many, many scientific studies must be done. Its safety and function must be thoroughly established. When ready, the drug company will submit a formal application to the U.S. Food and Drug Administration. Ordinarily, there is a further delay of up to several years before official approval is given.

Where do the prostaglandins stand?

If this were any other drug, it would probably still be years away from application for, much less approval of, its use. This one is obviously different. Huge sums of money are involved. It also promises the pro-abortionists a relatively easy and "clean" method of abortion without all the mess of direct surgery, cutting up babies, maternal injury, etc. There are tremendous pressures to get it on the market. The July 1972 issue of Fortune Magazine first broke the news to the financial community and since that time Upjohn stock has sharply increased in value. Time Magazine recently included the Upjohn family among those who had made financial bonanzas in 1972.

Will it be approved for use?

Many reports and some rumors all seem to tell the same story. Apparently tremendous pressures are being exerted from many directions to: a) get the application in, and b) get it approved quickly. Political observers are guessing that this could be as early as the fall of 1973. Quick approval, if it comes, would be a political and social decision, not for medical need.

Are there other actions of the drug?

This is the sad part of this story to date. This new family of drugs will apparently have far-reaching effects on other disease states. Most of the research and development has been concentrated on the abortive action and it is for this use that it will be probably fast approved and marketed.

What of the Upjohn Company?

They are making few public statements. Except for published scientific papers, little information as to production, projected policies, advertising, etc., is being released. This is top secret information. Some hints do come through as to their philosophy. The following is from an in-house newspaper, for employees only, circulated in December 1972. These are "taken from executive comments" and summarize their "position." We note some of them with our comments. (See actual paper, last page)

UPJOHN STATEMENT

The role of the pharmaceutical industry, including the Upjohn Co. in society is to provide medical research guided by a single overriding objective: to improving the quality of human life.

COMMENT

We always thought that medical science had as a single overriding objective the saving of, and preservation of human life, not improving the quality of some lives by killing others.

UPJOHN STATMENT

Population control is one of the gravest problems confronting the human species in our time. If we are to reduce the social and political pressures which threaten human beings with extinction—and if we are to offer the mass of mankind a reasonable expectation of self-fulfillment in life—this problem must be solved.

COMMENT

Read the chapter on population in the new 1973 edition of Handbook on Abortion. Read Handbook on Population. The Upjohn statement is flatly false, and is a continuation of scare tactics.

Population density does not relate to "self-fulfillment." We are not threatened with extinction. The U.S. birthrate is now well below replacement level, and the world birthrate is steadily dropping.

UPJOHN STATEMENT

The purpose of population control is to improve the quality of human life. When we succeed in holding population levels to the point that each new human being on earth is wanted by parents and society alike, the importance of each individual's fulfillment of lifetime potential will become far greater than it is now.

COMMENT

This is totally visionary and bears no relation to reality.

It is well known that the most mature people, most capable of giving love, often come from large families, and that the selfish, egocentric often comes from a one or two child family.

Granting some basic economic security, the person's maturity, and the ability to love, the true contributor to society comes from an intact family and stable parents, not at all necessarily from a small family.

If we hold up as a desired goal only the achievement of more education and getting more things (quality life) rather than the ideal of unselfish service to those less fortunate, we'll soon have such an exploitative society that our civilization will not survive.

UPJOHN STATEMENT

With these things in mind, the Upjohn Co. believes that new techniques for contraception, for interception of the fertilized ova, and even for induced therapeutic abortion, should be made freely available.

COMMENT

This is a classic example of dishonest twisting of the meaning of words to make [illegible] thing more palatable.

"Interception of the fertilized ovum is killing a new human being. It is direct abortion.

"Therapeutic" abortion is an abortion to save the life of the mother. That's not what prostaglandins will be marketed for.

UPJOHN STATEMENT

Of all forms of birth control, abortion is the least desirable. To the extent possible, the Upjohn Co. hopes that timely use of prostaglandins—before a technically-defined pregnancy has occurred—will virtually eliminate any need to consider an abortion.

COMMENT

This dishonest attempt to reeducate us that a pregnant woman is not pregnant is incredible. "Technically defined pregnancy" is semantic gymnastics at its ugliest.

Pregnancy begins at conception, no matter what the Upjohn public relations people say. Abortion is abortion no matter what the Upjohn public relations people say.

UPJOHN STATEMENT

Nevertheless, where contraception or interception of the fertilized ova have failed—where legal, moral, and religious commitments permit—the person who chooses abortion deserves access to the most safe and effective methods.

COMMENT

Let's restate in scientifically accurate words:

"Where contraception or the direct killing of this human being in its first week of life has failed—where legal, moral, and religious commitments permit—the mother who wants to kill the developing baby in her womb deserves access to the most safe and effective method of such killing.

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

(By unanimous consent granted to Senator TAFT ordered to be printed at this point:)

EXHIBIT 1

POPULATION CRISIS COMMITTEE,
Washington, D.C., June 14, 1973.

Hon. CLEMENT J. ZABLOCKI,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN ZABLOCKI: Just before the hearings of the House Foreign Affairs Committee on the foreign aid bill came to a close yesterday, you asked how I would view a possible amendment which would prohibit any of the funds earmarked for population activities being spent for abortion. I answered that while I do not advocate abortion and believe contraception is a far preferable alternative for any couple wishing to limit the size of its family, I believe it would be a mistake to legislate any such prohibition. There was not time to amplify my reply. I am therefore writing you and sending a copy of my reply to the Committee Chairman, Dr. Thomas E. Morgan, to amplify my statement and to explain my position in greater detail.

A large number of the governments of developing countries are now carrying on official governmental family planning programs, and each government exercises its own sovereign right to determine first, whether or not it wishes to have any population or family planning policy at all, and second, if it decides to have a family planning program it then must make its own decision as to what the program should include. Earlier in the hearings yesterday I was asked by another Congressman whether I knew of any conditions that the Agency for International Development had ever put on its willingness to assist the family planning programs of other governments. I replied that I knew of no such conditions and that I believed there should be no conditions for such assistance since the attitude of the Congress and of the American government as a whole has been to regard all such programs as voluntary on the part of each country and voluntary on the part of each couple. In other words, family planning help is made available to those who request it, and even when a family planning program is in operation in a particular country, it is the decision of each couple whether or not to accept such help.

In accordance with this recognized principle it would appear improper to me for our government to decide unilaterally what type or method of fertility control any other government should use or not use. Attitudes, customs, and ethics vary from country to country, and as a consequence the laws in one country permit what is prohibited in another. I believe it is for each country to decide for itself what it considers appropriate in its own population and family planning program, and that our government should neither encourage nor prohibit one or an-

other method of fertility control but should offer our assistance, leaving it to the recipient government to fashion and carry out its own program.

It would seem particularly inappropriate for our government to attempt to influence the actions of another government in offering or refusing abortion to its own citizens in the face of the decision by our own Supreme Court making it unconstitutional for any of our own states to interfere with the right of any woman, in consultation with her own physician, to terminate an unwanted pregnancy during its first three months.

Certainly my own efforts and the efforts of the Population Crisis Committee have been devoted to stimulating the interest of governments and of multilateral international organizations such as the International Planned Parenthood Federation and the United Nations Fund for Population Activities to expand their family planning assistance and activities through increasing the use of contraceptives which, if effectively employed, would eliminate any need to resort to abortion. This I believe is without doubt the correct and best procedure. However, as I have explained above, I believe that it would be wrong to try to prevent other governments from including abortion as a fertility control measure by amendment to the foreign aid legislation.

Sincerely yours,

WILLIAM H. DRAPER, Jr.

ORDER RESCINDING PREVIOUS ORDER RECOGNIZING CERTAIN SENATORS

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the previous order for the recognition of Senators on tomorrow be vacated.

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

ORDER FOR RECOGNITION OF SENATORS LONG, RIBICOFF, AND MANSFIELD, FOR THE TRANSACTION OF MORNING BUSINESS AND FOR RESUMPTION OF UNFINISHED BUSINESS, FOREIGN ASSISTANCE ACT

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that on tomorrow, after the two leaders have been recognized under the standing order, the distinguished Senator from Louisiana (Mr. LONG) be recognized for not to exceed 15 minutes, after which the distinguished Senator from Connecticut (Mr. RIBICOFF) be recognized for not to exceed 15 minutes; after which the distinguished majority leader, the Senator from Montana (Mr. MANSFIELD), be recognized for not to exceed 15 minutes; after which there be a period for the transaction of routine morning business for not to exceed 15 minutes, with statements therein limited to 3 minutes; at the conclusion of which the Senate resume the consideration of the then unfinished business, the Foreign Assistance Act.

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

ORDER FOR RECOGNITION OF SENATOR BELLMON ON WEDNESDAY

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that on Wednesday, immediately after the two leaders or their designees have been recognized under the standing order, the distinguished Senator from Oklahoma (Mr. BELLMON) be recognized for not to exceed 15 minutes.

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

QUORUM CALL

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

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

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

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

ORDER FOR ADJOURNMENT TO 10:45 A.M.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until the hour of 10:45 a.m. tomorrow.

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

FOREIGN ASSISTANCE ACT—ORDER FOR CONSIDERATION OF CERTAIN AMENDMENTS

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that upon the disposition of amendment No. 535 by the Senator from California (Mr. TUNNEY) on tomorrow, the Senate resume the consideration of the amendment of the Senator from North Carolina (Mr. HELMS), amendment No. 566.

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

PROGRAM

Mr. ROBERT C. BYRD. Mr. President, the program for tomorrow is as follows:

The Senate will convene at 10:45 a.m. After the two leaders or their designees have been recognized under the standing order, the distinguished senior Senator from Louisiana (Mr. LONG) will be recognized for not to exceed 15 minutes; after which the distinguished senior Senator from Connecticut (Mr. RIBICOFF) will be recognized for not to exceed 15 minutes; at the conclusion of which the distinguished majority leader, the Senator from Montana (Mr. MANSFIELD), will be recognized for not to exceed 15 minutes; after which there will be a period for the transaction of routine morning business of not to exceed 15 minutes with statements limited therein to 3 minutes; at the conclusion of which the Senate will resume the consideration of the unfinished business, S. 2335, a bill to amend the Foreign Assistance Act of 1961, and for other purposes.

The pending question before the Senate at that time will be on the adoption of the amendment by the Senator from California (Mr. TUNNEY), amendment No. 535.

On the disposition of that amendment, the Senate will resume the consideration of the amendment by the Senator from North Carolina (Mr. HELMS), amendment No. 566, on which the yeas and nays have been ordered.

There will be yea-and-nay votes throughout the day on amendments tomorrow. It is hoped—and there is good reason, I think, to expect—that the Senate will complete action on the Foreign Assistance Act on tomorrow.

ADJOURNMENT TO 10:45 A.M. TOMORROW

Mr. ROBERT C. BYRD. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until the hour of 10:45 a.m. tomorrow.

The motion was agreed to; and, at 6:49 p.m. the Senate adjourned until tomorrow, Tuesday, October 2, 1973, at 10:45 a.m.

NOMINATIONS

Executive nominations received by the Senate October 1, 1973:

IN THE 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. Donavon F. Smith, xxx-xx-xxxx FR (major general, Regular Air Force) U.S. Air Force.

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

Henry, Malcolm P., xxx-xx-xxxx.
McMahan, Emmet K., III, xxx-xx-xxxx.

MEDICAL CORPS

To be lieutenant colonel

Alden, Errol R., xxx-xx-xxxx.
Buckingham, Frank M., xxx-xx-xxxx.
Favila, Marcial Q., xxx-xx-xxxx.
Warren, Daniel C., xxx-xx-xxxx.
Whitecar, John P., Jr., xxx-xx-xxxx.

DENTAL CORPS

To be lieutenant colonel

McDonnell, Doren D., xxx-xx-xxxx.

MEDICAL SERVICE CORPS

To be lieutenant colonel

Phelps, Harvey C., xxx-xx-xxxx.

ARMY NURSE CORPS

To be lieutenant colonel

Huber, James O., xxx-xx-xxxx.
Moore, Alice K., 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 colonel

Watson, Henry, Jr., xxx-xx-xxxx.

ARMY PROMOTION LIST

To be major

Daniel, Clyde J., xxx-xx-xxxx.
Esworthy, Bert, xxx-xx-xxxx.
Fisher, Hugh M., xxx-xx-xxxx.
Fitzmorris, William H., xxx-xx-xxxx.
Galle, Joseph E., xxx-xx-xxxx.
Gartman, Etric P., xxx-xx-xxxx.
Griffiths, Allyn C., Jr., xxx-xx-xxxx.
Janas, Edward A., xxx-xx-xxxx.
Jeffrey, Henry E. Jr., xxx-xx-xxxx.

Kane, John R., xxx-xx-xxxx
McMahan, Emmet K., III, xxx-xx-xxxx
Morgan, Harold D., xxx-xx-xxxx
Platt, Edgar C., xxx-xx-xxxx

CHAPLAIN CORPS

To be major

Myers, Glenn L., xxx-xx-xxxx

MEDICAL CORPS

To be major

Buckingham, Frank M., xxx-xx-xxxx

DENTAL CORPS

To be major

Blubaugh, Edward C., xxx-xx-xxxx

MEDICAL SERVICE CORPS

To be major

Logan, Robert F., xxx-xx-xxxx
Schrantz, Marshall K., xxx-xx-xxxx

ARMY NURSE CORPS

To be major

Nixon, George A., xxx-xx-xxxx
Reumann, Albert D., xxx-xx-xxxx

ARMY PROMOTION LIST

To be captain

Bischoff, Robert C., xxx-xx-xxxx
Cleveland, Floyd T., xxx-xx-xxxx
Collins, John P., xxx-xx-xxxx
Conant, Robert A., xxx-xx-xxxx
Craig, Aubrey D., xxx-xx-xxxx
Cross, Ned G., xxx-xx-xxxx
Davidson, Allen E., xxx-xx-xxxx
Davis, Louis R., xxx-xx-xxxx
Dopler, Jack E., xxx-xx-xxxx
Esposito, Anthony L., xxx-xx-xxxx
Everett, James W., xxx-xx-xxxx
Falcon, John D., xxx-xx-xxxx
Golden, John C., III, xxx-xx-xxxx
Griffiths, Richard, xxx-xx-xxxx
Hall, David P., xxx-xx-xxxx
Hardwick, Danny G., xxx-xx-xxxx
Harms, Robert R., xxx-xx-xxxx
Hayden, Thomas A., xxx-xx-xxxx
Heinrich, Charles H., xxx-xx-xxxx
Hopkins, John S., xxx-xx-xxxx
Humbert, Philip G., xxx-xx-xxxx
Johnson, David C., xxx-xx-xxxx
Johnson, Gerald K., xxx-xx-xxxx
Johnson, Leland C., xxx-xx-xxxx
Keefe, Kenneth L., xxx-xx-xxxx
Kirby, Bobby G., xxx-xx-xxxx
Larsen, Frank E., xxx-xx-xxxx
Mackeil, Edward J., xxx-xx-xxxx
Mahek, Barry W., xxx-xx-xxxx
Marszalek, Mitchell M., xxx-xx-xxxx
Meade, Dillard W., xxx-xx-xxxx
Michael, Larry J., xxx-xx-xxxx
Miller, Timothy A., xxx-xx-xxxx
Moore, Larry R., xxx-xx-xxxx
Mullins, Stephen A., xxx-xx-xxxx
Oeschger, Oren E., xxx-xx-xxxx
Oliva, Stephen A., xxx-xx-xxxx
Parker, Richard L., xxx-xx-xxxx
Peduzzi, Lawrence P., xxx-xx-xxxx
Peterson, Felix, Jr., xxx-xx-xxxx
Petrosky, Daniel J., xxx-xx-xxxx
Posta, Charles D., xxx-xx-xxxx
Robinson, Robert L., xxx-xx-xxxx
Ruff, Edwin R., xxx-xx-xxxx
Salter, Ned W., xxx-xx-xxxx
Sauer, Richard L., xxx-xx-xxxx
Scates, Joseph F., xxx-xx-xxxx
Schjeldahl, Roger A., xxx-xx-xxxx
Schulze, Richard F., xxx-xx-xxxx
Scivener, Thomas S., xxx-xx-xxxx
Silkman, Billy D., xxx-xx-xxxx
Simpkins, Jimmie C., xxx-xx-xxxx
Smaagaard, Arthur G., xxx-xx-xxxx
Smith, Bryon W., xxx-xx-xxxx
Stinson, Joe A., xxx-xx-xxxx
Stolarcek, William G., xxx-xx-xxxx
Strickler, Gordon M., xxx-xx-xxxx
Torres, Juan H., xxx-xx-xxxx
Weathers, Stanley J., xxx-xx-xxxx
Weis, Joseph R., xxx-xx-xxxx
Williams, Floyd, xxx-xx-xxxx
Willoughby, Lonny R., xxx-xx-xxxx
Winter, Donald C., xxx-xx-xxxx
Zerull, Dietmar W., xxx-xx-xxxx
Zygan, Robert F., xxx-xx-xxxx

CHAPLAIN CORPS

To be captain

Stenbokken, Richard O., xxx-xx-xxxx

DENTAL CORPS

To be captain

Edge, Marion J., xxx-xx-xxxx
Gilles, James A., xxx-xx-xxxx
Hooks, Thomas W., xxx-xx-xxxx
Hughbanks, James C., xxx-xx-xxxx
Lemoine, David L., xxx-xx-xxxx
Nagy, William W., xxx-xx-xxxx
Osborne, William H., xxx-xx-xxxx
Wright, David K., xxx-xx-xxxx

MEDICAL SERVICE CORPS

To be captain

Barrett, John A., xxx-xx-xxxx
Diem, Michael H., xxx-xx-xxxx
Moore, Clayton H., III, xxx-xx-xxxx

ARMY NURSE CORPS

To be captain

Deisering, Leon F., xxx-xx-xxxx
Gahan, Sharon M., xxx-xx-xxxx
Gearhart, Sharon K., xxx-xx-xxxx
Keyser, Collette P., xxx-xx-xxxx
Seipert, Lloyd R., xxx-xx-xxxx

ARMY MEDICAL SPECIALIST CORPS

To be captain

James, Kenneth D., xxx-xx-xxxx

VETERINARY CORPS

To be captain

Rice, Bennie, Jr., 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 3298:

ARMY PROMOTION LIST

To be first lieutenant

Aaron, Alvin D., xxx-xx-xxxx
Aaronson, David B., xxx-xx-xxxx
Abbott, John C., xxx-xx-xxxx
Abernathy, Julian R., xxx-xx-xxxx
Abrahamson, Dale M., xxx-xx-xxxx
Ackerly, William G., xxx-xx-xxxx
Ackerman, Bartley C., xxx-xx-xxxx
Ackerman, John M., xxx-xx-xxxx
Ackroyd, Harry E., xxx-xx-xxxx
Adamczyk, Carl A., xxx-xx-xxxx
Adams, Charles J., xxx-xx-xxxx
Adams, David, xxx-xx-xxxx
Adams, David H., xxx-xx-xxxx
Adams, John W., xxx-xx-xxxx
Adams, Roosevelt J., xxx-xx-xxxx
Adams, Roy H., Jr., xxx-xx-xxxx
Adams, William V., xxx-xx-xxxx
Addy, William M., xxx-xx-xxxx
Adelman, Joseph A., xxx-xx-xxxx
Adkins, Glenn D., xxx-xx-xxxx
Aed, George, II, xxx-xx-xxxx
Aguilar, Donald, xxx-xx-xxxx
Ahern, James P., xxx-xx-xxxx
Ahern, Michael F., xxx-xx-xxxx
Ainslie, John H., xxx-xx-xxxx
Aitken, David P., xxx-xx-xxxx
Aken, Joseph D., xxx-xx-xxxx
Albano, Joseph F., xxx-xx-xxxx
Alberg, Walter S., xxx-xx-xxxx
Albert, Michael R., xxx-xx-xxxx
Albo, James P., xxx-xx-xxxx
Albright, David S., xxx-xx-xxxx
Albright, Earl R., Jr., xxx-xx-xxxx
Albright, Hugh D., xxx-xx-xxxx
Albright, Mark L., xxx-xx-xxxx
Albright, Paul M., xxx-xx-xxxx
Alcorn, George W., xxx-xx-xxxx
Alden, Arthur J., xxx-xx-xxxx
Aldrich, Joseph E., xxx-xx-xxxx
Aldridge, George W., xxx-xx-xxxx
Alexander, Billie J., xxx-xx-xxxx
Alexander, Buford C., xxx-xx-xxxx
Alexander, Gary J., xxx-xx-xxxx
Alexander, James M., xxx-xx-xxxx
Alexander, Theodore, xxx-xx-xxxx
Alexander, William, xxx-xx-xxxx
Allaire, Robert B., xxx-xx-xxxx
Allaman, Everett D., xxx-xx-xxxx
Allbach, Douglas M., xxx-xx-xxxx
Allbee, David C., xxx-xx-xxxx
Allemeier, Daniel R., xxx-xx-xxxx
Allen, James H., Jr., xxx-xx-xxxx
Allen, John E., xxx-xx-xxxx
Allen, Johnny D., xxx-xx-xxxx
Allen, Michael R., xxx-xx-xxxx
Allen, Richard B., xxx-xx-xxxx
Allenbaugh, Richard, xxx-xx-xxxx
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Wolthuis, William D., xxx-xx-xxxx.
Wong, Alexander B., xxx-xx-xxxx.
Woo, Thomas N., xxx-xx-xxxx.
Wood, Bruce F., xxx-xx-xxxx.
Wood, Charles U., Jr., xxx-xx-xxxx.
Wood, Gerald L., xxx-xx-xxxx.
Wood, Lawrence E., xxx-xx-xxxx.
Wood, Steven F., xxx-xx-xxxx.
Woodruff, Martin B., xxx-xx-xxxx.
Woodruff, William A., xxx-xx-xxxx.
Woods, John E., xxx-xx-xxxx.
Woodward, Robert L., xxx-xx-xxxx.
Woolfolk, Clyde R., xxx-xx-xxxx.
Woolfolk, Rogers J., xxx-xx-xxxx.
Wooten, Richard E., xxx-xx-xxxx.
Wootten, Bradley Q., xxx-xx-xxxx.
Workman, Kenneth F., xxx-xx-xxxx.
Worley, Edward R., xxx-xx-xxxx.
Worthington, Glen D., xxx-xx-xxxx.
Woyansky, John G., xxx-xx-xxxx.
Wothal, Jeffrey P., xxx-xx-xxxx.
Wray, Timothy A., xxx-xx-xxxx.
Wren, James G., xxx-xx-xxxx.
Wren, Kenneth A., xxx-xx-xxxx.
Wright, Christopher, xxx-xx-xxxx.
Wright, Gary A., xxx-xx-xxxx.
Wright, James E., xxx-xx-xxxx.
Wright, Jerry C., xxx-xx-xxxx.
Wright, Steven J., xxx-xx-xxxx.
Wright, Walter J., xxx-xx-xxxx.
Wright, William T., xxx-xx-xxxx.
Wubbenhorst, Peter, xxx-xx-xxxx.
Wueste, Ernest D., xxx-xx-xxxx.
Wyand, Michael W., xxx-xx-xxxx.
Wyman, Francis L., xxx-xx-xxxx.
Wynn, Donald T., xxx-xx-xxxx.
Wynn, Phail, Jr., xxx-xx-xxxx.
Wyrick, Kenneth L., xxx-xx-xxxx.
Wyse, Edward J., xxx-xx-xxxx.
Yakovac, Joseph L., xxx-xx-xxxx.
Yancey, Carlton W., xxx-xx-xxxx.
Yatsko, Larry W., xxx-xx-xxxx.
Yesensky, Richard J., xxx-xx-xxxx.
Ylinen, Frank A., xxx-xx-xxxx.
Yost, Dennis E., xxx-xx-xxxx.
Young, Alan R., xxx-xx-xxxx.
Young, Daniel E., xxx-xx-xxxx.
Young, David J., xxx-xx-xxxx.
Young, Frederick W., xxx-xx-xxxx.

Young, Lester R., xxx-xx-xxxx
Young, Mason J., III, xxx-xx-xxxx
Your g, Odos G., xxx-xx-xxxx
Young, Richard C., xxx-xx-xxxx
Young, Robert M., xxx-xx-xxxx
Young, Robert S., xxx-xx-xxxx
Young, Terry J., xxx-xx-xxxx
Youngblood, Richard, xxx-xx-xxxx
Yrazabal, Mark A., xxx-xx-xxxx
Yurchak, Andrew M., xxx-xx-xxxx
Zastrow, Richard G., xxx-xx-xxxx
Zelazny, Robert C., xxx-xx-xxxx
Zeper, Bernard A., xxx-xx-xxxx
Zetti, James H., xxx-xx-xxxx
Ziegler, Fritz B., xxx-xx-xxxx
Ziemkiewicz, Frank, xxx-xx-xxxx
Zilan, Frederick J., xxx-xx-xxxx
Zimon, Henry A., xxx-xx-xxxx
Ziomek, Daniel D., xxx-xx-xxxx
Zoeller, Jack C., xxx-xx-xxxx
Zolidis, Michael J., xxx-xx-xxxx
Zollo, Robert A., xxx-xx-xxxx
Zupan, Terry M., xxx-xx-xxxx
Zupko, John E., xxx-xx-xxxx
Zychowicz, Ralph C., xxx-xx-xxxx
Zychowski, Ronald M., xxx-xx-xxxx

WOMEN'S ARMY CORPS

To be first lieutenant

Baker, Linda B., xxx-xx-xxxx
Cook, Dolores M., xxx-xx-xxxx
Frey, Karen L., xxx-xx-xxxx
Johnson, Anne T., xxx-xx-xxxx
Jones, Glennie M., xxx-xx-xxxx
Kupsick, Sharron D., xxx-xx-xxxx
Lathouwers, Janice, xxx-xx-xxxx
McMullen, Patricia, xxx-xx-xxxx
Miller, Kathleen M., xxx-xx-xxxx
Morgan, Mary E., xxx-xx-xxxx
Murray, Margaret A., xxx-xx-xxxx
Oakley, Virginia E., xxx-xx-xxxx
Palmer, Ragena, xxx-xx-xxxx
Phillips, Ruth A., xxx-xx-xxxx
Stephens, Dorothy M., xxx-xx-xxxx
Stone, Sandra L., xxx-xx-xxxx
Young, Anna M., xxx-xx-xxxx

MEDICAL SERVICE CORPS

To be first lieutenant

Abbott, Claude L., xxx-xx-xxxx
Abshier, John D., xxx-xx-xxxx
Arellano, Benito M., xxx-xx-xxxx
Arthur, Bradley K., xxx-xx-xxxx
Augsburger, Russell, xxx-xx-xxxx
Bain, Michael W., xxx-xx-xxxx
Baker, Stuart W., xxx-xx-xxxx
Barber, Frank A., xxx-xx-xxxx
Barth, Francis A., Jr., xxx-xx-xxxx
Bay, Lenny S., xxx-xx-xxxx
Bennett, Gary L., xxx-xx-xxxx
Bentham, Jack E., xxx-xx-xxxx
Berg, Allan W., xxx-xx-xxxx
Bicad, Jesse A., Jr., xxx-xx-xxxx
Booth, Van R., xxx-xx-xxxx
Boslego, John W., xxx-xx-xxxx
Bouck, Grant S., xxx-xx-xxxx
Boujai, Carlton J., xxx-xx-xxxx
Branham, Manley R., xxx-xx-xxxx
Brannon, Leslie R., xxx-xx-xxxx
Briggs, Ronald S., xxx-xx-xxxx
Brown, David P., xxx-xx-xxxx
Brown, Frederick W., xxx-xx-xxxx
Brown, Malcolm H., xxx-xx-xxxx
Bruss, Donald J., xxx-xx-xxxx
Burden, Raymond T., xxx-xx-xxxx
Butcher, David G., xxx-xx-xxxx
Cadiz, Jesse C., xxx-xx-xxxx
Cadwallader, Ralph, xxx-xx-xxxx
Chaffee, Dennis L., xxx-xx-xxxx
Chandler, Randall S., xxx-xx-xxxx
Cherry, Edmond B., II, xxx-xx-xxxx
Clausen, Kenneth F., xxx-xx-xxxx
Coffey, Daniel P., xxx-xx-xxxx
Cofoni, Sylvester J., xxx-xx-xxxx
Coleman, Fred H., III, xxx-xx-xxxx
Coley, Herbert A., xxx-xx-xxxx
Coonley, Lewis S., Jr., xxx-xx-xxxx
Cordo, Paul J., xxx-xx-xxxx
Costner, Gerald R., xxx-xx-xxxx
Cramblet, Peter B., xxx-xx-xxxx
Crissey, James E., xxx-xx-xxxx
Crissey, William F., xxx-xx-xxxx
Currin, John G., Jr., xxx-xx-xxxx
Cuttie, Donald T., xxx-xx-xxxx
Dagostino, Michael, xxx-xx-xxxx
Davis, Jerry D., xxx-xx-xxxx
Davis, Keith L., xxx-xx-xxxx
Day, Charles E., III, xxx-xx-xxxx
Deboer, Michael D., xxx-xx-xxxx
Demski, Stephen J., xxx-xx-xxxx
Dolan, Kerry B., xxx-xx-xxxx
Dorothy, Wade A., xxx-xx-xxxx
Driggers, William D., xxx-xx-xxxx
Duggan, Dennis, xxx-xx-xxxx
Eckberg, David J., xxx-xx-xxxx
Evans, Barrett C., xxx-xx-xxxx
Evans, Okey R., xxx-xx-xxxx
Fairchild, William, xxx-xx-xxxx
Farace, Patrick J., xxx-xx-xxxx
Faulkner, David C., xxx-xx-xxxx
Fenlason, Robert W., xxx-xx-xxxx
Fogarty, John M., xxx-xx-xxxx
Fogle, Allen R., xxx-xx-xxxx
Fournier, Rayond, M., xxx-xx-xxxx
Frame, Robert V., xxx-xx-xxxx
Frank, Charles G., xxx-xx-xxxx
Freeman, Stephen R., xxx-xx-xxxx
Gall, Roger L., xxx-xx-xxxx
Gardner, Joseph E., xxx-xx-xxxx
Goeringer, Fred, xxx-xx-xxxx
Gonzales, Joseph P., xxx-xx-xxxx
Goodman, Thaddious, xxx-xx-xxxx
Gore, Bernard L., Jr., xxx-xx-xxxx
Goyne, Richard M., xxx-xx-xxxx
Grishkin, Brent A., xxx-xx-xxxx
Guillen, Atanacio C., xxx-xx-xxxx
Gulgowski, Paul W., xxx-xx-xxxx
Gutierrez, Anthony, xxx-xx-xxxx
Hackett, Stephen E., xxx-xx-xxxx
Hadley, Phillip, xxx-xx-xxxx
Hall, Johnnie B., xxx-xx-xxxx
Hamel, Bruce B., xxx-xx-xxxx
Harrison, David R., xxx-xx-xxxx
Harvey, Thomas E., xxx-xx-xxxx
Hazelrigs, James A., xxx-xx-xxxx
Heilman, Robert O., xxx-xx-xxxx
Hernandez, Samuel L., xxx-xx-xxxx
Hester, Ellsworth G., xxx-xx-xxxx
Hiller, Frank W., Jr., xxx-xx-xxxx
Hilliard, John C., xxx-xx-xxxx
Hitt, Michael D., xxx-xx-xxxx
Hohn, Dennis E., xxx-xx-xxxx
Horne, Rodney D., xxx-xx-xxxx
Hudson, Meredith C., xxx-xx-xxxx
Hurt, Duane F., xxx-xx-xxxx
Huskey, Charles D., xxx-xx-xxxx
Hutchison, John N., xxx-xx-xxxx
Indrisano, Gerard S., xxx-xx-xxxx
Isom, Lamont W., xxx-xx-xxxx
Jackson, Duane L., xxx-xx-xxxx
Jackson, Randall H., xxx-xx-xxxx
Jackson, Steve G., xxx-xx-xxxx
James, John V., xxx-xx-xxxx
Jarchow, Robert C., xxx-xx-xxxx
Jarrett, Richard B., xxx-xx-xxxx
Jeansonne, James P., xxx-xx-xxxx
Jewell, John S., xxx-xx-xxxx
Johnson, Darryl F., xxx-xx-xxxx
Keller, Raymond L., xxx-xx-xxxx
Kenevan, Robert J., xxx-xx-xxxx
Kerrigan, John R., xxx-xx-xxxx
Kiesling Victor J., xxx-xx-xxxx
Knoll, Rolf W., xxx-xx-xxxx
Koob, Jeffrey C., xxx-xx-xxxx
Kulbick, Robert R., xxx-xx-xxxx
Lake, Douglas A., II, xxx-xx-xxxx
Langer, Joe J., xxx-xx-xxxx
Larson, Steven A., xxx-xx-xxxx
Leininger, John J., xxx-xx-xxxx
Leisher, Kenneth W., xxx-xx-xxxx
Levine, Jay E., xxx-xx-xxxx
Lewis, Craig R., xxx-xx-xxxx
Liebmann, Robert E., xxx-xx-xxxx
Lindsay, William W., xxx-xx-xxxx
Livingston, Allen S., xxx-xx-xxxx
Loader, Michael B., xxx-xx-xxxx
Lough, Frederick C., xxx-xx-xxxx
Love, James E., Jr., xxx-xx-xxxx
Mackinnon, Charles, xxx-xx-xxxx
Madden, Gary E., xxx-xx-xxxx
Madeo, Peter D., xxx-xx-xxxx
Maertens, Kenneth R., xxx-xx-xxxx
Marino, John J., xxx-xx-xxxx
Marsh, Lawrence R., xxx-xx-xxxx
Marsh, William D., xxx-xx-xxxx
Martinez, Manuel E., xxx-xx-xxxx
Mathews, Thomas G., xxx-xx-xxxx
Maxwell, Clarence E., xxx-xx-xxxx
McCormick, Roscoe, xxx-xx-xxxx
McLean, William E., xxx-xx-xxxx
Miller, Thomas A., xxx-xx-xxxx
Morgan, Robert C., xxx-xx-xxxx
Morris, John G., III, xxx-xx-xxxx
Naehr, Lawrence S., xxx-xx-xxxx
Nelson, Theodore J., xxx-xx-xxxx
New, Hector, xxx-xx-xxxx
Nickles, Dean J., xxx-xx-xxxx
Novier, Frank H., xxx-xx-xxxx
Oaks, Stanley C., Jr., xxx-xx-xxxx
Oblander, Gary W., xxx-xx-xxxx
O'Brien, John C., Jr., xxx-xx-xxxx
O'Donnell, Vincent M., xxx-xx-xxxx
Olson, Calvin J., xxx-xx-xxxx
Ortiz, Rafael A., xxx-xx-xxxx
Paavola, Fred G., xxx-xx-xxxx
Park, William D., xxx-xx-xxxx
Phillips, Charles C., xxx-xx-xxxx
Pietsch, James H., xxx-xx-xxxx
Pinkson, Reuben G., xxx-xx-xxxx
Poirier, Richard R., xxx-xx-xxxx
Price, Michael F., xxx-xx-xxxx
Pugel, Larry J., xxx-xx-xxxx
Rathofer, Steven A., xxx-xx-xxxx
Ray, James E., xxx-xx-xxxx
Ray, Reginald D., xxx-xx-xxxx
Redmond, Wayne, xxx-xx-xxxx
Reinsch, Gary L., xxx-xx-xxxx
Roberts, Lyman W., xxx-xx-xxxx
Robinson, Samuel H., xxx-xx-xxxx
Romines, Robert B., xxx-xx-xxxx
Rose, Charles A., xxx-xx-xxxx
Salter, Cecil S., xxx-xx-xxxx
Scavone, John A., xxx-xx-xxxx
Shafer, Keith O., xxx-xx-xxxx
Sheppard, Samuel J., xxx-xx-xxxx
Shumski, Edward J., xxx-xx-xxxx
Sikes, Randall A., xxx-xx-xxxx
Simmons, Charles W., xxx-xx-xxxx
Simon, Fred A., xxx-xx-xxxx
Sittingdown, Quincy, xxx-xx-xxxx
Smith, Lee T., xxx-xx-xxxx
Smith, Robert F., xxx-xx-xxxx
Sprowls, John F., Jr., xxx-xx-xxxx
Stearns, Thomas H., xxx-xx-xxxx
Tate, David B., Jr., xxx-xx-xxxx
Taylor, James W., Jr., xxx-xx-xxxx
Tenholder, Michael, xxx-xx-xxxx
Terranova, Frank A., xxx-xx-xxxx
Thornton, Dale E., xxx-xx-xxxx
Threet, Allan R., xxx-xx-xxxx
Tribble, Curtis, xxx-xx-xxxx
Trounson, James W., xxx-xx-xxxx
Turner, Gilbert F., xxx-xx-xxxx
Tyler, Geoffrey H., xxx-xx-xxxx
Vinci, James D., Jr., xxx-xx-xxxx
Vogt, William J. II, xxx-xx-xxxx
Vordermark, Jonathan, xxx-xx-xxxx
Walker, Johnny M., xxx-xx-xxxx
Wall, Robert B., Jr., xxx-xx-xxxx
Weisman, Leonard E., xxx-xx-xxxx
Wilde, Burt W., xxx-xx-xxxx
Wilkins, Robert M., xxx-xx-xxxx
Wilkinson, Gene C., xxx-xx-xxxx
Witte, Carlton R., xxx-xx-xxxx
Worth, David D., xxx-xx-xxxx
Wozniak, Arthur, xxx-xx-xxxx
Wyatt, Bruce H., xxx-xx-xxxx
Young, Robert N., xxx-xx-xxxx
Zahler, James W., Jr., xxx-xx-xxxx
Zielmanski, Kenneth, xxx-xx-xxxx
Zimmerman, Bruce E., xxx-xx-xxxx
Zolezzi, Michael A., xxx-xx-xxxx

ARMY NURSE CORPS

To be first lieutenant

Allen, William P., xxx-xx-xxxx
Anders, Robert L., xxx-xx-xxxx
Bassett, Sally A., xxx-xx-xxxx
Fagan, Alice K., xxx-xx-xxxx
Lander, Walter E., Jr., xxx-xx-xxxx
Lawing, Margaret A., xxx-xx-xxxx
Ledonne, Joseph A., xxx-xx-xxxx
Level, Dennis F., xxx-xx-xxxx

Miller, Kathleen B., xxx-xx-xxxx.
Peacock, Robert C., xxx-xx-xxxx.
Ramsey, Barbara J., xxx-xx-xxxx.
Remig, Wayne D., xxx-xx-xxxx.
Smith, Cynthia D., xxx-xx-xxxx.
Smith, Michael C., xxx-xx-xxxx.
Stalbaum, Harriet, xxx-xx-xxxx.
Wagner, Jeannine M., xxx-xx-xxxx.

ARMY MEDICAL SPECIALIST CORPS

To be first lieutenant

Anderson, John E., xxx-xx-xxxx.
Bresnahan, Richard E., xxx-xx-xxxx.
Brown, James A., xxx-xx-xxxx.
Kirchner, Gerard C., xxx-xx-xxxx.
Levee, Kathryn E., xxx-xx-xxxx.
Majowski, Jesse W., xxx-xx-xxxx.
O'Donnell, Dennis M., xxx-xx-xxxx.
Palmer, Allen C., xxx-xx-xxxx.
Parker, Sarah H., xxx-xx-xxxx.
Schreck, Richard C., xxx-xx-xxxx.
Selle, Grace A., xxx-xx-xxxx.
Vaira, Karen P., xxx-xx-xxxx.

IN THE ARMY

The following-named persons for reappointment in the active list of Regular Army of the United States, from temporary disability retired list, under the provisions of title 10, United States Code, section 1211:

To be colonel, Regular Army and colonel, Army of the United States

Williams, Trevor E., xxx-xx-xxxx.

To be lieutenant colonel, Regular Army and lieutenant colonel, Army of the United States

Massoni, Mary A., xxx-xx-xxxx.

The following-named persons for appointment in the Regular Army, by transfer in the grade specified, under the provisions of title 10, United States Code, sections 3283 through 3294:

To be major

Ward, Rayburn L., Jr., xxx-xx-xxxx.

To be captain

Arkangel, Carmelito, Jr., xxx-xx-xxxx.
Armstrong, Chalmers H., xxx-xx-xxxx.
Ballard, Clark T., Jr., xxx-xx-xxxx.
Bernier, Barre S., xxx-xx-xxxx.
Connolly, James C., II, xxx-xx-xxxx.
Gordon, Ronald J., xxx-xx-xxxx.
Grandison, Wilfred G., xxx-xx-xxxx.
Meade, William C., III, xxx-xx-xxxx.
Robblee, Paul A., xxx-xx-xxxx.
Spielman, Daniel E., Jr., xxx-xx-xxxx.
Wilson, William L., xxx-xx-xxxx.

To be first lieutenant

Arner, Mark C., xxx-xx-xxxx.
Ball, Robert M., xxx-xx-xxxx.
Barber, Frank A., xxx-xx-xxxx.
Billingsley, Michael L., xxx-xx-xxxx.
Bratner, Jim N., xxx-xx-xxxx.
Brigham, Robert A., xxx-xx-xxxx.
Brown, David L., xxx-xx-xxxx.
Burgos, Victor L., xxx-xx-xxxx.
Carleton, Ardenne S., xxx-xx-xxxx.
Casey, Elmer M., Jr., xxx-xx-xxxx.
Cobey, Elwood A., xxx-xx-xxxx.
Cook, Phillip A., xxx-xx-xxxx.
Dixey, Robert J., xxx-xx-xxxx.
Doleac, Philbert C., Jr., xxx-xx-xxxx.
Fairchild, William V., xxx-xx-xxxx.
Fall, Stephen M., xxx-xx-xxxx.
Fay, Michael J., xxx-xx-xxxx.
Grishkin, Brent A., xxx-xx-xxxx.
Hales, Robert E., xxx-xx-xxxx.
Herman, Stephen M., xxx-xx-xxxx.
Illingworth, William A., xxx-xx-xxxx.
Kulikowski, Bogdan M., xxx-xx-xxxx.
Norton, Michael, xxx-xx-xxxx.
Ozimek, Carl D., xxx-xx-xxxx.
Yonushonis, William P., xxx-xx-xxxx.

To be second lieutenant

Bantz, Eric W., xxx-xx-xxxx.
Berrey, Bedford H., Jr., xxx-xx-xxxx.
Donovan, John C., xxx-xx-xxxx.
James, William D., xxx-xx-xxxx.
McGinnes, John P., xxx-xx-xxxx.
Nickel, Gary W., xxx-xx-xxxx.
Reyna, Troy M., xxx-xx-xxxx.
Thomassen, Thom S., xxx-xx-xxxx.

The following-named persons for appointment in the Regular Army of the United States, in the grades specified, under the provisions of title 10, United States Code, section 3283 through 3294 and 3311:

To be major

Craig, Arthur P., xxx-xx-xxxx.
Whiteside, Billy M., xxx-xx-xxxx.

To be captain

Anderson, Joanne, xxx-xx-xxxx.
Bader, Joyce E., xxx-xx-xxxx.
Brazier, Robert E., xxx-xx-xxxx.
Breeden, Linda J., xxx-xx-xxxx.
Brody, Sidney B., xxx-xx-xxxx.
Brown, Marie G., xxx-xx-xxxx.
Devine, Kevin A., xxx-xx-xxxx.
Diskin, Patricia A., xxx-xx-xxxx.
Frohman, Ellis M., xxx-xx-xxxx.
Gabriel, Donald E., xxx-xx-xxxx.
Hammer, Joyce K., xxx-xx-xxxx.
Hazle, Elaine H., xxx-xx-xxxx.
Hollowell, Marvin E., Jr., xxx-xx-xxxx.
Johnson, James D., xxx-xx-xxxx.
Johnson, Jay S., xxx-xx-xxxx.
Kuehne, Wayne E., xxx-xx-xxxx.
Lemieux, Elizabeth B. D., xxx-xx-xxxx.
May, James L., xxx-xx-xxxx.
McAllister, William S., III, xxx-xx-xxxx.
McDonnell, Robert C., xxx-xx-xxxx.
Phillips, Edelbert F., xxx-xx-xxxx.
Robinson, Pauline, xxx-xx-xxxx.
Sanner, James E., xxx-xx-xxxx.
Schaffer, Harvey L., xxx-xx-xxxx.
Schneider, Harold P., xxx-xx-xxxx.
Smith, Joyce A., xxx-xx-xxxx.
Sobol, Samuel M., xxx-xx-xxxx.
Svec, Timothy A., xxx-xx-xxxx.
Swanson, Bruce E., xxx-xx-xxxx.
Vaughan, Curry N., xxx-xx-xxxx.
Webb, William P., xxx-xx-xxxx.
Worden, Mary H., xxx-xx-xxxx.
Yeksavich, Michael E., xxx-xx-xxxx.
Zebbs, Barbara F., xxx-xx-xxxx.

To be first lieutenant

Aitcheson, Annette R., xxx-xx-xxxx.
Anderson, Thomas L., xxx-xx-xxxx.
Archer, Robert E., xxx-xx-xxxx.
Armstrong, Carol L., xxx-xx-xxxx.
Baker, Mary M., xxx-xx-xxxx.
Ball, Bettye H., xxx-xx-xxxx.
Basham, Owen D., xxx-xx-xxxx.
Bean, Patricia A., xxx-xx-xxxx.
Beaty, James M., xxx-xx-xxxx.
Booker, Daniel C., Jr., xxx-xx-xxxx.
Bradeen, Sharon, xxx-xx-xxxx.
Brandes, Bruce D., xxx-xx-xxxx.
Branson, Steven G., xxx-xx-xxxx.
Brennan, Thomas P., xxx-xx-xxxx.
Bryan, James L., xxx-xx-xxxx.
Campbell, Dolores J., xxx-xx-xxxx.
Coletti, Anthony E., xxx-xx-xxxx.
Cooper, Richard L., xxx-xx-xxxx.
Cornett, Barbara B., xxx-xx-xxxx.
Couch, Gwenda J., xxx-xx-xxxx.
Davidson, Selmer A., xxx-xx-xxxx.
Dell, Edward E., Jr., xxx-xx-xxxx.
Deloach, James H., xxx-xx-xxxx.
Dillinger, Paul L., xxx-xx-xxxx.
Dixon, Lloyd I., xxx-xx-xxxx.
Elliott, Mary L., xxx-xx-xxxx.
English, Jeryl D., xxx-xx-xxxx.
Farley, Peggy J., xxx-xx-xxxx.
Finch, Thelma I., xxx-xx-xxxx.
Finklea, Alfred M., Jr., xxx-xx-xxxx.
Frazier, Charlene A., xxx-xx-xxxx.
Friel, Ann P., xxx-xx-xxxx.
Gambal, Deena, xxx-xx-xxxx.
Gardner, Jane T., xxx-xx-xxxx.
Garrett, Stacy F., III, xxx-xx-xxxx.
Gibbs, Stephen D., xxx-xx-xxxx.
Gisel, Susan J., xxx-xx-xxxx.
Goerig, Albert C., xxx-xx-xxxx.
Gordon, Jonathan C., xxx-xx-xxxx.
Gordon, Kenneth A., xxx-xx-xxxx.
Gray, Bertha M., xxx-xx-xxxx.
Gumbert, Grorgianna L., xxx-xx-xxxx.
Graves, Carl W., xxx-xx-xxxx.
Gysler, Rochelle I., xxx-xx-xxxx.
Hartoon, John C., xxx-xx-xxxx.
Heil, Elizabeth, xxx-xx-xxxx.
Hilliard, James R., xxx-xx-xxxx.
Horn, Hilary J., xxx-xx-xxxx.
Huzinec, Karen F., xxx-xx-xxxx.
Jameson, Jill C., xxx-xx-xxxx.
Kadeg, Nancy C., xxx-xx-xxxx.
Kanzler, Antoinette T., xxx-xx-xxxx.
Karabasz, Clara M., xxx-xx-xxxx.
Kostenbauer, John H., xxx-xx-xxxx.
Kramer, Cheryl L., xxx-xx-xxxx.
Laube, Garey L., xxx-xx-xxxx.
Laurita, Daniel J., xxx-xx-xxxx.
Leduc, Maryellen C., xxx-xx-xxxx.
Lynch, Charles L., xxx-xx-xxxx.
Maxcey Bob R., xxx-xx-xxxx.
McCormack, Patricia A., xxx-xx-xxxx.
Mooy, Bruce W., xxx-xx-xxxx.
Moran, Kathleen A., xxx-xx-xxxx.
Motta, Susan C., xxx-xx-xxxx.
Mow, Mary J., xxx-xx-xxxx.
Mueller, Patrick A., xxx-xx-xxxx.
Nattkemper, Linda J., xxx-xx-xxxx.
Ortman, Frederick W., xxx-xx-xxxx.
Ott, Ellen R., xxx-xx-xxxx.
Parry, Barbara A., xxx-xx-xxxx.
Podmolik, Mary M., xxx-xx-xxxx.
Powell, Jerry, xxx-xx-xxxx.
Raflo, Norman L., xxx-xx-xxxx.
Reeves, Carla M., xxx-xx-xxxx.
Reich, Sandra G., xxx-xx-xxxx.
Rigney, Marvin G., xxx-xx-xxxx.
Rivest, Joseph R., xxx-xx-xxxx.
Roundtree, Karen L., xxx-xx-xxxx.
Sandecki, Rose M., xxx-xx-xxxx.
Schlecker, Barbara A., xxx-xx-xxxx.
Schodt, Dana P., xxx-xx-xxxx.
Schultz, Carolyn W., xxx-xx-xxxx.
Scott, Quincy, Jr., xxx-xx-xxxx.
Shaffer, Joseph G., xxx-xx-xxxx.
Shirley, Lois G., xxx-xx-xxxx.
Simmons, Catherine K., xxx-xx-xxxx.
Sowash, Gertrude A., xxx-xx-xxxx.
Steele, Joseph D., xxx-xx-xxxx.
Stonge, Susan G., xxx-xx-xxxx.
Suarez, Margarita M., xxx-xx-xxxx.
Sullivan, Mary L., xxx-xx-xxxx.
Troop, Michael P., xxx-xx-xxxx.
Vanhook, Thomas J., xxx-xx-xxxx.
Weinholt, Mary B., xxx-xx-xxxx.
Whitman, Vivian Z., xxx-xx-xxxx.

To be second lieutenant

Barber, Patricia F., xxx-xx-xxxx.
Boggess, George H., xxx-xx-xxxx.
Cocke, Dorothy A., xxx-xx-xxxx.
Edwards, Thomas E., xxx-xx-xxxx.
Faust, Elizabeth W., xxx-xx-xxxx.
Lucas, John R., xxx-xx-xxxx.
Pape, Linda L., xxx-xx-xxxx.
Simmons, Barbara J., xxx-xx-xxxx.
Walz, Darla F., xxx-xx-xxxx.
Waterman, Judith E., xxx-xx-xxxx.
White, Terry E., xxx-xx-xxxx.
Wohrle, Steven M., xxx-xx-xxxx.

The following-named distinguished military students for appointment in the Regular Army of the United States, in the grade of second lieutenant, under provisions of title 10, United States Code, sections 2106, 3283, 3284, 3286, 3287, 3288, and 3290:

Abnett, William B., xxx-xx-xxxx.
Acton, Dennis A., xxx-xx-xxxx.
Adam, Marvin E., xxx-xx-xxxx.
Adams, Andrew E., xxx-xx-xxxx.
Anderson, Craig A., xxx-xx-xxxx.
Anderson, Douglas C., xxx-xx-xxxx.
Anderson, Knut E., xxx-xx-xxxx.
Arndt, Joseph M., III, xxx-xx-xxxx.
Balentine, Terry K., xxx-xx-xxxx.
Batzer, Craig C., xxx-xx-xxxx.
Bazak, Henry V., Jr., xxx-xx-xxxx.
Benfer, Dennis E., xxx-xx-xxxx.
Berry, James W., xxx-xx-xxxx.
Beyer, Kirk D., xxx-xx-xxxx.
Black, Richard A., xxx-xx-xxxx.
Blackman, William M., xxx-xx-xxxx.
Bondi, James J., xxx-xx-xxxx.
Boyd, David M., xxx-xx-xxxx.

Boyd, Neal R., Jr., xxx-xx-xxxx
Boyd, Stephen E., xxx-xx-xxxx
Brakensiek, Danny A., xxx-xx-xxxx
Buchanan, Arren C., III, xxx-xx-xxxx
Buckmaster, Kevin D., xxx-xx-xxxx
Bush, Brian J., xxx-xx-xxxx
Cacciatore, Matthew P., Jr., xxx-xx-xxxx
Campbell, Rogers E., xxx-xx-xxxx
Carlin, Thomas M., xxx-xx-xxxx
Carpenter, Sammy K., xxx-xx-xxxx
Caspers, Robert W., xxx-xx-xxxx
Cerruti, Lawrence J., xxx-xx-xxxx
Challender, Thomas D., xxx-xx-xxxx
Chang, Sherman S. M., xxx-xx-xxxx
Chasteen, Dorman L., Jr., xxx-xx-xxxx
Clanton, James H., xxx-xx-xxxx
Clark, Billy E., xxx-xx-xxxx
Clifford, James C., xxx-xx-xxxx
Collins, Calvin L., xxx-xx-xxxx
Collins, James W., xxx-xx-xxxx
Collinsworth, Edgar N., xxx-xx-xxxx
Cook, Roger L., xxx-xx-xxxx
Coughlin, William E., xxx-xx-xxxx
Craig, Alton H., Jr., xxx-xx-xxxx
Curtis, Philip C., xxx-xx-xxxx
Davis, Allen W., III, xxx-xx-xxxx
Dees, Roy J., xxx-xx-xxxx
Dillingham, Jon M., xxx-xx-xxxx
Dykes, John M., xxx-xx-xxxx
Easter, Albert V., xxx-xx-xxxx
Easter, Cornelius, xxx-xx-xxxx
Edwards, Kenneth W., xxx-xx-xxxx
Ellis, Victor R., xxx-xx-xxxx
Evans, Printes W., xxx-xx-xxxx
Eyle, Terrance G., xxx-xx-xxxx
Fallon, Dennis G., xxx-xx-xxxx
French, Lawrence R., Jr., xxx-xx-xxxx
Fields, Watson H., Jr., xxx-xx-xxxx
Fitzgerald, Robert M., xxx-xx-xxxx
Fletcher, Stephen C., xxx-xx-xxxx
Franz, Murray L., xxx-xx-xxxx
Garcia, Cesar, xxx-xx-xxxx
Garrett, Jimmy F., xxx-xx-xxxx
Glazier, Calvin J., xxx-xx-xxxx
Graber, Jon G., xxx-xx-xxxx
Green, Douglas L., xxx-xx-xxxx
Gucker, Douglas B., xxx-xx-xxxx
Haan, Vincent A., xxx-xx-xxxx
Hamilton, Larry R., xxx-xx-xxxx
Harbour, Michael E., xxx-xx-xxxx
Hasty, William K., xxx-xx-xxxx
Hayen, Paul C., xxx-xx-xxxx
Hazam, James M., xxx-xx-xxxx
Hebert, Stephen J., xxx-xx-xxxx
Heffernan, Edward T., xxx-xx-xxxx
Helmers, Scott A., xxx-xx-xxxx
Helseth, David C., xxx-xx-xxxx
Hepworth, Richard S., xxx-xx-xxxx
Herron, John T., xxx-xx-xxxx
Hill, Raymond C., xxx-xx-xxxx
Hinsey, Raymond F., xxx-xx-xxxx
Hoberock, Christopher, xxx-xx-xxxx
Holter, David W., xxx-xx-xxxx
Howard, James M., xxx-xx-xxxx
Hunstad, Bernie R., xxx-xx-xxxx
Ingram, Charles M., xxx-xx-xxxx
Jones, Robert J., xxx-xx-xxxx
Jones, Roland W., xxx-xx-xxxx
Kaye, Richard A., xxx-xx-xxxx
Kerns, Bruce R., xxx-xx-xxxx
Klass, Robert C., xxx-xx-xxxx
Kudej, Lawrence D., xxx-xx-xxxx
Kunstle, Charles J., xxx-xx-xxxx
Kurtz, Robert J., xxx-xx-xxxx
Kuzma, Richard, xxx-xx-xxxx
Lansing, Ernest J., Jr., xxx-xx-xxxx
Larson, Jared K., xxx-xx-xxxx
Lind, Stephen M., xxx-xx-xxxx
Long, William H., xxx-xx-xxxx
Ma, John Y. H., xxx-xx-xxxx
Martin, John M., xxx-xx-xxxx
McDonald, Aaron L., xxx-xx-xxxx
McFarland, Maxie L., xxx-xx-xxxx
McKenney, Fred L., xxx-xx-xxxx
Mc Knight, John J., xxx-xx-xxxx
Miller, Eric O. A., xxx-xx-xxxx
Mische, William E., xxx-xx-xxxx
Morris, John H. IV, xxx-xx-xxxx
Muhlenbruch, Howard A., xxx-xx-xxxx
Muskus, Thomas J., xxx-xx-xxxx
Nance, James C., Jr., xxx-xx-xxxx
Naylor, Donald G., xxx-xx-xxxx
Nelson, William G., xxx-xx-xxxx
Newsome, Thomas D., xxx-xx-xxxx
Nissen, Wayne A., xxx-xx-xxxx
Noel, Alan F., xxx-xx-xxxx
Noteboom, Dale A., xxx-xx-xxxx
Oberholtzer, David M., xxx-xx-xxxx
O'Hara, James P., xxx-xx-xxxx
O'Hare, Dennis M., xxx-xx-xxxx
Olyniec, Peter M., xxx-xx-xxxx
Orchowski, Charles, xxx-xx-xxxx
Orndorff, James A., Jr., xxx-xx-xxxx
Orval, Francis B., Jr., xxx-xx-xxxx
Parker, Thomas L., xxx-xx-xxxx
Patton, Leon J., xxx-xx-xxxx
Paulson, Robert E., xxx-xx-xxxx
Pezino, Lawrence D., xxx-xx-xxxx
Portner, Steven E., xxx-xx-xxxx
Preskitt, Eugene W., Jr., xxx-xx-xxxx
Renner, Robert C., xxx-xx-xxxx
Richardson, Philip M., xxx-xx-xxxx
Roseen, John H. E., xxx-xx-xxxx
Rowell, Scott W., xxx-xx-xxxx
Sams, Gayle D., xxx-xx-xxxx
Sapp, Larry H., xxx-xx-xxxx
Schiller, Dean J., xxx-xx-xxxx
Scott, James S., Jr., xxx-xx-xxxx
Shaddix, Robert E., xxx-xx-xxxx
Shaw, Terry R., xxx-xx-xxxx
Shepherd, Kim E., xxx-xx-xxxx
Shonts, Steven W., xxx-xx-xxxx
Siebert, Stephen L., xxx-xx-xxxx
Silence, Roy J., xxx-xx-xxxx
Simmons, James C., xxx-xx-xxxx
Smith, Gregory R., xxx-xx-xxxx
Smoot, William S. IV, xxx-xx-xxxx
Snitch, Wilbert L., xxx-xx-xxxx
Soesbe, Jack L., xxx-xx-xxxx
Squire, Mark W., xxx-xx-xxxx
Sray, John E., xxx-xx-xxxx
Stanze, David C., xxx-xx-xxxx
Stevens, Roger L., xxx-xx-xxxx
Strickland, James I., Jr., xxx-xx-xxxx
Strippoli, Steve B., xxx-xx-xxxx
Talbert, Marion H., xxx-xx-xxxx
Tilghman, Jerome L., xxx-xx-xxxx
Tisserand, John B., III, xxx-xx-xxxx
Thomas, Daniel L., xxx-xx-xxxx
Thomas, Gary F., xxx-xx-xxxx
Thompson, Frank J., xxx-xx-xxxx
Thompson, Robert K., xxx-xx-xxxx
Thoreson, Brian D., xxx-xx-xxxx
Tommey, Paul E., xxx-xx-xxxx
Vail, Steven W., xxx-xx-xxxx
Van Deusen, William O., xxx-xx-xxxx
Walch, Wayne E., xxx-xx-xxxx
Walker, Franklin G., xxx-xx-xxxx
Watkins, Fred L., Jr., xxx-xx-xxxx
Watson, Jimmy L., xxx-xx-xxxx
Webb, David J., xxx-xx-xxxx
West, James E., xxx-xx-xxxx
White, Jonathan R., xxx-xx-xxxx
Wright, Daniel J., xxx-xx-xxxx
Wyand, Patrick J., xxx-xx-xxxx
Yarbrough, Clifford, xxx-xx-xxxx
Zenn, Billy R., xxx-xx-xxxx
Zietlow, Charles W., xxx-xx-xxxx
Zink, Ronald F., xxx-xx-xxxx

The following-named scholarship students for appointment in the Regular Army of the United States in the grade of second lieutenant, under provisions of Title 10, United States Code, sections 2107, 3283, 3284, 3286, 3287, 3288, and 3290:

Anderson, David A., xxx-xx-xxxx
Apigian, Lester J., xxx-xx-xxxx
Bergeron, Scott M., xxx-xx-xxxx
Bortnem, Mark A., xxx-xx-xxxx
Brantley, Charles K., xxx-xx-xxxx
Burke, Michael A., xxx-xx-xxxx
Clark, Jack W., xxx-xx-xxxx
Crosby, Arvie A., xxx-xx-xxxx
Darrell, Daniel M., xxx-xx-xxxx
French, Ian G., xxx-xx-xxxx
Fujio, Hirome, xxx-xx-xxxx
Graham, Keith D., xxx-xx-xxxx
Graves, Ben R., xxx-xx-xxxx
Grubbs, David H., xxx-xx-xxxx
Hagerman, Michael C., xxx-xx-xxxx
Hendry, Tommy C., xxx-xx-xxxx
Herman, Thomas E., xxx-xx-xxxx
Hill, Tommy K., xxx-xx-xxxx
Howard, Stephen B., xxx-xx-xxxx
Huber, Charles R., Jr., xxx-xx-xxxx
Johnson, Howard N., xxx-xx-xxxx
Kiehl, Paul V., xxx-xx-xxxx
Kuykendall, Ellis C., III, xxx-xx-xxxx
Lewis, John P., xxx-xx-xxxx
Lobdell, Mark R., xxx-xx-xxxx
McCollum, Billy J., xxx-xx-xxxx
McKettrick, Paul D., xxx-xx-xxxx
Meis, Emil F., III, xxx-xx-xxxx
Monroe, David O., Jr., xxx-xx-xxxx
Murphy, Walter N., xxx-xx-xxxx
Ondrus, James A., xxx-xx-xxxx
Pickenpaugh, Gary G., xxx-xx-xxxx
Real, Ralph J., Jr., xxx-xx-xxxx
Roemer, Robert J., Jr. xxx-xx-xxxx
Rombouts, Stephen B., xxx-xx-xxxx
Ruff, Douglas A., xxx-xx-xxxx
Schowengerdt, Daniel E., xxx-xx-xxxx
Schackelford, Elbert L., xxx-xx-xxxx
Simpson, Michael, xxx-xx-xxxx
Slider, William Z., xxx-xx-xxxx
Smiley, George H., xxx-xx-xxxx
Standen, Edward J., xxx-xx-xxxx
Steinhebel, Terrence L., xxx-xx-xxxx
Walker, James S., xxx-xx-xxxx
Wedemeyer, Robert G., xxx-xx-xxxx
Wheat, Dewey D., Jr., xxx-xx-xxxx
Zapata, Fernando, Jr., xxx-xx-xxxx

IN THE NAVY

The following named officers of the U.S. Navy for temporary promotion to the grade of captain in the line, subject to qualification therefor as provided by law:

Abe, Henry Hisashi
Adamson, Edwin Charles, Jr.
Aitcheson, George Alfred, Jr.
Albright, Richard Kingdon
Alderson, James Morris
Allingham, James Robert
Anderson, Curtis Odean
Andrassy, Michael Francis
Bailey, George Thomas
Baldwin, Charles Carroll
Baldwin, John Ashby, Jr.
Baron, Charles Raoul
Barry, Thomas Merritt
Barth, Joseph John, Jr.
Bayer, David Arthur
Beaver, John Thomas
Beck, John Louden
Beers, Robert Cleve
Beeton, Harvey Jackson
Bell, Bill Jack
Bentley, William Cooke
Bird, Ralph Gordon
Bivens, Arthur Clark
Blanchard, Robert Cecil
Block, Stanley Howard
Blundell, Peveril
Boaz, George Lee
Bordone, Richard Peter
Bottenberg, Foster Leroy
Botts, Ronald House
Bowling, Roy Howard
Boyer, Walton Tully, Jr.
Boyle, Henry Francis, Jr.
Bridge, James Andrew, Jr.
Britton, William Lawson
Brooks, Edwin Hawley, Jr.
Brown, Donald Nathan
Brown, Walter Hollows, Jr.
Browning, Siras Dean
Brummage, Richard Lowrie
Buck, Donald Dean
Burns, John Anthony
Burris, Raymond Merle
Bushong, Brent
Butrym, Stanley Bruce, Jr.
Campbell, Donald Stilles, Jr.
Campbell, Jack
Campbell, William Nelson
Cannell, Donald Tipton
Canter, Howard Raphael
Carlson, Olof Magnus, Jr.
Carothers, Philip F., Jr.
Carr, John Howard

Carr, Nevin Palmer
Carr, Roland James
Carraway, Terry Farnel
Cash, Eugene James
Catola, Stanley Guy
Cavitt, William Miles
Charest, Philip George
Christensen, Raymond J.
Clarkin, James Joseph
Clemens, Eugene Matthew
Clements, Billy Ray
Compton, Charles Raymond
Connolly, Timothy William
Coogan, Richard Daniel
Cooper, Daniel Leander
Crater, Ray Farrell
Crawford, Nace Barnett, Jr.
Cricchi, John Victor
Cross, Charles Himrod
Davis, John Bonthron
Davis, Robert Collis, Jr.
Deal, Walter Clarence, Jr.
Dempsey, Gerald Maddock
Dickman, Jerry Anson
Dickson, John Arthur
Dierdorff, Loren Moyle
Dietz, Richard John
Digiacomo, Joseph Gregory
Dillingham, Paul Whittier, Jr.
Donnelly, Robert George
Donohue, David Patrick
Doolittle, James Edward
Douglass, James Gordon, Jr.
Drain, John Frederick
Duckett, Philip Vanhorn L.
Duhrkopf, Don Junior
Dunaway, John Allen, Jr.
Durbin, Peter
Edwards, Jerry James
Elliott, Orville Gene
Ellison, John Cooley
Emery, Thomas Rogers Merrill
Engelbrecht, Richard Herbert
Evans, Richard Bruce
Evans, Robert Conant
Felt, Joseph Albert
Fergusson, Ernest Wesley
Filkins, William Charles
Finneran, William John
Fischer, David Henry
Fitzgerald, Thomas Wooten, Jr.
Flom, Hewitt Orland
Fossum, Paul Gene
Frankenfield, Robert Tylee
Freeman, Linus Walter, Jr.
Friesen, Floyd Andrew
Gallagher, Hugh Lawrence
Gallup, Shelley Paul
Garcia, William Victor
Gardenier, Robert Richard
Gilchrist, Richard Bruce
Gildea, Joseph Alroy
Gilmore, Arthur Harold
Glazier, Alvin Steuer
Gleason, Joseph Philip
Gowing, Richard Maxwell
Gradel, Robert
Graf, Frederic August, Jr.
Graveson, George Lewis, Jr.
Greeley, Michael Thomas
Greer, Marvin Sigsbee, Jr.
Gregory, Donald Gilbert
Griggs, Norman Earl
Gunn, William Joseph
Haas, Kenneth Raymond
Hagberg, Roy Vincent
Hager, Charles Franklin
Haggquist, Grant Franklin, Jr.
Halverson, Richard Keneth
Hamilton, Glenn Dale
Hamm, Clement Davis, Jr.
Hansen, Rodney Val
Harlow, David Louis
Harney, Russell Francis
Harris, James Wesley
Hartzell, Robert Hoke
Hassett, Joseph Kenneth
Hatch, Harold Glen
Hayes, Albert Marion, Jr.
Hebbard, Leroy Blanchard, Jr.
Hennessey, Aloysius G., Jr.
Henson, John Morton
Herberger, Albert Joseph
Higginbotham, Allen Bane
Higgins, Thomas Gerald
High, James Thomas, Jr.
Hill, Frank William
Himman, Albert Harold
Hoch, John Emerson, Jr.
Hogg, James Robert
Holcomb, Gordon Byron
Hollenbach, William Thomas
Holly, Daniel Theodore, Jr.
Hostettler, Stephen John
Howard, Donald Lee
Howe, Jonathan Trumbull
Hoye, James Mitchell II
Hubal, Augustine Edward, Jr.
Hughes, Kenneth Paul
Hullryde, Donald
Hurd, John Barton
Jackson, Nelson Pointer
Jacob, Robert Earl
Jaycox, Randall Euguene, Jr.
Jefferson, Robert Ray
Jellison, Robert Kaye
Johnson, Alfred Carl, Jr.
Josnon, Emil Luther
Johnston, James Irvin
Jonasz, Frederic
Jones, Henry Robert
Jones, Robert Henry
Josephson, Henning Carl
Joy, Bernard Irving
Karpaitis, Anthony Joseph
Kelley, Alfred George, Jr.
Kennedy, William Everett
Killian, Donald Joseph
Kinnaird, Martin John
Klar, Norman
Klee, Robert Erhart
Klein, Verle Wesley
Knowles, George Irvin
Kurth, Ronald James
Landersman, Stuart David
Larkins, Burton Justin
Lauber, Ronald Matthias
Lawler, Freerick Warren
Lawler, William Allen
Leavitt, Horace Madison, Jr.
Lent, Willis Ashford, Jr.
Levenson, Lee Edward
Levey, Sanford Norman
Lewis, Harold Michael J., Jr.
Limbaugh, Harold Dean
Logan, Joseph Bailey
Lowry, George Clark
Lynch, William Allen
MacCalry, David Brower
Madigan, James Alonzo
Mallinson, William Keith
Marks, Stanley John
Marriott, Jack Lewis
Marshall, Jack Luger
Martin, Edward Holmes
Martin, Robert Courtney
Massey, Roger Arguelles, Jr.
Mathews, Donald William
Mathis, Thomas Ronald
May, Robert Edward
McAlevy, John Hoyle
McCauley, William Frederick
McDaniel, Eugene Barker
McDonnell, John Richard
McLaren, Alfred Scott
McLaughlin, Bernard Robert
McVay, Donald Herbert, Jr.
Melton, Edward Cabiness, Jr.
Merget, Andrew George
Merwin, Paul LaSalle
Mesler, Robert Allen
Milano, Vito Rocco
Miles, Robert Warren
Miller, Curtis William, Jr.
Mills, James Richard
Mitchell, Jerry Lee
Moore, Clarence Edward
Moore, Thomas George
Morin, Ronald Drake
Muench, Gerald Winston
Mulcahy, William James, Jr.
Nelson, Charles Wellman, Jr.
Nelson, Herbert Franklin
Nelson, Keith
Newell, Byron Bruce, Jr.
Nichol, Monte Bruce
Nordhill, Claude Hugh
O'Connell, John Daniel
Olds, Robert Barnard
Olson, Conrad Bruce
O'Reilly, Charles Wilfred
Palmieri, John Joseph
Paolucci, Donald Clare
Papio, Emil Michael
Pearlman, Samuel Saul
Perkin, Joseph A., Jr.
Perrault, Mark Edward
Peterson, John William
Peterson, Richard Alan
Phillips, George Sylvester
Phillips, Lawrence, Jr.
Piotti, Walter Theodore, Jr.
Pitts, David Benjamin
Porter, Robert Dutton
Potter, Arthur Murdock, Jr.
Profilet, Clarence Julienne
Purdum, William Hayes
Quin, John Matthew, Jr.
Quirk, William Joseph
Raffaele, Robert Joseph
Ralph, Steve, Jr.
Rand, Donald Hadley
Rapkin, Jerome
Reasonover, Roger Louis, Jr.
Rice, Daniel William
Richards, Lloyd Wayland
Richards, Robert James
Richardson, Harold Monroe
Richardson, Phillip David
Ricketson, Francis Barry
Ridge, James Joseph
Ring, Stewart Andrew
Ritz, Merlin Carroll
Roach, Francis Leroy
Robinson, Percy Elliott, Jr.
Robinson, William Arthur
Rockefeller, Harry Caleb, Jr.
Rodgers, James Biddle
Roe, Charles William
Rogers, Gerald Francis
Romano, Matthew Edward
Rose, Hardy Nicholas
Rudolph, Francis Albert, Jr.
Ryan, Thomas Joseph
Ryan, William Aloysius
Sanden, Oscar Emanuel
Saubers, Walter Frank
Saylor, Thomas Paul
Schuman, Martin Steven
Schweitzer, Robert James
Sebring, Leland Hart
Seely, James Michael Gleason
Seigenthaler, Thomas Uhlian
Shaw, John Geis
Shaw, William Miller
Sheets, Jean Paul
Shemanski, Francis Benjamin
Shilling, John Donald
Shropshire, Edwin Demar, Jr.
Sigmond, Arie Christiaan A.
Simon, Douglas Michel
Skerrett, Robert Joseph
Skolnick, Alfred
Skubinna, Myron Alan
Smiley, Charles Boone
Smith, Alfred Anderson
Smith, Joseph Collins
Smith, Paul Joseph, Jr.
Smith, Thomas John
Solan, Thomas Vincent
Spar, Edwin Franklin
Speelman, Thomas William
Spencer, Harry Arthur, Jr.
Spiegler, Felix Robert
Stafford, Kenneth Brandt
Suzan, Frank Mitchell
Sykes, Lewis Blair
Talbot, Frank Russell, Jr.
Talbot, James Robert, Jr.

Tally, Billy Fair
Tappan, Jeremy Richard
Taylor, Reeves Ramsey
Teague, Foster Schuler
Terry, Daniel Gilley Warren
Thomas, Donald Patrick
Throop, James Ray
Tortora, Anthony Michael
Traweek, Billy Banks
Trueblood, William Eugene
Tuttle, Jerry Owen
Tuttle, John Robert
Vanwestendorp, Steven
Varner, Duane Lyle
Velazquezsuarez, Francisco A.
Vojtek, Thomas Michael
Wallace, Thomas McCarthy
Walsh, William Albert
Warner, Laurance Bliss
Weedon, Robert Ernest
Wehrman, Philip William
Weissman, Marvin Malcolm
Wellings, John Franklin
Wells, Don Vinton
Wheeler, James Bernard
Wheeler, John Raymond
White, James Richard
Will, Otto William, III
Willenbrink, James Frederick
Williams, Randall Lee
Williams, Richard Ellis
Wilson, Robert William, Jr.
Wilson, Vaughn Edgar, Jr.
Winans, Gilbert Loren
Wise, James Edward, Jr.
Wise, Peyton Randolph, II
Withrow, John Eastin, Jr.
Wood, Charles Sherman
Woodbury, Kyle Harry
Woods, Robert Clair
Yeager, Donald Robert
Young, Alfred Avery, III
Young, David Bryan, Jr.
Zick, Richard Allen

The following named Reserve officers of the U.S. Navy, for temporary promotion to the grade of captain in the line, subject to qualification therefor as provided by law:

Balogh, Albert Theodore
Harris, Frank Brayton
Oakley, Nicholas Wickham, Jr.

The following named women officers of the U.S. Navy, for permanent promotion to the grade of captain in the line, subject to qualification therefor as provided by law:

Koestline, Sarah Evelyn
Labonte, Nadene Barbara
Marshall, Alice Claudine
Mogge, Marjorie Helen
Neely, Jean Chapman
Quigley, Robin Lindsay C.
Young, Sue Ella

EXTENSIONS OF REMARKS

RHODESIAN CHROME

HON. HARRY F. BYRD, JR.

OF VIRGINIA

IN THE SENATE OF THE UNITED STATES

Monday, October 1, 1973

Mr. HARRY F. BYRD, JR. Mr. President, 1971 and 1972, the Senate three times voted to permit the importation into the United States of chrome, a strategic material, from Rhodesia.

Prior to the approval by the Congress of my legislation to allow this importation, shipments of chrome—and all other commodities—from Rhodesia to this country were banned by an Executive order issued by former President Johnson. The Executive order, never submitted to the Congress, was issued pursuant to a resolution of the United Nations Security Council.

Today legislation is pending to bring this question of Rhodesian chrome imports once again before the Senate. Of course, I shall oppose the latest effort to repeal the legislation admitting Rhodesian chrome, but in a sense I welcome the approach of another debate in this area, because it affords a vehicle for extended discussion of many issues in the relationship between the United States and the United Nations.

Two recent articles have discussed some of the considerations involved in the Rhodesian chrome issue. One is a column of September 10, 1973, by Anthony Harrigan, published in the Huntington, Ind., Herald-Press and other newspapers; the other is an editorial in the September 17 edition of the Petersburg, Va., Progress-Index. Both are excellent discussions of the issues involved. The editor of the Progress-Index is Edward A. Wyatt IV, and its publisher is Rufus Josey.

I ask unanimous consent that the text of these articles be included in the Extensions of Remarks.

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

[From the Huntington (Ind.) Herald-Press, Sept. 10, 1973]

AN UNJUST TRADE BAN

(By Anthony Harrigan)

With the publication of the final report of the National Commission on Materials Policy, the Congress should show a greater awareness of America's need for strategic and critical minerals in the years ahead.

The report rightly warns that the United States "is not self-sufficient in all basic materials, and other growing industrial areas of the world are increasing demands for essential raw materials." If the American standard of living is to be maintained and advanced, the U.S. will have to take steps to obtain secure access to overseas energy sources and minerals. Certainly, Japan, the Soviet Union and the European Common Market countries are very mindful of the importance of gaining access to sources of essential materials for the final years of the 20th century.

In view of this situation, it is fantastic and shocking that Sen. Hubert Humphrey (D-Minn.) and a group of co-sponsors in the Senate should endeavor to deny the United States access to the world's greatest supply of chrome ore—an absolutely essential mineral. Yet this is what Sen. Humphrey has done in introducing Senate Bill 1868 to "halt the importation of Rhodesian chrome." Among the co-sponsors of this profoundly hurtful legislation are Sens. Bayh, Eagleton, Inouye, Jackson, Kennedy, McGovern, Muskie, Stevenson and Tunney. It is hard to figure just who these senators think this bill would punish. Rhodesia's chrome, after all, is sought after in many parts of the world. The effort by the African bloc in the United Nations to prevent sale of this chrome in international market was a failure. Many industrial nations know that they must have access to Rhodesian chrome.

The report of the National Commission on Materials Policy indicates that the U.S. has to import 100 per cent of its chrome ore requirements. If American companies are denied an opportunity to buy it from Rhodesia, a free world country, they will be compelled to buy it from the Soviet Union at twice the cost.

Sen. Humphrey & Co. are trying to reimpose the Johnson administration ban on chrome imports from Rhodesia. An amendment introduced by Sen. Harry F. Byrd Jr. has happily freed the United States from that absurd ban. Now the liberal coalition in the Senate is seeking to knock out the Byrd amendment. This effort by Sen. Humphrey and his liberal colleagues flies in the face of all wisdom concerning America's mineral needs. Without chrome, the manufacture of essential alloys is impossible.

It is outrageous that U.S. trade policy should be shaped by the demands of the African bloc in the United Nations which is engaged in a vendetta against Rhodesia. Moreover, the Humphrey bill (S. 1868) represents a double standard. Rhodesia has not injured the United States. On the contrary, it offered to send troops to fight in Vietnam. Rhodesia has enjoyed almost 10 years of responsible, fiscally sound government benefitting all population groups. Its critics in Africa include bloody dictatorships, savage regimes such as exist in Uganda where the head of state praises Hitlerite notions, and client states of communist superpowers. To compound the irony, the sponsors of the ban on trade with Rhodesia are ardent advocates of increased trade with Communist China—the most completely totalitarian society in the world today.

The lengths to which the liberal coalition carries this vendetta is both absurd and extraordinary. For example, the Carnegie Endowment For International Peace recently made it appear that two U.S. airlines and two American auto rental services were violating the law because they allegedly participated in inter-line billing for Air Rhodesia and making hotel and car rental reservations in Rhodesia. No one has heard the Carnegie Endowment complain because U.S. airlines fly passengers into communist countries or because American companies do business in such nations. The Carnegie Endowment, by the way, is the organization that a few years ago published a blueprint for military invasion of Southern Africa—a remarkable document for an organization purportedly devoted to "peace."

Sen. Humphrey and his associates can't point to any threat Rhodesia has made against the U.S. interests. The liberal coalition in the Senate isn't advocating a trade ban with Libya, which has confiscated American oil properties, harassed American citizens, and harbored terrorists. Only Rhodesia is singled out for economic pressure.

The Humphrey bill should be rejected by the Senate, for reasons of both practicality and justice. Instead of banning Rhodesian chrome ore, the United States should encourage the rapid development of Rhodesia's mineral industry. Indeed the final report of the National Commission on Minerals Policy states that U.S. government agencies "should intensify their efforts to encourage worldwide development of resources by all means." Rhodesia's chrome ore is both strategic and