

SENATE—Saturday, December 1, 1973

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. EASTLAND).

PRAYER

The Reverend Dr. C. Leslie Glenn, subdean of the Washington Cathedral, Mount Saint Alban, Washington, D.C., offered the following prayer:

O Thou great Ruler of the universe, when there are wars and rumors of wars abroad, doubts and confused counsels at home, men's hearts failing them for fear and for looking for those things that are coming on the Earth; Thou hast taught us that then we are to look up and lift up our heads, for our redemption draweth nigh.

Help us to rely altogether on this promise from Thy Holy Word. Make us know that Thy power will guide this Senate of the United States, that the spirit of wisdom will save its Members from all false choices, that in Thy light they will see light and in Thy straight path will not stumble. And to Thee be the praise and glory forever. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent to dispense with the reading of the Journal of the proceedings of Friday, November 30, 1973.

Mr. ALLEN. Mr. President, reserving the right to object—and I shall not object—I want to call the distinguished majority leader's attention to the fact that there are no dilatory tactics being used in getting this issue before the Senate. As a matter of fact, the Senator from Alabama would like to vote right now on the motion to recede so that we could have final passage on this bill.

The Senator from Alabama would also like to call attention to the fact that there have been no great number of quorum calls, there has been no nongermane debate and there is plenty of germane debate available. It is the wish of the Senator from Alabama to get this issue before the Senate and before the people of the country. I do not interpose any objection.

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

Mr. MANSFIELD. Mr. President, may I say that I appreciate the words of the distinguished Senator. Just as he would like to have a vote on his motion to recede, so would I like to have a vote immediately on the motion to go to conference of the distinguished Senator from Louisiana (Mr. Long), the manager of the bill. So we are on different wavelengths but seeking the same objective.

Mr. ALLEN. If the majority leader will yield further, the only difference between the motion of the Senator from Louisiana and the motion of the Senator from Alabama is that the motion of the Senator from Alabama, if it is carried, would pass the bill and send it to the White House; whereas the motion of the Sen-

ator from Louisiana would send it back to the House, not knowing what would happen there, because they have already rejected the conference, and they have already declined to amend our amendments.

Mr. MANSFIELD. My belief is that if we adopt the motion of the Senator from Louisiana, there would be a conference and the House would very likely accept the Senate's amendments.

May I say, in view of some of the remarks which were made yesterday, that not only is there a question of credit involved but also a question of credibility so far as the Senate and Congress as a whole are involved.

I make that statement because of the testimony which was brought out in hearings before the Ervin select committee, the so-called Watergate Committee. It was established that a number of oil company executives had been pressured, or intimidated, or coerced in some way to make heavy contributions to the Presidential campaign. It is my belief that it would be far better if the public participated through the proposal adopted in this body by a substantial vote earlier this week, so that the onus of the pressure or the intimidation and the like on corporations would be removed and, furthermore, that they would have less to say in that respect so far as the operations of the Government were concerned. I say this based on the huge contributions which have been made, some of them up to \$2 million, I understand—although I believe that one was a personal contribution.

ORDER FOR TRANSACTION OF ROUTINE MORNING BUSINESS TODAY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be a period for the transaction of routine morning business, for not to exceed 15 minutes, with a time limit of 3 minutes attached thereto.

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

Mr. ALLEN. Mr. President, will the distinguished majority leader yield?

Mr. MANSFIELD. I yield.

Mr. ALLEN. I should like to point out to the distinguished majority leader that when he made his motion on yesterday that when we adjourned today we would adjourn until the hour of 10 a.m. on Sunday, in response to that rollcall, it will show that the Senator from Alabama voted with his leader on that, feeling that the ox was in the ditch and that it was permissible to come in on Sunday and seek to extricate the ox from the ditch.

However, I wonder whether the distinguished majority leader would mind asking unanimous consent that the hour of convening tomorrow be set at either around 9 a.m. or 1 or 1:30 p.m., because many Members of the Senate would like to attend worship services during those

hours and I feel that it would elicit a very fine response from the Members of the Senate, as a number of Senators have mentioned this to me.

Mr. MANSFIELD. I shall be attending mass at 7 a.m. tomorrow, so I shall get down here in time; but if the Senator will allow me to give that some consideration, I will be glad to do so.

Mr. MONDALE. Mr. President, it seems to me that if we should obtain cloture tomorrow and are able to pass on to the President a bill that will clean up American politics, we would be doing the Lord's work.

FLOOD DISASTER PROTECTION ACT OF 1973

The Senate proceeded to consider the bill (H.R. 8449) to expand the national flood insurance program by substantially increasing limits of coverage and total amount of insurance authorized to be outstanding and by requiring known flood-prone communities to participate in the program, and for other purposes which had been reported from the Committee on Banking, Housing and Urban Affairs with an amendment to strike out all after the enacting clause and insert:

That this Act may be cited as the "Flood Disaster Protection Act of 1973".

FINDINGS AND DECLARATION OF PURPOSE

SEC. 2. (a) The Congress finds that—

(1) annual losses throughout the Nation from floods and mudslides are increasing at an alarming rate, largely as a result of the accelerating development of, and concentration of population in, areas of flood and mudslide hazards;

(2) the availability of Federal loans, grants, guaranties, insurance, and other forms of financial assistance are often determining factors in the utilization of land and the location and construction of public and of private industrial, commercial, and residential facilities;

(3) property acquired or constructed with grants or other Federal assistance may be exposed to risk of loss through floods, thus frustrating the purpose for which such assistance was extended;

(4) Federal instrumentalities insure or otherwise provide financial protection to banking and credit institutions whose assets include a substantial number of mortgage loans and other indebtedness secured by property exposed to loss and damage from floods and mudslides;

(5) the Nation cannot afford the tragic losses of life caused annually by flood occurrences, nor the increasing losses of property suffered by flood victims, most of whom are still inadequately compensated despite the provision of costly disaster relief benefits; and

(6) it is in the public interest for persons already living in flood-prone areas to have both an opportunity to purchase flood insurance and access to more adequate limits of coverage, so that they will be indemnified for their losses in the event of future flood disasters.

(b) The purpose of this Act, therefore, (1) substantially increase the limits of coverage authorized under the national flood insurance program;

(2) provide for the expeditious identifica-

tion of, and the dissemination of information concerning, flood-prone areas;

(3) require States or local communities, as a condition of future Federal financial assistance, to participate in the flood insurance program and to adopt adequate flood plain ordinances with effective enforcement provisions consistent with Federal standards to reduce or avoid future flood losses; and

(4) require the purchase of flood insurance by property owners who are being assisted by Federal programs or by federally supervised, regulated, or insured agencies or institutions in the acquisition or improvement of land or facilities located or to be located in identified areas having special flood hazards.

DEFINITIONS

SEC. 3. (a) As used in this Act, unless the context otherwise requires, the term—

(1) "community" means a State or a political subdivision thereof which has zoning and building code jurisdiction over a particular area having special flood hazards;

(2) "Federal agency" means any department, agency, corporation, or other entity or instrumentality of the executive branch of the Federal Government, and includes the Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation;

(3) "financial assistance" means any form of loan, grant, guaranty, insurance, payment, rebate, subsidy, disaster assistance loan or grant, or any other form of direct or indirect Federal financial assistance, other than general or special revenue sharing or formula grants made to States;

(4) "financial assistance for acquisition or construction purposes" means any form of financial assistance which is intended in whole or in part for the acquisition, construction, repair, or improvement of any publicly or privately owned building or mobile home, and for any machinery, equipment, fixtures, and furnishings contained or to be contained therein, and shall include the purchase or subsidization of mortgages or mortgage loans but shall exclude assistance for emergency work essential for the protection and preservation of life and property performed pursuant to the Disaster Relief Act of 1970 or any subsequent Act of Congress which supersedes or modifies the Disaster Relief Act of 1970;

(5) "Federal instrumentality responsible for the supervision, approval, regulation, or insuring of banks, savings and loan associations, or similar institutions" means the Board of Governors of the Federal Reserve System, the Federal Deposit Insurance Corporation, the Comptroller of the Currency, the Federal Home Loan Bank Board, the Federal Savings and Loan Insurance Corporation, and the National Credit Union Administration; and

(6) "Secretary" means the Secretary of Housing and Urban Development.

(b) The Secretary is authorized to define or redefine, by rules and regulations, any scientific or technical term used in this Act, insofar as such definition is not inconsistent with the purposes of this Act.

TITLE I—EXPANSION OF NATIONAL FLOOD INSURANCE PROGRAM

INCREASED LIMITS OF COVERAGE

SEC. 101. (a) Section 1306(b)(1)(A) of the National Flood Insurance Act of 1968 is amended to read as follows:

"(A) in the case of residential properties—

"(i) \$35,000 aggregate liability for any single-family dwelling, and \$100,000 for any residential structure containing more than one dwelling unit, and

"(ii) \$10,000 aggregate liability per dwelling unit for any contents related to such unit;"

(b) Section 1306(b)(1)(B) of such Act is amended by striking out "\$30,000" and

"\$5,000" wherever they appear and inserting in lieu thereof "\$100,000".

(c) Section 1306(b)(1)(C) of such Act is amended to read as follows:

"(C) in the case of church properties and any other properties which may become eligible for flood insurance under section 1305—

"(i) \$100,000 aggregate liability for any single structure, and

"(ii) \$100,000 aggregate liability per unit for any contents related to such unit; and."

REQUIREMENT TO PURCHASE FLOOD INSURANCE

SEC. 102. (a) After the expiration of sixty days following the date of enactment of this Act, no Federal officer or agency shall approve any financial assistance for acquisition or construction purposes for use in any area that has been identified by the Secretary as an area having special flood hazards and in which the sale of flood insurance has been made available under the National Flood Insurance Act of 1968, unless the building or mobile home and any personal property to which such financial assistance relates is, during the anticipated economic or useful life of the project, covered by flood insurance in an amount at least equal to its development or project cost (less estimated land cost) or to the maximum limit of coverage made available with respect to the particular type of property under the National Flood Insurance Act of 1968, whichever is less: *Provided*, That if the financial assistance provided is in the form of a loan or an insurance or guaranty of a loan, the amount of flood insurance required need not exceed the outstanding principal balance of the loan and need not be required beyond the term of the loan.

(b) Each Federal instrumentality responsible for the supervision, approval, regulation, or insuring of banks, savings and loan associations, or similar institutions shall by regulation direct such institutions not to make, increase, extend, or renew after the expiration of sixty days following the date of enactment of this Act any loan secured by improved real estate or a mobile home located or to be located in an area that has been identified by the Secretary as an area having special flood hazards and in which flood insurance has been made available under the National Flood Insurance Act of 1968, unless the building or mobile home and any personal property securing such loan is covered for the term of the loan by flood insurance in an amount at least equal to the outstanding principal balance of the loan or to the maximum limit of coverage made available with respect to the particular type of property under the Act, whichever is less.

(c) Notwithstanding the other provisions of this section, flood insurance shall not be required on any State-owned property that is covered under an adequate State policy of self-insurance satisfactory to the Secretary. The Secretary shall publish and periodically revise the list of States to which this subsection applies

ESTABLISHMENT OF CHARGEABLE RATES

SEC. 103. Section 1308 of the National Flood Insurance Act of 1968 is amended by striking out subsection (c) and inserting in lieu thereof the following new subsection:

"(c) Notwithstanding any other provision of this title, the chargeable rate with respect to any property, the construction or substantial improvement of which the Secretary determines has been started after December 31, 1974, or the effective date of the initial rate map published by the Secretary under paragraph (2) of section 1360 for the area in which such property is located, whichever is later, shall not be less than the applicable estimated risk premium rate for such area (or

subdivision thereof) under section 1307(a)(1)."

FINANCING

SEC. 104. Section 1309(a) of the National Flood Insurance Act of 1968 is amended by striking out all after the semicolon and inserting in lieu thereof the following: "except that the total amount of notes and obligations which may be issued by the Secretary pursuant to such authority (1) without the approval of the President, may not exceed \$500,000,000, and (2) with the approval of the President, may not exceed \$1,000,000,000. The Secretary shall report to the Committee on Banking and Currency of the House of Representatives and the Committee on Banking, Housing and Urban Affairs of the Senate at any time when he requests the approval of the President in accordance with the preceding sentence."

PROGRAM EXPIRATION

SEC. 105. Section 1319 of the National Flood Insurance Act of 1968 is amended to read as follows:

"PROGRAM EXPIRATION"

"SEC. 1319. No new contract for flood insurance under this title shall be entered into after June 30, 1977."

EMERGENCY IMPLEMENTATION OF PROGRAM

SEC. 106. Subsection (a) of section 1336 of the National Flood Insurance Act of 1968 is amended by striking the date "December 31, 1973" and inserting in lieu thereof "December 31, 1975".

DEFINITION OF FLOOD

SEC. 107. Section 1370(b) of the National Flood Insurance Act of 1968 is amended by inserting "proximately" before "caused".

EXTENSION OF FLOOD INSURANCE PROGRAM TO COVER LOSSES FROM EROSION AND UNDERMINING OF SHORELINES

SEC. 108. (a) Section 1302 of the National Flood Insurance Act of 1968 is amended by adding to the end thereof the following new subsection:

"(g) The Congress also finds that (1) the damage and loss which may result from the erosion and undermining of shorelines by waves or currents in lakes and other bodies of water exceeding anticipated cyclical levels is related in cause and similar in effect to that which results directly from storms, deluges, overflowing waters, and other forms of flooding, and (2) the problems involved in providing protection against this damage and loss, and the possibilities for making such protection available through a Federal or federally sponsored program, are similar to those which exist in connection with efforts to provide protection against damage and loss caused by such other forms of flooding. It is therefore the further purpose of this title to make available, by means of the methods, procedures, and instrumentalities which are otherwise established or available under this title for purposes of the flood insurance program, protection against damage and loss resulting from the erosion and undermining of shorelines by waves or currents in lakes and other bodies of water exceeding anticipated cyclical levels."

(b) Section 1370 of such Act is amended by adding at the end thereof the following new subsection:

"(c) The term 'flood' shall also include the collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels, and all of the provisions of this title shall apply with respect to such collapse or subsidence in the same manner and to the same extent as with respect to floods described in paragraph (1), subject to and in accordance with such regulations,

modifying the provisions of this title (including the provisions relating to land management and use) to the extent necessary to insure that they can be effectively so applied, as the Secretary may prescribe to achieve (with respect to such collapse or subsidence) the purposes of this title and the objectives of the program."

ESTIMATES OF PREMIUM RATES

Sec. 109. Section 1307 of the National Flood Insurance Act of 1968 is amended by adding at the end thereof the following new subsection:

"(d) Notwithstanding any other provision of law, any structure existing on the date of enactment of the Flood Disaster Protection Act of 1973 and located within Avoyelles, Evangeline, Rapides, or Saint Landry Parish in the State of Louisiana, which the Secretary determines is subject to additional flood hazards as a result of the construction or operation of the Atchafalaya Basin levee system, shall be eligible for flood insurance under this title (if and to the extent it is eligible for such insurance under the other provisions of this title) at premium rates that shall not exceed those which would be applicable if such additional hazards did not exist."

APPEALS

Sec. 110. Chapter III of the National Flood Insurance Act of 1968 is amended by adding at the end thereof the following new section:

"APPEALS"

"Sec. 1363. (a) In establishing projected flood elevations for land use purposes with respect to any community pursuant to section 1361, the Secretary shall first propose such determinations by publication for comment in the Federal Register, by direct notification to the chief executive officer of the community, and by publication in a prominent local newspaper.

"(b) The Secretary shall publish notification of flood elevation determinations in a prominent local newspaper at least twice during the ten-day period following notification to the local government. During the ninety-day period following the second publication, any owner or lessee of real property within the community who believes his property rights to be adversely affected by the Secretary's proposed determination may appeal such determination to the local government. The sole basis for such appeal shall be the possession of knowledge or information indicating that the elevation being proposed by the Secretary with respect to an identified area having special flood hazards are scientifically or technically incorrect, and the sole relief which shall be granted under the authority of this section in the event that such appeal is sustained in accordance with subsection (e) or (f) is a modification of the Secretary's proposed determination accordingly.

"(c) Appeals by private persons shall be made to the chief executive officer of the community, or to such agency as he shall publicly designate, and shall set forth the data that tend to negate or contradict the Secretary's finding in such form as the chief executive officer may specify. The community shall review and consolidate all such appeals and issue a written opinion stating whether the evidence presented is sufficient to justify an appeal on behalf of such persons by the community in its own name. Whether or not the community decides to appeal the Secretary's determination, copies of individual appeals shall be sent to the Secretary as they are received by the community, and the community's appeal or a copy of its decision not to appeal shall be filed with the Secretary not later than ninety days after the date of the second newspaper publication of the Secretary's notification.

"(d) In the event the Secretary does not receive an appeal from the community with-

in the ninety days provided, he shall consolidate and review on their own merits, in accordance with the procedures set forth in subsection (e), the appeals filed within the community by private persons and shall make such modifications of his proposed determinations as may be appropriate, taking into account the written opinion, if any, issued by the community in not supporting such appeals. The Secretary's decision shall be in written form, and copies thereof shall be sent both to the chief executive officer of the community and to each individual appellant.

"(e) Upon appeal by any community, as provided by this section, the Secretary shall review and take fully into account any technical or scientific data submitted by the community that tend to negate or contradict the information upon which his proposed determination is based. The Secretary shall resolve such appeal by consultation with officials of the local government involved, by administrative hearing, or by submission of the conflicting data to an independent scientific body or appropriate Federal agency for advice. Until the conflict in data is resolved, and the Secretary makes a final determination on the basis of his findings in the Federal Register, and so notifies the governing body of the community, flood insurance previously available within the community shall continue to be available, and no person shall be denied the right to purchase such insurance at chargeable rates. The Secretary shall make his determination within a reasonable time. The community shall be given a reasonable time after the Secretary's final determination in which to adopt local land use and control measures consistent with the Secretary's determination. The reports and other information used by the Secretary in making his final determination shall be made available for public inspection and shall be admissible in a court of law in the event the community seeks judicial review as provided by this section.

"(f) Any appellant aggrieved by any final determination of the Secretary upon administrative appeal, as provided by this section, may appeal such determination to the United States district court for the district within which the community is located not more than sixty days after receipt of notice of such determination. The scope of review by the court shall be as provided by chapter 7 of title 5, United States Code. During the pendency of any such litigation, all final determinations of the Secretary shall be effective for the purposes of this title unless stayed by the court for good cause shown."

FLOOD INSURANCE PREMIUM EQUALIZATION PAYMENTS

Sec. 111. Section 1334 of the National Flood Insurance Act of 1968 is amended by striking out subsection (b) and by redesignating subsection "(c)" as subsection "(b)".

TITLE II—DISASTER MITIGATION REQUIREMENTS

NOTIFICATION TO FLOOD-PRONE AREAS

Sec. 201. (a) Not later than six months following the enactment of this title, the Secretary shall publish information in accordance with subsection 1360(1) of the National Flood Insurance Act of 1968, and shall notify the chief executive officer of each known flood-prone community not already participating in the national flood insurance program of its tentative identification as a community containing one or more areas having special flood hazards.

(b) After such notification, each tentatively identified community shall either (1) promptly make proper application to participate in the national flood insurance program or (2) within six months submit technical data sufficient to establish to the satisfaction of the Secretary that the community either is not seriously flood prone or that

such flood hazards as may have existed have been corrected by floodworks or other flood control methods. The Secretary may, in his discretion, grant a public hearing to any community with respect to which conflicting data exist as to the nature and extent of a flood hazard. If the Secretary decides not to hold a hearing, the community shall be given an opportunity to submit written and documentary evidence. Whether or not such hearing is granted, the Secretary's final determination as to the existence or extent of a flood hazard area in a particular community shall be deemed conclusive for the purposes of this Act if supported by substantial evidence in the record considered as a whole.

(c) As information becomes available to the Secretary concerning the existence of flood hazards in communities not known to be flood prone at the time of the initial notification provided for by subsection (a) of this section he shall provide similar notifications to the chief executive officers of such additional communities, which shall then be subject to the requirements of subsection (b) of this section.

(d) Formally identified flood-prone communities that do not qualify for the national flood insurance program within one year after such notification or by the date specified in section 202, whichever is later, shall thereafter be subject to the provisions of that section relating to flood-prone communities which are not participating in the program.

EFFECT OF NONPARTICIPATION IN FLOOD INSURANCE PROGRAM

Sec. 202. (a) No Federal officer or agency shall approve any financial assistance for acquisition or construction purposes on or after July 1, 1975, for use in any area that has been identified by the Secretary as an area having special flood hazards unless the community in which such area is situated is then participating in the national flood insurance program.

(b) Each Federal instrumentality responsible for the supervision, approval, regulation, or insuring of banks, savings and loan associations, or similar institutions shall by regulation prohibit such institutions on and after July 1, 1975, from making, increasing, extending, or renewing any loan secured by improved real estate or a mobile home located or to be located in an area that has been identified by the Secretary as an area having special flood hazards, unless the community in which such area is situated is then participating in the national flood insurance program.

REPEAL OF DISASTER ASSISTANCE PENALTY

Sec. 203. Section 1314 of the National Flood Insurance Act of 1968 is repealed.

ACCELERATED IDENTIFICATION OF FLOOD-RISK ZONES

Sec. 204. (a) Section 1360 of the National Flood Insurance Act of 1968 is amended by inserting the designation "(a)" after "Sec. 1360." and adding at the end thereof the following new subsections:

"(b) The Secretary is directed to accelerate the identification of risk zones within flood-prone and mudslide-prone areas, as provided by subsection (a)(2) of this section, in order to make known the degree of hazard within each such zone at the earliest possible date. To accomplish this objective, the Secretary is authorized, without regard to sections 3648 and 3709 of the Revised Statutes, as amended (31 U.S.C. 529 and 41 U.S.C. 5), to make grants, provide technical assistance, and enter into contracts, cooperative agreements, or other transactions, on such terms as he may deem appropriate, or consent to modifications thereof, and to make advance or progress payments in connection therewith.

"(c) The Secretary of Defense (through the Army Corps of Engineers), the Secretary

of the Interior (through the United States Geological Survey), the Secretary of Agriculture (through the Soil Conservation Service), the Secretary of Commerce (through the National Oceanic and Atmospheric Administration), the head of Tennessee Valley Authority, and the heads of all other Federal agencies engaged in the identification or delineation of flood-risk zones within the several States shall, in consultation with the Secretary, give the highest practicable priority in the allocation of available manpower and other available resources to the identification and mapping of flood hazard areas and flood-risk zones, in order to assist the Secretary to meet the deadline established by this section."

AUTHORITY TO ISSUE REGULATIONS

SEC. 205. (a) The Secretary is authorized to issue such regulations as may be necessary to carry out the purpose of this Act.

(b) The head of each Federal agency that administers a program of financial assistance relating to the acquisition, construction, reconstruction, repair, or improvement of publicly or privately owned land or facilities, and each Federal instrumentality responsible for the supervision, approval, regulation, or insuring of banks, savings and loan associations, or similar institutions, shall, in cooperation with the Secretary, issue appropriate rules and regulations to govern the carrying out of the agency's responsibilities under this Act.

CONSULTATION WITH LOCAL OFFICIALS

SEC. 206. In carrying out his responsibilities under the provisions of this title and the National Flood Insurance Act of 1968 which relate to notification to and identification of flood-prone areas and the application of criteria for land management and use, including criteria derived from data reflecting new developments that may indicate the desirability of modifying elevations based on previous flood studies, the Secretary shall establish procedures assuring adequate consultation with the appropriate elected officials of general purpose local governments, including but not limited to those local governments whose prior eligibility under the program has been suspended. Such consultation shall include, but not be limited to, fully informing local officials at the commencement of any flood elevation study or investigation undertaken by any agency on behalf of the Secretary concerning the nature and purpose of the study, the areas involved, the manner in which the study is to be undertaken, the general principles to be applied, and the use to be made of the data obtained. The Secretary shall encourage local officials to disseminate information concerning such study widely within the community, so that interested persons will have an opportunity to bring all relevant facts and technical data concerning the local flood hazard to the attention of the agency during the course of the study.

The amendment was agreed to.

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

The bill was read the third time, and passed.

PROGRAM FOR WEEK OF DECEMBER 2

Mr. MANSFIELD. Mr. President, as long as we are on the topic of business, I should like, in response to a question raised earlier by the distinguished acting Republican leader, to indicate what the schedule might be for next week, conditions permitting.

On Monday we would like, if possible, to take up the daylight saving time bill, which is S. 2702.

On Monday or Tuesday, depending on circumstances, I should like to call up the Office of Economic Opportunity Legal Services Corporation bill, S. 2686, in which a number of Senators are interested.

Following that, I should like to call up bills dealing with a Special Prosecutor. Two such bills have been reported by the Committee on the Judiciary without recommendations.

Following that, I should like to have the Senate give consideration to the possibility of taking up a bill reported unanimously by the Committee on Interior and Insular Affairs having to do with research and development in the field of energy. I think it fits in with the President's recommendation; however, there is a difference in the figures.

Then, of course, the Senate would take up any conference reports that might be available. I note that the House yesterday passed the defense appropriation bill and also a supplemental appropriation bill.

Any other matters which may come up I shall discuss with the Republican leadership before action is taken.

THE REPUBLIC STILL STANDS

Mr. MANSFIELD. Mr. President, this morning's New York Daily News contains a guest editorial written by Bruce Hutchinson, editorial director of the Vancouver Sun, in Canada, after a reporting trip to the United States. Mr. Hutchinson states:

The Republic stands and will stand, despite the storms beating on its ramparts. The society will change drastically and painfully, but it will not fall apart. The American dream is rusted and ruptured, but it will return in a different form, stronger, perhaps, for its cleansing.

Mr. President, I happen to know Bruce Hutchinson. I have known him for many years. He is one of the outstanding editorial writers and columnists in this country.

I am in receipt this morning of a booklet entitled "A Canadian Looks at the U.S. Crisis," by Bruce Hutchinson, editorial director of the Vancouver Sun. His works are carried in many other Canadian newspapers as well.

I ask unanimous consent that the foreword and the series of articles be printed in the RECORD.

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

A CANADIAN LOOKS AT THE U.S. CRISIS (By Bruce Hutchinson)

FOREWORD

Late in 1973, Vancouver Sun editorial director Bruce Hutchinson visited Washington to have a first-hand look at events which were shaking the U.S. capital, and indeed the nation itself.

Dean of Canadian journalists, Hutchinson was able to draw on almost half a century of experience in international reporting, as well as a matchless list of confidants and friends in the top level of American government.

His calm, objective appraisal of the current U.S. dilemma elicited so many inquiries from across the nation that The Sun decided, as a public service, to reprint them in pamphlet form. They are offered here as the wise and penetrating comment of one of Canada's most respected and responsible journalists.

STUART KEATE,
Publisher, the Vancouver Sun.

TROUBLE WILL BRING US ALL TOGETHER

WASHINGTON.—In the mellow autumn dusk the White House turns golden, its columns aglow under the westerling sun.

A vast circle of yellow chrysanthemums, the year's last flowers, surrounds a gushing fountain.

Two furious grey squirrels fight over a fallen nut on the lawn, watched by a fat old pigeon, some bored policemen in their sentry box and, through the iron fence, three bronzed hippie youths without shirts or shoes.

No one else pauses along the street to observe a scene of brooding peace, only the mysterious captive who, yesterday, was the nation's unchallenged master, the world's most powerful man. And on the morrow comes the avalanche, the resignations, the missing electronic tapes, military alerts, nuclear threats and other things quite unimaginable.

In this maelstrom of crisis piled on crisis the foreigner recalls Emerson's dictum that, even in his homely time, events were in the saddle and rode mankind.

President Nixon, a creature unique and literally sui generis in his mind and his desperation, is trying, and failing, to mount the saddle, and everyone seems to agree that he himself has become the supreme issue before a great and bewildered people. Still, the foreigner, lagging behind events, may doubt the logic, or cliché, of current politics as too pat, too narrow and too brief.

For if he goes, now or later, Nixon must soon belong to the ages, in a special niche reserved for history's more egregious eccentrics. A mighty myth of some sort is in the making. But the nation, and the truly supreme issue, will remain when he is gone.

The issue, as the foreigner may guess, is whether the nation itself, its governing system, its constitution, its tortured society and lavish lifeways, can survive strains much more onerous, and dangerous, than the tragedy of one man—dangerous not merely to one nation but to humanity which, with all its fears and all the hopes of future years, is hanging breathless on that nation's fate.

Far beyond Washington, Watergate, the ruined president and the poisonous scandals, far across a continental state of mixed success and failure, the foreigner might observe the question, blackly silhouetted, as it were, against the autumn sunset. He might also remember that, a year ago, after Mr. Nixon's electoral triumph, his advisers confidently predicted that all the nation's problems would be solved by a regime of courage, law and order.

Lincoln asked the same question, of course, at Gettysburg, but the answer was easier then because, though stark and terrible in a war between brothers, it was at bottom simple—whether the union, or any union of free men, could govern itself and long endure.

All men understood such a question under a president whom all men could trust, but today, under a president whom most men distrust, the American dilemma is too complex for any man to understand. Certainly it is not, as foreigners usually assume, the sole human dilemma of Mr. Nixon, the political dilemma of his recovery or destruction, or even the constitutional dilemma of a governing apparatus stretched to breaking point.

Nor, in fundamentals, is it a sudden un-

natural dilemma, a mere chain of accidents, blunders and crimes. They are all part of it, the visible, ugly part, but not the whole. What we witness here is the bitter harvest, the long accumulation and collision of forces unseen and unsuspected over a half a century at least.

If men could grasp its ultimate contours, as they do not grasp them yet, this is not only the greatest turning point since the Civil War—an obvious fact—but a blinding moment of truth, in myriad aspects, that was long coming and now, for the first time, cannot be evaded.

In short, Watergate, the president, the dirty tricks, the economic derangement, the foreign policy of fragile detente and the rest are the immediate, haphazard tokens or symbols of something infinitely larger, more inscrutable and, at the moment, impossible for any mind to grasp.

So meditating in his ignorance, hope and fear, the foreign reporter turned away from the autumn-gilded White House to ask himself how such a story should be written, if it could ever be written at all; and also whether anything written today would be valid tomorrow.

But as these reports will try to argue, the grand question has been answered in its essentials already.

The republic stands and will stand, despite the storms beating on its ramparts. The society will change drastically and painfully but it will not fall apart. The American dream is rusted and ruptured but it will return in different form, stronger, perhaps, for its cleansing.

While he had the luck in following dreadful days to meet some of the leading figures in a drama now approaching denouement, the reporter received more wisdom from a black cook in the kitchen of a house out past the lights of Washington.

The black woman, serene in her brutal heritage, had driven to work in a huge and costly automobile (itself a vivid symbol) and now, over a cup of coffee, she declared her faith with quiet, unconscious authority.

"Trouble," she said, out of her own harsh life experience, "is bad but it brings a family together. You'll see, it's goin' to bring us all together again, like a family. Just you watch." And then, with a meaning greater than she knew, the granddaughter of a slave added, almost in tears: "Oh God, how I love this dear old country!"

That, it seemed to me, was a good place to begin my inquiries. They led to some improbable men, places and conclusions.

RESTORING A NATION'S FAITH

WASHINGTON.—The American people, a foreign scholar once wrote, can make any constitution work, even their own. That brave assumption is now meeting its second test.

In the first, only a civil war could save the union. Today the test, though peaceful, legal and political, is, in some ways, more difficult and certainly more complicated than war. But most foreigners, including Canadians who watch the test close at hand, do not fully grasp either its constitutional mechanics or, more important, its incalculable human contents.

What the foreigner least appreciates, because it cannot be expressed in law or articulated by the ordinary citizen, is the pervasive grandeur and almost mystical power of the presidency.

This office is something that stands far above the daily work of government and the grimy business of party politics. It is the hub and central gear of the governing machine, both constitutional and political, but its ultimate power lives elsewhere.

It is much more powerful, for instance, than the prime ministership of Canada or of Britain, not merely in a written, constitutional sense, but in a deeper, imponderable sense which no constitution can specify.

Out of long and strange experience since the constitution was framed in 1787, the presidency has come to personify, embody and strengthen, (or weaken) the whole living fabric of the nation. Among the English-speaking peoples only the Crown, within Britain itself and nowhere else, holds a comparable unwritten power beyond the written words of any constitution.

That is why the current damage to the presidency hurts the American people in a fashion that most Canadians have not yet understood. It hurts the Americans where they are most inarticulate, vulnerable and naked—in the spirit. And that is why the underlying tragedy of Richard Nixon cannot be measured by the overt political events now moving to a climax of some sort in Washington.

To be sure, the real hurt does not appear in the headlines, the congressional testimony, the tortured television performances of the president, or even in the private talk of the politicians. That poignant ache is there all the same, and it cannot be easily relieved, as Canada would have relieved it, months ago, by a vote of Parliament and the overnight creation of an alternative government.

That, however, is too quick and superficial a view, as any foreigner must see at once in the nation's tense capital or, more clearly, in its comfortable towns and homes where I was received with typical American kindness. The popular foreign picture of a people splintered and impotent is superficial for two reasons.

By one means or another, the constitution will be construed and, if necessary, stretched to revive or replace a president gravely if not fatally wounded and obviously enraged behind his plastic stage grin. Apart from such pragmatic political arrangements, the energies of the people are still so fierce and irrepressible that the stranger in Washington, or any American city, is almost frightened by their vehemence and confidence.

Infinitely complex and confused in law and detail, the basic process under way in Washington is plain enough. Through the outward mistakes and the mysterious inward nature of one man, the presidency has been grievously lacerated, and he, as a man, may be past recovery (though that is not yet certain by any means). Yet the two other organs of the three-sided system are not only at work but, indeed, are suddenly alerted, angry and reinvigorated.

In a country notorious for its crime and loose law-enforcement—that old heritage of the lawless frontier—the courts have never functioned better or more courageously than they function now. Already they have destroyed a vice-president, forced a regnant president to obey them after he had vainly refused, and finally proved their independence from any political power, even that of the supreme office.

The third separate organ, the Congress, also is meeting its separate challenge, with much confusion and jockeying, of course, but with a vigor which most foreigners could not expect and, above all, with a flexible non-partisanship which could not be deployed by the parliamentary system.

Under that system a government in Mr. Nixon's disarray would be instantly replaced but its political party would not break, as the Republican party has broken in the Congress, where the president's former friends are among his most bitter critics. The two systems, we must understand, and seldom do, are totally, organically, different, and each must work out its own problems by its own distinct methods. At any rate, the established American institutions, larger and more durable than their temporary occupants, move on like some mighty engine under its own momentum.

A legislator who is doubtless one of the half-dozen most powerful men in the nation

told me that the Congress could and would carry, through the next three dreadful years, much of the burden that a damaged presidency can no longer support.

On the other hand, a legislator equally or more powerful dismissed this hope as impossible in practical politics and favored the replacement of Mr. Nixon, despite the resulting agony, unless he soon vindicates himself. So the aching argument nears its terrible decision.

These are issues for the Americans alone to settle and no foreigner's views should or will count. But, as I shall try to indicate, there is a larger, an unanswered and ultimately decisive question behind the political mechanics.

A PLUTOCRACY OR DEMOCRACY?

WASHINGTON.—Especially in these days of anguish, Washington is like one of those trick mirrors that turn a human body—or a political issue—into monstrous caricature.

When all things look larger, or smaller, than life, the foreign visitor will be wise to recalibrate his confused first impressions in a quiet weekend among remote scholars and historians, because they, perhaps, can see the American nation whole and clear against history's vast perspective.

Fleeing the feverish capital, I found myself in a great university where the mirror is accurate, or as accurate as it can be during a worldwide spasm of neurosis.

Even in this noble gothic sanctuary the nerves of the cloistered academics, some of the most distinguished in the nation, were stretched pretty taut. Their argument around the lunch table about President Nixon, the constitutional crisis and the next act in the high drama of politics reminded an ignorant stranger of those mediaeval schoolmen who tried to count the invisible angels dancing on a pin's head. But as the talk ran on into the autumn dusk the true image of the modern republic seemed to emerge and, behind it, the stark fundamental issue facing the American people in their time of testing.

As an eminent historian put it, the issue did not appear overnight with President Nixon, Watergate and the surrounding scandals. It appeared some two centuries ago with Alexander Hamilton and Thomas Jefferson, and it has faced the republic ever since then in countless versions.

Hamilton, the unwitting philosophical ancestor of Mr. Nixon, held that any workable society must be governed by a natural elite, "the wise, the rich and the good," who alone could be trusted, whatever the Declaration of Independence might have said to the contrary.

Jefferson, the bold philosopher of unlimited democracy, who has few heirs in office nowadays, totally trusted the inherent, subliminal wisdom of the common man almost as he trusted his God.

Grossly oversimplified, there is the central issue today: whether the American people, or any people, have the wisdom, as Jefferson supposed, to subdue their sea of troubles, or whether, as Hamilton argued, they must surrender their judgment to the superior minds of a centralized, all-powerful and plutocratic government.

In short, can the democratic process itself permanently survive an age of superb but brittle technology at home and deepening anarchy abroad?

Hamilton doubtless would answer that he had been vindicated already. Jefferson, one guesses, would still hope, rather wistfully.

Beside this haunting question (unlikely to be answered in our time) the fate of Mr. Nixon, or his successor, in the next three frightening years of trial is a mere moment in history.

The contemporary president may be a scheming spider in a web of conspiracy, as his enemies allege, or, as his friends insist, a humble Christian pilgrim stoned on the

march, who once proclaimed in print "a faith based not on materialism but on a recognition of God."

But in long historical terms he matters only as an advocate, a symbol or a victim in the endless Hamilton-Jefferson debate. And Watergate matters only as a catalyst, a sudden flashpoint and blinding illumination of the accumulated problems, mistakes and evils besetting a society at once the most affluent and self-critical in the world.

What matters finally, therefore, is not the president's Greek tragedy of hubris and nemesis, not the angels of Washington dancing on the constitutional pin, not even the many specific problems of oil shortage, inflation and the rest but the contents of the common American mind. Here, and nowhere else, everything of importance will be decided.

So, listening to the professors' lofty wrangle—a rare privilege for any Canadian—I tried to imagine the contents of that mind, as I had seen it at work for more than half a century in many strange places.

Of course, I could not hope to read it. Nor can anyone read it, with all the scientific opinion polls. But at least it seemed to me that Hamilton's grim postulate and Jefferson's wild surmise were now locked in a struggle much more important, more wrenching, and longer-lasting than the weird adventure of Richard Nixon.

What political Washington thinks is instantly known to the world. But what are the thoughts, or rather the hunches of that imaginary average citizen usually called Joe Doakes? What will he decide for himself, and thus ultimately for the nation, far beyond the fever and the fret of the capital?

What actually is under way in his swarming cities, his little towns, his farms and his lonely cranium? He does not know, he has not reached a judgment yet. Nobody knows and no decision has been made. But in due time, after more anguish, his verdict will be delivered.

As I shall try to show, he has much to think about, more than he yet realizes. It is not his conscious thought, however, not his practical wisdom and boasted American savvy, not even his hunch that must decide everything. It is his common denominator of morality, which he seldom discusses but never escapes. And at the end of the weary day, perhaps a long way off, that morality will decide whether democracy, and man's hard-won freedom within it, must live or die.

Well, as a famous citizen of the republic warned me, don't underestimate the common man, once he grasps the facts.

So far, they are not fully grasped and lie buried under thick layers of illusion. But Joe Doakes, joining Hamilton and Jefferson, is still out there and he has begun to think furiously at last. Like that of Dr. Johnson's condemned prisoner, any mind is wonderfully concentrated on the event of execution or release.

U.S. DISENCHANTMENT DEEPENS AFTER NATO SNUB

WASHINGTON.—In the hurricane of human events now swirling around our disordered little planet any sure assumption made today is likely to become invalid tomorrow. But a few facts, none of them cheerful, should survive the storm.

The overriding fact, as a Canadian in Washington quickly realizes, is the increasing threat to the defences of the western world. Obvious to everyone, of course, especially to the Russian government, were the sudden, unexpected strains in the NATO alliance when the European allies, desperate for Arab oil, refused the United States' planes any landing places, or even air space, on their way to Israel. That decision cut more deeply into the American official mind, and the public mind, too, than foreigners yet appreciate.

It also cut straight across President Nixon's hopeful "Year of Europe" and Henry Kissinger's ambitious new transatlantic charter, both of which are stalled, or perhaps already aborted.

To be sure, the European governments had a case, though a very dubious one as Washington judges it. They could argue that the United States, without consulting its allies, had involved them overnight in the war of the Middle East, a region outside NATO, and imperilled their oil supply, their economic bloodstream.

As against that, the American government and people saw in the European action not only a strategic blow at the moment of grave military crisis but a long-term warning. How much trust, the average citizen must be wondering, perhaps quite unreasonably, can the United States permanently place in allies that shrink from the crunch? And why, after all, as Senator Mike Mansfield keeps asking, have the rich European nations failed even to provide the necessary ground troops for NATO and forced the United States to provide them 28 years after the last war ended?

A second and shaking fact compounds the first. It is the deliberately diminished power of the United States abroad, and the diminished will to use the vast power still remaining, when the nation, at the worst possible time, has more problems than it can solve at home.

To say that the United States has begun to retreat into isolationism is certainly a gross overstatement, too simple by half, since isolation of the sort attempted between the wars is clearly impossible in a world growing more interdependent every day as the oil shortage reminds us.

But that instinct of isolated self-dependence, as old as the republic itself, has never died. It must be counted among the fundamental factors in the complex equation now confronting the grand yet troubled alliance. No foreigner can doubt that fact once he has talked to the men of domestic power in Washington, and foreseen the delayed but eventually inevitable reduction of American troops in Europe.

The equation is further complicated by the unknown intentions of Russia, the Kremlin's real view of detente. Concerning these unknowns the argument, or rather the speculation, in Washington is endless between the men too loosely and unfairly called hawks and those called doves.

To the hawks, of whom Democratic Senator Henry Jackson is the most articulate—and may well be the next president—detente was mostly cosmetics anyhow, and Russia's sincerity in embracing it is still to be demonstrated. To the doves, of whom Democratic Senator Mike Mansfield is the most powerful, detente is strained, like NATO, but it represents at least a promising start and must be pressed forward, despite all the obvious difficulties.

Again, how much is there in the theory, widely held in Britain, that Russia's true Middle Eastern strategy is to reduce Europe's oil supply until NATO agrees to weaken the western line and allow Russia to concentrate its power on the East, against China?

Here, too, the argument is endless and inconclusive. There can be doubt, however, that the American and Russian governments construe detente in completely different terms. The United States regards it as the first serious step in basic reconciliation. Russia accepts it, with bland gestures of friendship, as a useful but very restricted agreement which may moderate but cannot be allowed to interfere with the long-run, world-wide struggle of ideologies.

On the other hand, as if the struggle were not already complex enough, Russia urgently needs, and expects to get, abundant American technology, capital, sometimes even food.

Its economy, according to American intelligence, is in a dreadful mess. Amid all the confusion, the American and Russian minds, so far, have never really met, and both are internally divided.

Where then does the current equation leave NATO, the new and frustrated transatlantic relationship, the Year of Europe, which has become the Year of Watergate, and Oil? Where, incidentally, does it leave Canada as a shock absorber, or maybe a pawn, between Europe and America?

Another report will try to discuss Canada's little-understood position, but meanwhile what most impressed, or alarmed, a Canadian in Washington was Senator Mansfield's typically brief, cool and awesome statement to the Senate:

"I do not believe that we should become involved with American forces anywhere except as our own national interests and security are at vital stake. One Vietnam is one Vietnam too many."

Since Senator Mansfield is majority leader of the Democratic Senate and probably the most respected politician in the United States today, the statement, to say the least of it, must chill all nations, including Canada, that remain utterly dependent on American power. How far, and from what places, we must ask ourselves, will that power be finally withdrawn?

OUR NEIGHBOR IS REASSESSING HIS HAND

WASHINGTON.—By the time the news came through from Ottawa the U.S. State Department received exactly one-half-hour's advance notice when the Canadian government imposed its preliminary tax on Alberta oil exports.

What notice was given before the tax was roughly quadrupled this reporter does not know. But certainly the American government had a right to feel aggrieved by such brusque treatment from its closest neighbor and trade partner. Though the Canadian government explains, rather unconvincingly, that it had to move too fast for consultation with foreigners, or even with Alberta, the incident still rankles in Washington and raises much more serious questions for the future.

It should be understood, however, that the American government did not complain against a rise in the price of Canadian oil, since all oil prices were rising. But at a moment of peculiar sensitivity, for familiar Watergate reasons, it was amazed, affronted and alarmed by Ottawa's unneighborly manners.

While nothing was said in public, some thoughts took shape in private and they will have long economic effects.

It should also be understood that the state department is again in full control of foreign policy in all aspects. For a short time the treasury, then headed by the bellicose John Connally, conducted an economic foreign policy of its own, infuriated the constitutional custodian of that policy, bullied many foreign governments and, in particular, outraged the government of Canada. This ugly interlude has passed. Henry Kissinger has taken charge.

Unfortunately he knows very little about Canada, but his experts know it in the most minute detail down to the finest nuance of federal, provincial and even municipal business.

Having looked northward for at least a century, his department has followed, for the last year, a considered strategy which few Canadians have suspected.

When the Trudeau government was obviously planning an election sometime in 1972, the United States did not wish to embarrass it or the opposition by pressing for an early settlement of such so-called "irritants" as the controversial automotive

pact. But it intended to get on with these affairs as soon as the election was over.

Then, to its surprise, the Trudeau government failed to win a majority and the Canadian politics were suddenly deranged.

In these new and slippery circumstances the state department again postponed its pressure for a decision on the "irritants" lest it exacerbate the anti-Americanism always latent, or overt, in Canada. The last thing the American government wants to see is a Canadian election fought on that old issue, or grudge.

Besides, the energy crisis thrust all other business into the background and, for the first time, made the average American citizen aware of his vital stake in Canada. Compared to this mighty problem, those already pending on the border seem small and the United States can live with them. Nevertheless, it is thinking beyond the crisis in both short and long terms.

For the short term, like Canadians themselves, it cannot foresee what government will be in office at Ottawa even a few months from now. For the long, it cannot foresee what national policy Canada will follow, under any government, over the next decade or two. Where, it wonders, will the continental relationship stand by the end of the century? And it is here that Canadians most misunderstand the position, or rather the attitude and doubt, of the United States.

As explained by men who deeply understand these matters, the United States thinks that Canada came gloatingly out of the last round of GATT trade negotiations with probably the highest average tariffs in the Western World under a Liberal (ostensibly low-tariff) government. This cannot be allowed to happen again. In the new round, now beginning, Canada must drastically reduce its tariffs if the United States has its way and if the round succeeds at all, which is by no means certain yet.

Any reduction, of itself, will not necessarily satisfy the United States or Canada's other great foreign customers. For, as Washington sees it, the Trudeau government's latest so-called "industrial strategy" means only the old protectionism with different names and cozy, back-door devices.

The various federal and provincial tax incentives, the regional grants, subsidies, secret pressures on American-owned industries and the like, are seen as nothing but a potential method under any government of getting around the public GATT trading rules. And that, among other things, is why, with all its current distractions, the United States is quietly but fundamentally reassessing its changing economic relations with Canada.

Now of course there is an opposite side to this vastly complex argument, a valid Canadian side, a strong Canadian leverage and also a grave Canadian problem for later discussion here.

Before Canadians can hope to understand it, however, they must first realize that their closest friend and largest customer is not angered but is worried, a little saddened and perhaps misled by the long-run prospects of the undefended border.

MAKING A VIRTUE OF INFLATION

WASHINGTON.—Seen at first hand, in its physical dimensions, its furious energies and its daily avalanche of consumer goods, the United States economy is a staggering spectacle.

Measured in abstract mathematical statistics, it is unlike any other achievement of man, in any time or place.

Viewed from Canada, as both a market and a supplier, it is, of course, by far the largest external factor in our nation's economic life, an absolutely essential ingredient of its prosperity.

If all this seems obvious, unalterable, almost a law of nature, the immediate and, more important, the long-term prospects of

the world's most successful production apparatus certainly are not.

When a few Arab sheikhdoms can disrupt the gears of such a mighty machine, its brittleness, vulnerability and dependence on forces outside its own control suddenly appear to mock the statesmen, the businessmen and the economists.

The same is true of every modern industrial system in the world, even the Russian, and especially the Canadian.

Apart from these facts, as basic as they are often ignored, what is actually happening in the American economy today and how does it affect Canada?

To those questions, when put to some of the leading economists inside and outside the official Washington establishment, there is no reliable answer. Or perhaps it would be more accurate to say that there are as many answers as questions, and economists.

But leaving aside the constantly changing statistics, the official line or conventional wisdom until the Middle East explosion, at any rate, can be thus roughly summarized:

After a year of growth surpassing earlier forecasts, and an inflation about twice as bad as the experts predicted, the economy will keep growing at a reduced but high rate in 1974, barring some unforeseen accident.

Inflation will subside, but not very much. Unemployment will rise marginally but not intolerably. There will be no serious recession, only a readjustment of some unspecified sort, or what the experts call a soft landing after the dizzy space flight of the boom.

To be sure, the official line is not necessarily accepted outside the establishment. Indeed, it is flatly rejected as mere political soothing syrup and graveyard whistling by many economists who have no stake in the Nixon government's survival. To such dissenters something worse than a painless readjustment appears inevitable next year, and their alarm finds its latest confirmation in the energy crisis.

Between these opposite views, a Canadian reporter can venture no judgment. In any case, looking beyond the immediate prospects, the reporter was mainly concerned with a question sure to out-last the oil shortage and the cold winter: can the inflationary joy-ride continue indefinitely, without disaster, at anything like its current rate?

Here again the expert answers are in almost grotesque contradiction; but undoubtedly the perpetual debasement of money is becoming more and more accepted as the wave of the future, the normal way of life.

To take a startling exhibit in this bland theory, one of the greatest figures in the business, and a lifelong sound-money man, came back from a world tour not long ago to report that no government, anywhere, was truly prepared to forestall the steady destruction of currencies (as obviously the fragile Canadian government is not).

Discounting these alarms, another man, of equal stature, assured me that the economic system, and the average American family, could live comfortably and permanently, with an annual inflation rate of four or five per cent, though it would be ruinous to some sectors of society, above all the old and their life savings.

According to this brutal and as I happen to think, totally unsound proposition, the nation's savers, whose work and thrift built the economy from the beginning, are expendable. If so, there must be something gravely wrong with the morals if not the economics of the system, or more likely both.

However one regards the thesis of perpetual and profitable inflation, it needs some refinement when applied to Canada, where the government, like its counterpart in Washington, has never yet grappled with the basic problem, (and in the Canadian case

never will if it can possibly be disguised and avoided, at least until the next election is safely past).

A final report from Washington must try to refine the thesis in continental terms and, with it, a fact much more important than economics. But in any aspect of a bewildering argument it should be remembered that the experts, by and large, have generally been wrong, so far, and, on their record, are probably wrong now.

ENERGY CRISIS ENDS UTOPIAN DELUSION

WASHINGTON.—In the higher art of politics, at any time or place, the successful artist must learn, above all, to retreat while seeming to advance, and vice versa.

Of this subtle technique we are now seeing in Washington, and even more clearly in Ottawa, a wondrous exhibit.

But the disorderly retreat from the many-sided fiasco known as the energy shortage is only one stage in a pending deeper assessment of the North American economy. And while the shortage doubtless will be surmounted somehow, it, with its surrounding problems, has turned much of the politicians' glamorous plans and programs into sad, or comic, nonsense, depending on your sense of humor.

We must go back a long way, and take in a lot of territory, if we are to understand what the immediate oil crisis is telling us.

Obviously it is telling us, among other things, that government, business, labor unions and society as a whole have grossly miscalculated and mismanaged the essential ingredient of our high, so-called living standard.

When a continent that recklessly wasted this precious asset until yesterday finds itself rationed today and may well be chilly tomorrow, the first lesson is taught, rather suddenly. But it is only the first lesson and not truly learned yet.

A second lesson, perhaps still more ironic and certainly less understood, is the politicians' retreat from their solemn resolve to avoid further serious intervention in the economy, even on a temporary basis. For what are the hasty, clumsy and preliminary regulations of fuel if they are not the very sort of controls, whatever name they carry, that were to be resisted at any cost, including the total cost of modern life?

By devious routes and under heavy smoke-screens, North American government is now reversing direction and advancing steadily toward still wider controls because, with all their obvious difficulties, they are unavoidable, in some vital areas at least.

It would be quite unfair, however, to suppose that all politicians, businessmen and labor leaders did not foresee the energy crisis, in general anyhow, and beyond it the larger problems of the continental economy.

In Washington especially, though less in Ottawa, they were grasped by some men as early as August, 1971, when President Nixon briefly froze prices in his economic phase one. As he successfully enforced phase two (which is generally forgotten) and then plunged into the disaster of phase three, these men never changed their minds in the present chaotic phase four.

Two of them, among the most powerful in the Congress, told me that some equivalent of phase two, some revised and better method of controls would have to be reimposed very soon—and this, unfortunately, at a time when American labor has lost all faith in the president.

A few days after that conversation on Capitol Hill, Nixon announced a fuel rationing system, as yet crude, embryonic and sure to need drastic refinement. So did the Canadian government which, up to then, had condemned all such interference with the overstrained market mechanism as unworkable, indeed unthinkable.

Another irony is thus revealed: government in Washington and Ottawa undertakes to control, (or at any rate to temper), the market forces in the case of fuel but it is not prepared, so far, to control or even to admit the major cause of continental inflation.

As explained by one of the most eminent American economists, the strongest pressure on prices henceforth will not be the national and worldwide law of supply and demand, strong as it is. In the United States, at least, the strongest pressure in the next year will be the rising direct cost of all production, mainly in the form of wages and partly in the form of profits.

Up to now, wages have advanced much less in the United States than in Canada because the American unions have been much more modest in their demands than their Canadian counterparts. That situation seems certain to change in the early future. The American wage contracts of 1974 threaten a new cost-explosion which already is under way.

My informant added, in neighborly fairness, that Canada, with its much greater dependence on foreign trade, is much more vulnerable than the United States to the demand-pull forces, the tight commodity markets and the high prices of the world.

Or, as this man said: "Canada can't help importing our American inflation through trade every day and is now vastly aggravating it by raising its own internal costs. And it doesn't have to."

In detail these are immensely complex and controversial matters on which honest men will often disagree. But no one who understands schoolboy arithmetic can longer question a simple and surely a paramount fact—that for about a century the North American people have deluded themselves with impossible economic expectations of all sorts.

Though long enjoying an affluence beyond any other people's grasp, they were persuaded by government, business, labor unions and the whole social apparatus to demand, and expect as an inalienable right, far more than even the affluent society can yet produce. And in modern times they tried to close the gap between the possible and impossible by inflating the currency—an ancient trick that always fails in the end.

Now the energy crisis appears overnight to proclaim the first clean break in this grand delusion. Others will follow.

TRANSACTION OF ROUTINE MORNING BUSINESS

The PRESIDENT pro tempore. Does the acting minority leader desire time?
Mr. GRIFFIN. No.

The PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of routine morning business, for not to exceed 15 minutes.

RESOLUTION TO INCREASE THE SUMS ALLOTTED TO THE SENATE SELECT COMMITTEE ON PRESIDENTIAL CAMPAIGN ACTIVITIES

Mr. ERVIN. Mr. President, on behalf of the vice chairman of the Select Committee on Presidential Campaign Activities, the Senator from Tennessee (Mr. BAKER), and myself, I send to the desk a resolution to allocate additional funds to the Select Committee on Presidential Campaign Activities; and I ask unanimous consent that it go on the calendar, with the understanding that it be called up on Monday, rather than today.

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The PRESIDENT pro tempore. The resolution will be stated.

The assistant legislative clerk read the resolution (S. Res. 209) as follows:

SECTION 1. That the first sentence of section 6 of Senate Resolution 60, which was adopted on February 7, 1973, is hereby changed to read as follows: "The expenses of the select committee through February 28, 1974, under this resolution shall not exceed \$1,500,000, of which amount not to exceed \$50,000 shall be available for the procurement of the services of individual consultants or organizations thereof."

The PRESIDENT pro tempore. Is there objection to the request of the Senator from North Carolina?

Mr. GRIFFIN. Mr. President, reserving the right to object, I note for the Record that the distinguished chairman of the select committee has not required immediate consideration of the resolution, but has requested instead that it go on the Calendar, not to be taken up before next week. I call attention to the fact that he could accomplish the same parliamentary objective, in effect, by asking for immediate consideration and having an objection lodged.

I do not intend to object; however, attention should be focused on the fact that such committee resolutions requesting funds ordinarily, in the regular course of Senate business, are referred to the Committee on Rules and Administration for preliminary consideration. I am aware of the fact that the original resolution which established the select committee, and funded it, bypassed the Rules Committee, and perhaps there was justification for some haste or extraordinary procedures at that time. But, as I understand it, the select committee is supposed to be winding up its work now, so there would be no reason why the select committee now could not come before the Rules Committee and justify its request for this additional one-half million dollars.

I regret that the chairman and the members of the select committee have elected not to do that.

I am sure the Rules Committee would approve if the requested justification were indicated. Apparently, the Rules Committee is being bypassed, and regular procedures are being bypassed in this situation, because this is the so-called Watergate Committee. I think it is unfortunate that regular procedures, are not being adhered to, and I wish the Senator from North Carolina were doing so in this situation. I say that as one member of the Rules Committee who feels some responsibility to the Senate because of that assignment.

Mr. TOWER. Mr. President, reserving the right to object—and I do not intend to object, either—I should simply like to ask the distinguished Senator from North Carolina whether this involves an additional half million dollars over the original authorization, why this money is required, and why he is proceeding in this manner, rather than going to the Rules Committee.

Mr. ERVIN. Frankly, I have about 13 hours of work to do, without going before the Rules Committee. Since this committee was established to take certain action

by the unanimous vote of the Senate, I did not think anything would be gained by going before the Rules Committee. The committee, with all the members present, except one who was absent, unanimously concur in this request. The resolution is submitted with the cosponsorship of the vice chairman of the committee.

This committee has to send emissaries all over the United States to bring witnesses here from all over the United States, in order to conduct the investigation.

This would make a total of \$1.5 million for this committee, as compared with the Special Prosecutor's Office, which has been given \$2.8 million. I think that considering the burden this committee has and the fact that it has to conduct investigations in all areas of the United States and has to bring many witnesses from all over the United States at considerable expense, this is really a modest amount.

Mr. TOWER. I had no doubt that the amount was justified, but I am concerned about not following the usual procedure. I was wondering whether the distinguished chairman and the ranking members of the Rules Committee have been consulted on the matter.

Mr. ERVIN. I have not consulted the Rules Committee; no.

Mr. GRIFFIN. Mr. President, it seems to me that the Senator from North Carolina, the distinguished chairman of the committee, is saying that he is too busy to go before the Rules Committee. I would think that quite a few other committee chairmen might say the same thing.

Mr. ERVIN. I think there is an exception in this case. This is a committee which was established by the unanimous vote of the Senate, and it was given a specific commission to perform, which it has not yet fully performed. I think there is justification in making an exception to the usual course of action.

Mr. GRIFFIN. Since there is no objection from the chairman of the Rules Committee or others on the Rules Committee, I do not intend to object.

Mr. MANSFIELD. Mr. President, reserving the right to object, is it the intent of the so-called Watergate Committee, the Ervin select committee, to go further in the field of corporate contributions in Presidential campaigns, both Democratic and Republican?

Mr. ERVIN. That is right.

Mr. MANSFIELD. Could the Senator give the Senate the benefit of his views, briefly, as to what his committee has uncovered to date in the way of contributions by corporations of considerable magnitude?

Mr. ERVIN. We have had a number of witnesses who have shown that corporations were virtually coerced by certain fundraising organizations into making very sizable contributions, notwithstanding the fact that the law has prohibited corporate contributions, has made it illegal since 1970, if I recall correctly.

We are also encountering some difficulty now because we have some witnesses who refused to come before the committee, and we may have to issue some contempt citations.

Mr. MANSFIELD. Corporate contributors. Did one of the corporate contributors or one of the representatives of a corporation—I forget the name at the present time—indicate that his corporation contributed \$100,000 so that they could at least get the use of the telephone?

Mr. ERVIN. I do not know about the use of the telephone, but we had one corporation that was asked for \$100,000 by the President's personal attorney at the time that corporation, which was an airline, had an application pending for a franchise abroad, which was solely determinable by the President, himself, without any review in the courts.

Mr. FANNIN. Mr. President, reserving the right to object, I should like to ask the distinguished Senator from North Carolina if this investigation will probe contributions of unions, which amount to hundreds of millions of dollars.

Mr. ERVIN. If the Senator or anybody else will give us any information that union funds were contributed out of union treasuries, we would be glad to have that information.

Mr. FANNIN. Does not the Senator have that information? It is published information; it is in the press almost daily.

Mr. ERVIN. Yes. We are investigating, for example, contributions by the Seafarers' Union of \$100,000.

Mr. FANNIN. Hundreds of millions of dollars are involved.

Mr. ERVIN. Also, we are having investigations made into the contributions made by other unions. We have taken evidence on that in executive session.

Mr. FANNIN. But the Senator is giving his word they will investigate unions just as much as they investigate others, which certainly is proper.

Mr. ERVIN. Yes. We have taken some evidence. We have not been able to run down all the leads on that, but we have gotten leads from newspaper men, which are very illuminating, but unfortunately these leads are hearsay.

Mr. FANNIN. There are many reports and I think the Clerk of the House could furnish considerable information. There are many ways the committee could determine this information. I thank the Senator for his word they will go further investigating unions to the same extent they investigate others.

Mr. ERVIN. I am frank to say the unions were more guarded in making their contributions because they set up separate organizations; they do not seek unions funds, but voluntary contributions from the members.

Mr. FANNIN. But the question is that the Senator knows over the years it has been brought out that a great amount of money is being transferred back and forth. Some of it has been traced, and I have entered some instances in the RECORD. I feel all these matters should be investigated.

Mr. ERVIN. We can only investigate the 1972 campaign and matters related thereto.

Mr. FANNIN. I understand, but there are plenty in that period to be investigated.

Mr. TOWER. Mr. President, reserving the right to object, I would like to say

that my failure to object does not constitute my belief that this is what should be considered a precedent for future justification for authorization of funds by committees. I can remember going with Chairman JOHN SPARKMAN of the Committee on Banking, Housing and Urban Affairs and having to give a strict accounting to the committee for funding for our committee. I think it is a proper procedure and one that should be understood. But I think it should be understood and legislative history made that this procedure does not establish a precedent to be followed.

Mr. ERVIN. The rules of the Senate permit any Senator to come before the Senate and ask for immediate consideration; and it will be either immediately considered or go on the calendar for consideration the next day if objection is posed to its immediate consideration.

Mr. TOWER. The Senator understands these matters are referred to the Committee on Rules and Administration.

The PRESIDING OFFICER. Without objection, the unanimous consent request of the Senator from North Carolina is agreed to.

EXTENSION OF THE PERIOD FOR THE TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the time for the conduct of the transaction of routine morning business be extended for 10 minutes, inasmuch as I and other Senators have been taking time.

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

CREDIBILITY IN CAMPAIGNS

Mr. MANSFIELD. Mr. President, this has been an illuminating 10 or 15 minute discussion. I hope Senators will take note of the remarks made and the information furnished, because much of it should be considered in connection with the pending business. Again I would say that while credit is most important with the expiration of the debt extension at midnight last night and the reversion back to \$400 billion, credibility in campaigns is also a factor which should be given primary consideration.

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

Mr. MANSFIELD. I am happy to yield to the Senator from Alabama.

Mr. ALLEN. I wonder if it would not be the better part of wisdom to wait until the Watergate Committee makes its report so that we can study it a little bit rather than have a 3-minute colloquy on which to base our decision; and I wonder if the distinguished majority leader has noticed that five out of seven members of the Watergate Committee do not seem to be supporting this campaign contribution measure.

Mr. MANSFIELD. I have noticed it, but rather than wait, five executives have been fined, and, if my memory is correct, suspended sentences were given for illegally making contributions in Presidential campaigns. Is that correct?

I note for the RECORD that the Senator from North Carolina, the chairman of

the select committee, says that is a correct statement.

SAVING FUEL

Mr. RANDOLPH. Mr. President, Members of this body have agreements and disagreements. This is a condition which we recognize in the Senate. I only wish we might be accomplishing something, but that will not be possible. I think we are spinning wheels. I think the country will not appreciate this weekend from the standpoint of the situation that has developed here. But I am not critical. I am only indicating that I believe the lights in this Chamber could be turned off today, fuel could be saved, and by the lights being on and discussions taking place, nothing is being accomplished that is productive.

I ask unanimous consent, Mr. President, to place in the RECORD at this point in my remarks an article from the Friday, November 30, 1973, Christian Science Monitor.

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

SAVING FUEL—PROPER INSULATION, RESETTHERMOSTAT, AND LOTS OF COMMONSENSE PAY DIVIDENDS

(By Forrest M. Holly)

Wondering how to save energy around the home?

In these days of a mounting fuel pinch, here are some tips that could do the trick, not only when it's cold, but also next summer when it's warm:

INSULATION

Insulate and save up to 20 percent (or more) on fuel consumption.

Cut heat loss by $\frac{1}{4}$ to $\frac{1}{2}$ by installing ceiling insulation. Insulate between floor joists; install an attic fan; bottom up and tighten up against air leaks; weatherstrip windows and doors; close fireplace damper.

HEATING AND COOLING

Change the air-conditioning thermostat from 75 degrees to 78 degrees and save appreciable energy. Keep windows and exterior doors closed during hot and cold spells. Don't heat or cool unused rooms.

Use drapes, solar or double-paned glass, or awnings. Limit lighting during warm spells.

Schedule baking, self-cleaning of ovens, washing, drying, and ironing for early morning or late evening, and thus lighten the burden on the cooling system. Service air-conditioning and heating units twice a year. Clean filters quarterly.

Set heating thermostat as low as you comfortably can—say 68 degrees. Turn off air conditioner, lower or turn off furnace during vacations.

Hear about the lady who was given a room air conditioner? Delighted, she exclaimed, "Now I can use my fireplace even in summer!" Not anymore.

LIGHTING

Douse lights in unused areas. Minimize Christmas lighting and drop extra outside lighting. Shut off the TV and radio when not in use.

Anyone for romantic candle light around supper time?

WASHER/DRYER

Are these appliances taking us to the fuel-shortage cleaners? No need.

Remove lint from washer and dryer filters. Vent dryer outdoors. Wash and dry only full loads of clothes.

Cool it? Use warm laundry water instead of hot where possible. Rinse with cold water when practical. Don't overwash or overdry! Put regular clothes through a 10- to 15-min-

ute wash cycle; delicate clothes five minutes, permanent press five to eight minutes.

Drain sudsy washer water to a laundry tub to clean something else. Use leftover dryer heat to dry light synthetic fabrics. Dry clothes in the air when possible.

RANGE/OVEN

Cook up energy savings by getting the right pan. Use only pans that are flat-bottomed with straight sides and tight-fitting covers. Don't put a small pan on a big unit. Use leftover oven heat to warm plates or heat rolls. A watched kettle will boil (honest); and when it does, turn off the heat. Cook two birds with one pot!

Oven door close tightly? No fair peeking! Instead of opening oven doors and lifting lids, depend on thermostats and timers, even intuition.

Avoid using a range or oven to heat a kitchen.

DISHWASHER

Know that Mrs. Housewife Americana washes 1.5 million units during her career? So, don't throw precious energy down the dishwasher drain.

Here's how: Use dishwasher only when full. Keep hot water supply between 140 degrees and 160 degrees.

REFRIGERATOR/FREEZER

Don't block their air vents or motors will work harder. Refrigerators lose their cool when doors are constantly open. Keep temperature at 37 degrees to 40 degrees.

Give the refrigerator a vacation when you take one. Then raise its temperature to 40 degrees to 45 degrees. Replace worn door seals. Frost has its place, but not in a "fridge." Defrost frequently.

WATER HEATER

Oversized units require unnecessary excessive energy. Stop leaky faucets. They waste water, hot and cold.

BATHROOM

Prefer snappy showers to indulgent deep-tub baths.

Be not like our erstwhile engineer Stanford University student son, who, bedraggled from hours of study, took showers, only to fall asleep standing up midst streams of hot water. Would you believe 30 minutes, sometimes 45 minutes?

Waste not, want not. Right? No more unnecessary fueling around the house?

Mr. RANDOLPH. Mr. President, this material has as its subject matter the saving of fuel, and it says that there are many commonsense ways by which we can proceed to reduce fuel consumption in the United States. The thrust of the article goes to the savings that can be effected in our homes by insulation, by better heating and cooling practices, by less lighting—to which I earlier made reference—by washer and drier appliances being watched more carefully, by savings from checking ranges and ovens, by using the dishwasher, as the writer, Forrest M. Holly, says, only when full. It refers to how problems that arise with respect to refrigerator and freezer can be checked. It refers to the waste that comes from faulty water heaters. A comment is made on bathrooms, urging people to take "snappy" showers rather than indulge themselves in deep tub baths.

ORDER OF BUSINESS

The PRESIDING OFFICER. Is there further morning business?

Mr. THURMOND. Mr. President, what is the question before the Senate?

Mr. MANSFIELD. We are in morning business.

The PRESIDING OFFICER. There is no question before the Senate at the moment. We are in morning business with a 3-minute limitation.

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

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

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 11575. An act making appropriations for the Department of Defense for the fiscal year ending June 30, 1974, and for other purposes; and

H.R. 11576. An act making supplemental appropriations for the fiscal year ending June 30, 1974, and for other purposes.

HOUSE BILLS REFERRED

The following bills were each read twice by their titles and referred to the Committee on Appropriations:

H.R. 11575. An act making appropriations for the Department of Defense for the fiscal year ending June 30, 1974, and for other purposes; and

H.R. 11576. An act making supplemental appropriations for the fiscal year ending June 30, 1974, and for other purposes.

The message also announced that the House had agreed to the amendment of the Senate to the bill (H.R. 8528) to provide for increasing the amount of interest paid on the permanent fund of the U.S. Soldiers' and Airmen's Home.

PRIVILEGE OF THE FLOOR—PUBLIC DEBT LIMIT BILL

Mr. THURMOND. Mr. President, I ask unanimous consent that Mr. David Thompkins of my staff and Raymond Sifley of the Committee on the Judiciary staff be allowed on the floor during this debate.

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

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first time and, by unanimous consent, the second time, and referred as indicated:

By Mr. SPARKMAN:

S. 2760. A bill to amend the Small Business Act to provide for loans to small business concerns adversely affected by the energy shortage. Referred to the Committee on Banking, Housing and Urban Affairs.

SENATE RESOLUTION 209—SUBMISSION OF A RESOLUTION TO INCREASE SUMS ALLOTTED TO SENATE SELECT COMMITTEE ON PRESIDENTIAL ACTIVITIES

Mr. ERVIN (for himself and Mr. BAKER) submitted the following resolution:

S. RES. 209

SECTION 1. That the first sentence of section 6 of Senate Resolution 60, which was adopted on February 7, 1973, is hereby changed to read as follows: "The expenses of the select committee through February 28, 1974, under this resolution shall not exceed \$1,500,000, of which amount not to exceed \$50,000 shall be available for the procurement of the services of individual consultants or organizations thereof."

ADDITIONAL STATEMENTS

DR. MILLARD BENNETT, NOTED WRITER AND LECTURER, BELIEVES "PAROLE LENIENCY PERILS SOCIETY"

Mr. RANDOLPH. Mr. President, there is an understandable concern of many Americans on the problems that create crime—increasing crime—in the United States.

The parole system, a well-intentioned part of our judicial procedure, is exercised at times, as is probation, to the detriment of our citizenry.

There will be agreement and disagreement with the blunt language of Dr. Millard Bennett, noted writer and lecturer. I ask unanimous consent that his letter to the editor of the Santa Monica, Calif., Evening Outlook of Tuesday, November 27, 1973, be printed in the RECORD.

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

PAROLE LENIENCY PERILS SOCIETY

EDITOR: As I write this the police are holding an 18-year-old man on suspicion of setting the apartment fire that has already claimed 24 lives and severely injured many more. Every day radio, television and the press report numerous slayings, rapes and fires; crimes committed by individuals aged (chronologically) from 14 to past 60. But, how old were they psychologically, two, three, five?

Diderot, French philosopher (1713-1784) once observed, "All children are essentially criminal. It is merely our good luck that their physical powers are still too limited to permit them to carry out their destructiveness."

When Diderot made his startling remark, he was saying in effect, that human beings are safe to have around only if they are as weak in their powers of execution as they are in their powers of understanding. A child of two, with the strength of Atlas, would be a destroying monster; for he has, as yet, no recognition, understanding or linkages with life and those around him except those that minister to his own immediate desires.

The ant is born with all the knowledge (instinctive) it will ever need. A human being is born totally ignorant and irresponsible and must learn everything.

Psychology and psychiatry have progressed to the point today where they can test an individual's psychological age (maturity) in relation to his chronological age. Rapists, murderers and arsonists are, in the main, dangerously immature. They should be confined until, with proper training, they have

reached a level of mental competence psychologically comparable to their chronological age. If they are incapable of reaching this stage in development, they should not be released to again prey upon society. Ninety-nine out of 100 will repeat the crimes for which they were previously sentenced. Their records bear this out.

Too many judges and parole officers are very inept in their handling of these immature criminals. Too often we hear, "We must have compassion and feeling for them." I ask, "How about compassion and feeling for victims; how about feeling for the families of those so harmed?"

Let's protect ourselves by taking these immature destroyers out of society and keeping them out.

MILLARD BENNETT,
Santa Monica.

THE U.S. AIR FORCE ACADEMY

Mr. DOMINICK. Mr. President, in times of relative peace, the military is subject to a variety of criticisms, ranging from demands for troop reductions to charges of excessive influence, and its institutions share a large part of it. For that reason, it was with considerable pride and pleasure that I read in the October 7, 1973, issue of the *Denver Post*, an article by editorial page editor Robert Pattridge presenting a most favorable view of the U.S. Air Force Academy. In his article, Mr. Pattridge cites not only the negatives at the Academy, such as the 40-percent dropout rate in the class of 1974, but also many of the positive aspects, including its ranking fourth in the Nation in the number of graduates who have won Rhodes scholarships and the excellent counseling programs available at the school. The writer views Academy men as walls—

Hopefully walls for peace as well as defense, hopefully walls of intellectual superiority rather than mediocrity, hopefully walls of leaders rather than followers, hopefully walls with honor and not dishonor.

He concludes:

If the Nation does not want these qualities ingrained at the Air Force Academy, Congress had best give a new mandate to the Air Force—Academy leaders—and the proud cadet wing.

I for one am most proud of the accomplishments of the Air Force Academy, its Superintendent, Lt. Col. Albert P. Clark; its commandant of cadets, Brig. Gen. Hoyt S. Vandenberg, Jr.; dean of the faculty, Brig. Gen. William T. Woodyard; and director of admissions, Col. William R. Jarrell, Jr.

As a member of the Academy Board of Visitors and a Senator from the State in which this excellent institution is located, I commend this article to all of 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:

AFA GIVES US MEN TO MATCH OUR MOUNTAINS

(By Robert Pattridge)

Our men are our walls.—Sparta, ancient Greek city.

We will not lie, steal, or cheat, nor tolerate among us anyone who does.—Air Force Academy Cadet Honor Code, 1973.

Air Force Academy.—Parallels abound be-

tween Sparta, ancient Greek city, and today's Air Force Academy.

Sparta's laws, drafted by Lycurgus, were characterized by rigidity. Rigidity is part of life at the Academy.

The Spartan was essentially a soldier trained to obedience and endurance; he lived in a barracks and ate at a common mess. That is generally true of the Academy cadet.

A study of history unfolds other parallels between the Academy and Sparta, capitol of Laconia and most powerful state of the Peloponnese.

History also shows, however, that men and nations do not survive on military might alone. Today's Academy has many qualities of ancient Sparta plus qualities of its own. The Academy process fosters review and change.

Currently, the U.S. military forces are the bad guys. Uneasy peace reigns in the world with detentes in trade, troop reductions and nuclear weapon controls. Thank God for that. However, should the world atmosphere alter, our media and public will clamor: "Where is the military?"

Part of that military is at the Air Force Academy. There are hundreds of officers, enlisted men and cadets on the 18,000 acre site north of Colorado Springs who believe in discipline, and practice it. They also exhibit human understanding and compassion for fellow man.

Negative news about the Academy has a way of bursting onto front pages and the television screens around the world. A reader or viewer may question: "What is going on there?"

The answer is simple—education. Much of that education, unreported, is positive.

An example: For an average of four hours daily, Brig. Gen. Hoyt S. Vandenberg Jr., 45, commandant of cadets, counsels and raps with the 3,980 cadets in groups and individually.

Among other problems, General Vandenberg seeks out "rumbles." That is Academy jargon for the cadet who is "rumbling"—pondering resignation. It is a serious problem. The dropout rate in the 1974 class is a shade over 40 per cent.

There is counseling galore for the "rumbles." Available are fellow cadets, cadet leaders, the 580 faculty members, General Vandenberg, a special team of officers, chaplains, psychiatrists and even Lt. Gen. Albert P. Clark, the 60-year-old Academy superintendent who looks 45.

General Clark recognizes that cadets have special troubles. They have come from a permissive society where alcohol, cars, women and drugs are available. Suddenly they are in the Spartan atmosphere of the Academy. The physical and academic demands are tough.

Concentrating on three areas of concern is a goal of General Clark:

The cadet's environment. Improve it and allow a minimum of the "Mickey Mouse" harassment that is so irritating to young men of today.

Don't bring in cadets who won't make it at the Academy. Greater counseling and care in selection of cadets is part of this goal.

Orient the cadet candidate completely as to what he can expect and what is expected of him. He will last, adjust and quit less frequently.

Certain standards will not change under General Clark's superintendency. They include courage, loyalty, character, leadership and self-discipline (a subject General Clark knows well, having spent nearly three years as a prisoner of war in Germany during World War II).

"The way you capture a young man's loyalty is not the same as in Frederick the Great's time," General Clark says.

You have to reach a cadet with understanding, he believes, but without lowering academic or moral standards.

The task is not easy in 1973 with the social, political and military turmoil. But General Clark's worries are not his own. Besides his competent staff he is assisted with recommendations by the Academy Board of Visitors and the Academy Advisory Council, both comprised chiefly of civilians.

The Academy also has been enriched by the Air Force Academy Foundation. Private funds donated through the foundation created the 50,000-seat Falcon football stadium and the 18-hole Eisenhower Golf Course.

In worrying about the dropout rate, and the money spent to educate a cadet, General Clark is realistic. "When you shake the tree, some bad apples will fall."

The number falling concerns him, although it is best for cadet and Academy if the dropout is weeded early in his career rather than later.

There is satisfaction for the general in the number and quality of the AFA graduates. Since Congress authorized the Academy in 1954, a total of 7,800 men have graduated. Only 38 have embarrassed the Air Force in any manner. The Academy also leads the three service institutions in number of graduates who remain on active duty following completion of military commitments.

An oft-repeated charge against the Academy is that hawkish robots are being manufactured. "Nothing is further from the truth," contends General Clark. His words are backed in random conversations with cadets.

The cadets exhibit abundant free wills and intellects. They are the ones deciding to stay or leave the Academy. They are the ones offering advice to the Academy administration on matters as diverse as "Mickey Mouse" harassment and changing the curriculum.

It is the cadets voicing a variety of recommendations in discussions with Generals Clark and Vandenberg, other officers and cadet leaders. Cadets appreciate that the officers seek out ideas for change. And the cadets run the honor code—not the officers. The cadets hear the evidence in honor code cases and make decisions on resignations.

If the cadets are robots, they are well-informed robots. General Clark invites a wide range of speakers to address the cadets. They range from comedian Dick Gregory to a Communist. There was a seminar for minorities. Speakers with various views are presented under an open policy.

Classroom discussion is frank, energetic and refreshing.

The Academy attracts the cream of the nation's youth. They are the scholars, athletes, the leaders of all colors and creeds from hundreds of high schools—including the Academy's own Preparatory School. Taking this quality and leading the way to an education for the "whole man" is Brig. Gen. William T. Woodyard, 54, dean of the faculty.

A scholar who has served at the Academy since its founding, General Woodyard aims at "establishing a total environment conducive to training."

He needs no Pentagon reminder that "we are here to support the Air Force." Yet, he is the type officer who hosts cadets in his home and hears plenty of "feedback."

General Woodyard isn't pushing only science, mathematics and military training. Literature, philosophy, languages, music, art, history, athletics, political science, all have a place at the Academy.

Holder of a doctor's degree in higher education from the University of Denver, General Woodyard is especially proud the Academy ranks fourth nationally in the number of graduates who have won Rhodes scholarships.

The Academy also is a leader in winning

National Collegiate Athletic Association scholarships—a measure of the “whole man” concept.

General Woodyard is also proud of the accreditation record in engineering and other fields of Academy education.

The three Generals and Col. William R. Jarrell Jr., 51, director of admissions and registrar, point out a few variables in the dropout rate.

There are no transfer students into the Academy upper classes as in other non-military institutions. There is a 2 to 3 per cent attrition among cadets due to physical problems. General Vandenberg grieves for the cadet, determined to be a pilot, who suddenly develops eye trouble and drops out because flying was his only “thing.”

Also, like civilian youth, cadets have problems with girl friends, families, studies, the physical training and assorted other troubles.

Yet, Colonel Jarrell reports applications are streaming in at a high rate. More than 8,000 young men applied as cadets for the 1,500-member class admitted this year. Some are motivated by a free education but watching them march, train, dine, learn and relax, you have to concur with General Vandenberg: “An amazing bunch of young men.”

They are young men with their shoulders back, heads up and living a life packed with motivation, achievement and goals. Besides pilots, they are destined to be Air Force doctors, lawyers, scholars and various other career occupations.

The cadets don't put you on with idle praise for the establishment. Most are mighty happy when the physical and academic demands of that initial year are behind. As is the military's habit, the upper classmen and officers lead by example and the new cadet is impressed.

There are no boys at the Academy—all are men. They live by the honor code of no lying, cheating or stealing. For most, it is an honor code for life.

Many cadets—and officers—expect women will some day be enrolled at the Academy. This will require some changes in training when it happens.

Also in the future there will be more headlines from politicians blasting the Academy. The General Accounting Office may be critical of Academy spending. There will be more dropouts. Training (such as a prisoner of war camp) will be debated. There will be criticism from ex-cadets and ex-faculty members.

In measuring time, the Academy is an infant. It is less than a quarter century old compared with the centuries of Sparta.

But like Sparta, the Academy has strength in its men—its cadets and officers. Due to this strength, the Academy is changing man's flight through life.

While Sparta's race of resolute, ascetic warriors eventually expired, the Academy shows no such signs.

The Academy Men—like Sparta's—are also walls; hopefully walls for peace as well as defense, hopefully walls of intellectual superiority rather than mediocrity, hopefully walls of leaders rather than followers, hopefully walls with honor and not dishonor.

If the nation doesn't want those qualities ingrained at the Air Force Academy, Congress had best give a new mandate to the Air Force and its Clarks, Vandenberg, Woodyards, Jarrells and the proud Academy Cadet wing.

A NEW BREED IN MAINE'S LEGISLATURE

Mr. MUSKIE. Mr. President, in recent years—with the emergence of such concepts as revenue sharing and the new federalism—there has emerged a renewed interest in the capacity of State and local government to respond to the problems of the mid-1970's.

Ever since my own service in the Maine Legislature from 1947–51, and my service as Governor from 1955–59, I have had great confidence in the potential for service at those levels of government.

My confidence has been reflected over the years in the work of the Subcommittee on Intergovernmental Relations.

Recently, one of Maine's thoughtful political reporters, Jim Brunelle, has written a perceptive article on the evolution of the Maine Legislature since 1945. It supports my optimism on the subject. I ask unanimous consent that his article, appearing in the Maine Sunday Telegram on November 25, 1973, be printed in the RECORD.

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

A NEW BREED IN MAINE'S LEGISLATURE (By Jim Brunelle)

When Thomas R. LaPointe was born in Portland in 1945, there were only 14 Democrats among the 151 members of the Maine House of Representatives.

One year later a lanky, loose-limbed and Lincoln-esque young attorney from Waterville ran successfully for the House and began a political career that would start Maine on the road to becoming a genuine two-party state.

Tom LaPointe was nine when Edmund S. Muskie became the first Democrat in 20 years to be handed the keys to the Blaine Mansion and he was still a teenager when in 1964 the Democrats regained control of the legislature after a half century in the cold.

Today, a state legislator in his own right, LaPointe is representative of a new breed of lawmakers who are young, thoughtful and possessed of a greater variety of interests and drive than their predecessors.

Because this new breed is largely unfettered by the chains of partisan imbalance which restricted the political development of Maine for so long, it has brought important change to the state legislature and to its ability to respond to public needs.

Today's legislator is more serious, harder working, better informed and generally more representative. He is less moved by the spokesmen of corporate interests, less dependent upon lobbyists for information and technical assistance and less of a “party man” in strictly political terms.

The new lawmaker doesn't look upon the legislature so much as a place to celebrate the status quo as an arena in which to bring about meaningful change.

“I think it's possible to get things done,” says freshman LaPointe. “If you analyze the forum and look at the people in it, if you're honest and do your homework, you can affect the decision-making process. It's a very long and slow process—I'd say three steps forward and two backward—but if you work at it, you can accomplish something.”

While too young to recall first-hand the developments which set the process in motion, LaPointe and many of his colleagues—both Republican and Democrat—are the beneficiaries of the state's newly emerged two-party system.

To understand the legacy, a brief history is called for:

Muskie's elevation to the governorship was pretty much of a surprise to everyone, including Muskie, who, although he became an immensely popular state leader was never fully able to transfer political legitimacy to Democratic candidates further down the line.

Despite some minor erosion, Republicans maintained impressive majorities in both houses of the legislature. Democrats were still viewed as rather barbaric and dangerous, generally unsuited to looking after the public's business.

It fell in 1964 to Barry Goldwater to open the gates to the barbarians. And there were many in Maine who were convinced that a major disaster had befallen the state when the Goldwater Debacle, as it came to be identified, swept the Democrats in control here.

Nobody knew just how they would behave in power, but the Republican minority braced for the worst. At the very least they expected to be treated shabbily and at most to be forced to look on helplessly as the state treasury was plundered.

State House veterans—some Democrats included—seriously wondered if the legislature could carry on without the services of Harvey Pease, the crusty old GOP house clerk who had dominated the House for more than three decades and who knew as no one else just how the legislative machinery was manipulated.

Everything went on quite normally after the barbarians were seated.

“It turned out that the Democrats performed no differently than the Republicans,” recalls one observer who survived the transition. “There was no real change at all.”

To be sure, old guard Republicans later complained about a “lamentable breakdown in decorum” under the Democrats, but the worst example they could cite was “the unprecedented practice,” which was finally stopped, of senators observing a coffee break in their seats while the Senate was in session.

Such fussy outbursts hardly obscured the real significance of the takeover: the discovery by Maine voters that Democrats were no worse than Republicans in running things at Augusta.

Thus the Goldwater legacy.

When Tom LaPointe decided to run for political office last year, the legislature was a logical place to start.

“I'd toyed with the idea of running for city council, but that seemed more like a lottery than anything else, with 13 people running for a single seat,” he recalls. Although 23 Democrats were vying for 11 legislative nominations in Portland, the odds seemed infinitely better.

He ended up sixth in the field, running better than a number of incumbents.

A native of Portland, LaPointe joined the Marines after graduating from Cheverus High School. A back injury during training in North Carolina resulted in a medical discharge and a quick end to his military career.

LaPointe was a sociology major at the University of Maine in 1970 when Nixon invaded Cambodia. He joined a protest strike with other students and by the time the fuss was over so was his academic career.

“We became so busy I just never went back to school,” he says. “I had a little less than a year to go and I'll probably go back once this legislative thing is over.”

A camping enthusiast, LaPointe has worked as a recreation staff planner for United Community Services, director of Camp Gregory at Gary and a member of the Model Cities recreation task force in Portland.

LaPointe was somewhat befuddled by the legislative labyrinth when he took his seat last January. “There were times when I asked myself, ‘What's going on here?’” he recalls. “It took a total immersion process for me to understand it.”

His immediate problem was to identify and establish contact with a constituency.

“I had considered the idea of writing a newsletter, but I couldn't really get a handle on that because there are 60,000 people in the city of Portland. How do you send a newsletter to 60,000 people?”

On a legislator's salary, you don't, so LaPointe did the next best thing. He started mailing copies of proposed bills to groups and individuals he felt might have an interest in the measures.

Given LaPointe's particular interests, his “mailout constituency” evolved from recreation and camping groups, consumer organiza-

tions, the poor and the elderly. Where the porkbarrel interests of past legislators centered largely on roads and bridges, the new breed focuses on social program grants.

This is only one of the ways in which the Maine Legislature today is a far different body from the one that Barry Goldwater shook up nine years ago.

Owen Hancock, a Casco Democrat who served in the House in the early 1950s and then skipped 20 years before returning to the legislature two years ago, recently talked about the differences.

"In the first place, it's so much more sophisticated now, both in terms of membership and the type of bills that are being introduced.

"And the people back home are much more aware of what's going on and are much more interested. Before, if you got three or four letters a week, you'd be doing pretty good. Now you get a minimum of three or four a day, plus phone calls, telegrams and petitions."

LaPointe, on the other hand, is surprised that citizen participation in the legislative process is not higher. Shortly after his election he had an answering service attached to his home phone to handle calls from constituents while he was away.

"I thought I'd be swamped with calls," he says. "In fact, I wasn't and I reluctantly discontinued the service because it was very costly. I must say that I'm sadly disappointed with the lack of feedback I got in the legislature."

The seeming inconsistency between Hancock and LaPointe on the matter of citizen participation may be one of degree. Hancock undoubtedly is getting a lot more inquiries from the folks back home than he did in the old days and LaPointe is not getting enough to suit a legislator who perceives a much broader-based constituency than his predecessors.

Hancock and other more seasoned legislators are hearing new voices these days. If, as legend holds, lawmakers once doffed their hats when passing the executive offices of Central Maine Power Co., their courtesies today have a broader reach.

The corporate influence has been significantly diffused in Augusta with the advent of effective lobbyists or the newly-emerged special interests: environmentalists, consumers, women, the poor and the elderly.

The trend revealed itself rather dramatically in the 1959 session when a lone environmental lobbyist, hired on an experimental basis by a number of conservation groups in the state, shepherded piece after piece of landmark legislation through the session and watched them pass by stunningly lopsided votes in both houses.

The industrial lobby—a phalanx of high-priced and experienced agents of the big landowners, paper interests and the like—would hold daily seminars on the east portico of the State House to plan counterstrategy, usually to no avail. These veranda sessions eventually became little more than mutual morning-after commiserations for powerful lobbyists unused to being on the wrong side of a juggernaut.

It was not a lasting condition, of course, and there is evidence that the pendulum may be cutting back, but the days when the legislative minions of CMP, Great Northern, Maine Central Railroad and others were given more to dictation than persuasion are apparently past.

"I feel there is a need up there for a citizens lobby to offset the insurance companies, the banks, the private utilities and those sorts of interests," says LaPointe. "Still, I can't say that the industrial lobbyists have bothered me a great deal, or even that they've bothered with me."

One reason why the constituency of the new lawmakers is different is that there have

been significant changes in the way the legislature has come to view itself.

It is gradually abandoning some long-held myths about itself, myths which allowed former strengths to ossify into fatal weaknesses, locking the legislative function into a 19th century mentality ill-equipped to deal with contemporary problems.

There is, for example, the myth of the "citizen-legislator," the idea that a person should serve in the legislature out of a sense of public duty rather than for any monetary consideration involved.

This particular myth, wholly noble in concept, ruled out the payment of "professional" salaries to lawmakers and guaranteed that candidates always would run for the honor rather than the wage.

The trouble with this theory is that it has restricted the honor of serving in the state legislature largely to the citizen who can afford to serve; that is, to the person of independent means, the retiree, the self-employed and the specially endowed.

For the most part, people of ordinary means, and working people in particular, have been effectively barred from serving in Augusta.

The situation is slowly changing as more and more people come to accept that an underpaid legislator is not necessarily a good legislator.

Ten years ago legislators were paid \$1,600 per biennium, plus modest expense allowances for food, lodging and transportation. This has gradually increased to \$3,500 per biennium and somewhat more generous expense payments.

The effect has been to open the legislature to a broader range of citizenry. But there's still plenty of room for improvement: even with the recent increases, Maine places 42nd among the states in terms of legislative salaries.

Representatives like Tom LaPointe still hitch rides with friends to and from the legislature. Married earlier this year, he isn't sure whether he'll be able to afford to run for reelection, even though his "game plan" had called for three terms.

"It takes time as well as effort if you want to be an effective legislator," he says.

In a one-car family, he figures his wife, a social worker, usually needs the vehicle more than he does and for his normal around-town trips he uses a bicycle.

A special citizens committee created by the 106th Legislature is currently studying the problem of legislative salaries and is expected to recommend major pay hikes so that the Tom LaPointes of the future will be guaranteed the time needed to make the effort for effectiveness.

Another area in which new attitudes have helped to pave the way for a better legislature—certainly a better informed one, at least—is staffing.

"One of the problems is that you have 2,000 bills," says LaPointe. "You set some sort of workload for yourself, your own bills and your own committee activities. But you don't have a chance to study all the ins and outs of each bill and you don't have the staff to go do a lot of research for you. The information gathering process for the individual legislator is very limited."

For years—again, probably because of the pervasiveness of the citizen-legislator myth—Maine's elected representatives resisted proposals to increase their staff capability beyond the merely clerical, viewing such proposals as extravagant and wasteful of the taxpayers money.

It was false economy. Without adequate staff of its own, the legislature has depended on an inordinate degree upon special interest lobbyists to provide free research and bill-drafting services.

The lobbyists, of course, have been only too happy to accommodate. It is no exaggeration to say that Maine's statutory laws have,

in the main, been drafted by lawyer-lobbyists representing special corporate interests throughout the state.

These "free" services have undoubtedly been furnished expensively to the citizens of Maine over the years, a fact all the more painful because they were cultivated in the name of economy.

This year, however, the lawmakers took a small but significant step in the direction of independence. They hired a dozen legislative aides at the opening of the current session, assigning half to research and bill-drafting projects for various joint standing committees and making the rest available as personal assistants to the legislative leaders of both parties.

The experiment, while modest, was well received.

Frankly, I don't know how I ever got along without an aide," says Senate President Kenneth J. MacLeod. "Now, when I need some answers, I put my man to work and get clear, objective responses."

If nothing else, the addition of new staff resources has been good for egos of Maine legislators. Odd as it may seem to the coastal observer, the self-esteem of our elected representatives often need bolstering.

How they view themselves is a matter of some public importance. Despite frequent explosions of rhetoric and much bluster, the average lawmaker is deeply conscious of his own insignificance. He knows he is too often at the mercy of department heads, executive bureaucrats and the ubiquitous lobbyists.

If through a little staff assistance he can be made to feel a measure of real independence from these groups—if only for purposes of obtaining "clear, objective responses" to some of the 2,000 bills he must vote upon—the chances are he will be a better and more self-assured representative of the people's interests.

Another change in the Maine Legislature has come in the social atmosphere which surrounds its activities.

The traditional American view of state capitals as cauldrons of booze, broads and bribes has never really suited Augusta, although it is true that the night life was a good deal livelier a few years earlier than it is today.

A decade ago the Augusta House—that venerable hostelry which opened its doors the year the legislature first met in Augusta—was still the hub of social and political life outside the State House.

The Augusta House is padlocked now and gone with it are the famous "legislative assemblies," the lobbyist hospitality suites, the song fests, the nightly pilgrimages from room to room in search of boozey camaraderie.

Today's lawmakers are scattered to the numerous motels of Augusta, and while there may be a degree of merrymaking in the bar at the Senator Hotel, the newer legislator is most likely to be found in his own room quietly prepping for the next day's round of issues.

Finally, a significant change has taken place in the matter of legislative ethics.

Ten years ago the legislature routinely approved a code of ethics for itself in which lawmakers were pledged to reduce "to a minimum" any collision between their private interests and official duties. It was left up to the individual to determine conflicts of interest in his own mind.

Few bothered to read the code in the years following its adoption and virtually nobody gave any serious thought to its provisions. Recently, however, the legislature has displayed a heightened consciousness of the ethics question and many lawmakers—particularly of the new breed—are trying to come to grips with it, although at the risk of provoking many of their older colleagues.

Tom LaPointe has wrestled with his conscience over the thorny issue of conflict. His wife, Claire, is a social worker with the

state department of health and welfare. When the Part I budget came up for a vote in the House, LaPointe asked to be excused on grounds of a potential conflict; he would, in effect, be approving his own wife's salary. "Everybody thought I was crazy," recalls LaPointe.

Unfortunately, the citizen legislature tends to resent such individual displays of conscience, regarding them as self-serving and reflecting unfavorably upon the integrity of the legislature as a whole. There have been instances in which one chamber or the other has become prickly over such requests and refused to allow a member to excuse himself from voting on grounds of potential conflict.

There are signs—the highly-publicized Sewall case being only one—that the legislature is giving more serious thought to the question of ethics, a matter almost never raised in the past.

The fact that it is being mooted at all represents significant change. Ten years ago, it simply would never have occurred to a legislator whose wife was on the state payroll to excuse himself from voting on the state budget.

These, then, are some of the elements of change in the Maine Legislature:

A lessening of corporate influence.

Emergence of "people's lobbies."

A more enlightened attitude toward salaries and staff assistance.

Opening of the legislative ranks to more working people, women and young people.

Mostly, however, it is the development of a healthy two-party system in Maine which has had the greatest effect on the legislature. The exercise of raw partisan muscle is no longer feasible, and the art of politics therefore has taken on a subtler, healthier meaning.

Ed Muskie would scarcely recognize the arena he helped open up for Tom LaPointe and his colleagues.

FINAL VOTE ON H.R. 3153

Mr. DOMENICI. Mr. President, I voted yesterday for the social security reforms as outlined in H.R. 3153 and its many amendments. I did this for many reasons, some of which I would like to explain for public record at this time.

Many of the provisions of this bill I believe will be of vital importance for older citizens struggling on limited, fixed incomes. Of course, the most obvious benefit is the proposed two-step, 11-percent cost-of-living increase in social security benefits. More than 29 million beneficiaries will be that much better off in these days of spiraling costs and I strongly supported this increase for that reason. On an individual basis, these provisions would raise average monthly benefits from \$162 for retired workers to \$173 effective the month of enactment and then to \$181 in June 1974. For aged couples, the annuity will be increased from \$277 to \$296 and later to \$310. Elderly widows now receiving \$158 can expect \$169 upon enactment and \$177 in June 1974. I understand that this increase will eliminate approximately 550,000 older Americans from the poverty rolls, and I am pleased with that fact.

Another provision of great concern to those who will receive monthly income from the new supplemental security income program would be the increased allotments from \$130 to \$140 for eligible individuals and from \$195 to \$210 for qualifying couples. A further increase

would be provided in July 1974; to \$146 for single persons and \$219 for couples. Income standards would also be increased proportionately for essential persons, generally younger spouses of assistance recipients who are 65 and above. For these individuals, the income standard will be raised from \$65 to \$70 in January and then to \$73 in July.

I have previously spoken out in this Chamber in support of several provisions adopted as amendments, including the extension of the Federal Minimum Standards of 1968 to day-care centers already receiving Federal funds and the necessity for a raised outside earnings limitation for social security recipients. I said at that time, and I would like to say again, that I would support removal of all limitations on outside earnings, but would settle for the proposed increase to \$3,000 as a step in the right direction. Furthermore, I have previously urged my colleagues' support for amendment 644 to this bill; an amendment to extend medicare benefits to spouses and survivors at cost if they are 60 to 65 years of age. I was also pleased to see this measure that I cosponsored adopted by such a strong vote.

I also spoke out earlier in the year on behalf of a measure I cosponsored which is now part of H.R. 3153, a provision to set up a method of enforcing the support obligation of parents when mothers and fathers are no longer living together. This provision will provide an opportunity for necessary reform by undertaking new directives for locating absent fathers, enforcing the collection of child-support payments and ascertaining the paternity of deserted children. In addition, if more support money is obtained from the deserting parent, fewer taxpayers' dollars will be spent on the program for aid to families with dependent children. I also cosponsored the provision to make Federal matching grants to States for Medicaid to supplemental support income recipients, including many of our New Mexican Indians.

The provision to eliminate the tax deduction for individuals on State and local gasoline taxes is a unique attempt to put money primarily back into the pockets of the less affluent wage earner in an effort to compensate for the increase in social security contributions.

Despite these and other tremendously worthwhile and needed provisions, Mr. President, I would like to say just a few words again of my deep reservations about the way Congress operates on these matters of importance. Amendments are often reported on the floor with no prior announcement, and with little debate or discussion. Even when amendments are previously printed, it is often very difficult to find the factual information with which to make a clear and intelligent decision.

In this regard, Mr. President, I would like to discuss amendment No. 542, an amendment that provides medicare coverage for certain prescription drugs necessary for the outpatient treatment of certain chronic diseases. This amendment was adopted on November 28 with very little discussion or debate.

When this amendment was called up, I was extremely concerned that the high costs involved, estimated at \$700 million annually, would be too great a drain on the funds available to meet those additional expenses. The amendment did not provide for a means to generate the additional funds required, nor even mention that problem. I am of the opinion that it is fiscally irresponsible to pass a measure requiring funds of this magnitude without providing a means for generating those funds. Consequently I voted against the measure despite my strong opinion that we must take affirmative action to give senior citizens some measure of relief from the high costs of prescription drugs.

I am still convinced that we followed a poor procedure, but I am even more convinced that the millions of worthy recipients of social security across the Nation need and deserve the basic benefits contained in this bill, including help in paying for prescription drugs. Therefore, Mr. President, I will not let my opposition to or my keen disappointment for our failure to address the funding of these increased benefits prevent me from supporting the bill, although I am afraid that without a funding provision this amendment may be eliminated in conference. What a cruel blow that would be to those whose hopes and expectations had been raised by our action in the Senate.

Another reservation I have with this legislation is its lack of any real welfare reform proposals. We all know of abuses within the system; abuses which should be eliminated. Work incentive programs are needed which go even further than providing better day care facilities in States not meeting reasonable minimal standards. I will direct my greater attention to these issues in the near future.

But, Mr. President, despite these reservations, I would like to again stress the importance and meaningfulness of this legislation. Despite our modus operandi in Congress, good ideas are formed and acted upon and I feel that most of the provisions of H.R. 3153 are clearly designed to help our senior citizens. As a member of the Special Committee on Aging, I feel a special responsibility for the elderly. Many write my office explaining the often dire circumstances they face trying to make ends meet during hard times. We all are suffering with the increased cost for goods and services, but few suffer as much as the elderly person in our youth-directed society. I am pleased that we did not turn a deaf ear to that suffering.

THE GENOCIDE CONVENTION

Mr. PROXMIRE. Mr. President, a common objection to ratification of the Genocide Convention is based on the theory that human rights is not an appropriate subject for an international treaty. Subscribers to this theory maintain that human rights are under the exclusive domain of individual nation-states; that the protection of human rights has no place in international affairs.

Mr. William Gerber, in a report en-

titled "The Human Rights Protection" contained in the Editorial Research Report Series, refutes this objection. In one concise passage, he traces the evolution of human rights in international treaties and demonstrates its vital role today. The Senate can carry this evolution one step further by giving its consent to the Genocide Convention.

Mr. President, in the Declaration of Independence our Founding Fathers set forth their dedication to the principles of human dignity. We must do no less than to reaffirm those principles to the world by speedy ratification of this treaty.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

TEMPORARY INCREASE IN PUBLIC DEBT LIMIT

The PRESIDING OFFICER. Under the previous order the Chair now lays before the Senate the unfinished business which the clerk will state.

The assistant legislative clerk read as follows:

H.R. 11104 to provide for a temporary increase of \$10.7 billion in the public debt limit and to extend the period to which this temporary debt limit applies to June 30, 1974.

The PRESIDING OFFICER. The pending question is on the motion to invoke cloture on the motion to insist on the Senate amendments to H.R. 11104 and request a conference on the disagreeing votes of the two Houses thereon, and that the Chair be authorized to appoint conferees on the part of the Senate.

Under the previous order the Senator from North Carolina is recognized.

Mr. HELMS. Mr. President, I ask unanimous consent that I may yield to the Senator from South Carolina without losing my right to the floor.

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

Mr. THURMOND. Mr. President, the Senate Select Committee on Presidential Campaign Activities in November, 1973, published a volume entitled "Election Reform—Basic References." This appears to be a very interesting publication and looking through it I observed several interesting articles. One article is entitled "Campaign Financing and Political Freedom" by Ralph K. Winter, Jr., in association with John R. Bolton.

I might say that Ralph K. Winter, Jr., is a professor of law at Yale Law School and an adjunct scholar at the American Enterprise Institute. John R. Bolton is a member of the Yale Law School Class of 1974 and an editor of the Yale Law Journal.

In reading this article, it seems to me it brings out some points that should be of interest to the Senate at this time, and therefore I should like to read the article into the Record:

The conviction that something has gone awry in our political process is again growing stronger in the United States Congress. In particular, the view that wealth has ex-

cessive influence on election results and that election campaigns are too costly seems almost a routine assumption. These claims come on the heels of the Federal Election Campaign Act of 1971, a restrictive law regulating the contribution and use of campaign money. That act has been greeted by constitutional authorities with comments ranging from "would seem to violate the First Amendment" to "flatly unconstitutional" and has been challenged by lawyers for the *New York Times* as "shot through with constitutional deficiencies."³ Hence considerable caution would seem warranted before federal regulation of campaign financing is expanded. Nevertheless, the Congress is seriously considering even more drastic legislation.

The principal proposals now under debate are relatively old and deceptively simple. In general outline they include a substantial subsidy from public funds to be given to federal candidates to pay all or part of their campaign costs.⁴ This subsidy would be complemented by legal limits on (1) the amount spent by a candidate or those furthering a candidacy and (2) the size of individual financial contributions to a candidate's campaign.

Such proposals are of critical importance. If adopted, they will alter the political process and may have results transcending the issue of campaign financing. Moreover, because they regulate campaign advocacy, they may interfere with freedom of expression.

The proposals ought, therefore, to be implemented only after a persuasive demonstration of necessity and after a weighing of all potentially undesirable effects. The position taken here is that the case for further regulation, when scrutinized, seems based on speculation rather than demonstrated fact, ignores the grave dangers to a free society such regulation threatens, and emanates in part from groups which have political interests of their own to further.

1. CAMPAIGN MONEY IN PERSPECTIVE

The functions of private campaign money

Much of the doomsday rhetoric accompanying discussions of campaign finance can be discounted as political exaggeration. Candidates seem never to lose because the public is indifferent to them or to their platforms; they seem to lose because they cannot raise enough money. Tom Wicker tells us that Fred Harris and Paul McCloskey saw their campaigns founder "for want of means to wage a primary campaign,"⁵ a statement that is true in the same sense that if a mayoral candidate in New York City were exposed as Martin Bormann, his withdrawal statement would mention only difficulties in raising campaign funds.

Lack of campaign money provides a face-saving exit from a delicate (losing) situation. Thus, many attributed Senator Humphrey's loss in the California primary to Senator McGovern's money, and his loss to President Nixon to Nixon's money.

No one denies that elections are expensive, but the importance of money is almost universally exaggerated. Although allegations about the high campaign costs of recent years are repeatedly made, we really do not know how much was spent before the days of television when campaign expenditures were neither open nor easily regulable. Even now, the estimated amount spent for all elective offices in 1972, national, state and local, was less than was spent by each of two commercial advertisers.⁶

Still, since campaigns are expensive, large contributions seem an easy way to gain favor. Potential donors may be reminded of their dependence on governmental decisions by public officials or their representatives; some individuals give seemingly inordinate

amounts; finally, continued allegations seem to have generated considerable skepticism about the financing of campaigns and to have eroded confidence in the political process.

Given all this, the case for regulation cannot be summarily dismissed, and the roles played by private campaign money must be carefully weighed. Certain functions are undesirable. Some donors doubtless make contributions hoping to obtain personal favors ranging from the trivial, for example, dinner invitations, to the malevolent. Awarding ambassadorships in return for large contributions is not the most desirable method of choosing American representatives to foreign nations. To exercise administrative discretion in favor of larger political contributors, for example, in awarding a government contract, is not only undesirable but in most cases illegal. Where the contribution follows a pointed reminder from a public official, governmental power is misused. Similarly, we feel uneasy when an otherwise undistinguished individual makes a serious stab at high office by expending a family fortune.

Horror stories illustrating the misuses of campaign money abound; but precisely because they horrify, they may obscure more than they illuminate. Many of the roles played by private campaign money are desirable, indeed, indispensable to a free and stable society.

Our threshold question must be whether money ought to play any role in politics. If we value freedom, the question can safely be answered affirmatively. All political activities make claims on society's resources. Speeches, advertisements, broadcasts, canvassing, and so on, all consume labor, newsprint, buildings, electrical equipment, transportation and other resources. Money is a medium of exchange by which individuals employ resources to put to personal use, to work for others, or to devote to political purposes. If political activities are left to private financing, individuals are free to choose which activities to engage in, on behalf of which causes, or whether to do so at all. When the individual is deprived of this choice, either because government limits or prohibits his using money for political purposes or takes his money in taxes and subsidizes the political activities it chooses, his freedom is impaired.

FOOTNOTES

¹ A. Rosenthal, *Federal Regulation of Campaign Finance: Some Constitutional Questions* (Princeton, N. J.: Citizens' Research Foundation (ed.), 1972), p. 63.

² Statement of Alexander Bickel, *ibid.*, p. 66.

³ Brief for *New York Times* as amicus curiae, p. 16, *American Civil Liberties Union v. Jennings*, Civil No. 1967-72 (D.D.C., 1972).

⁴ See, for example, S. 1103, 93d Congress, 1st session (1973); hereinafter referred to as the Hart bill, after its author, Senator Hart.

⁵ Tom Wicker, "Subsidizing Politics," *New York Times*, June 8, 1973, p. 39, col. 5.

⁶ Statement of Herbert E. Alexander, *Hearings on S. 372 before the Subcommittee on Communications of the Senate Committee on Commerce*, 93d Congress, 1st session (1973), p. 219; hereinafter referred to as *Hearings*.

Mr. President, I ask unanimous consent, without my losing the floor, that we may have a quorum call.

The PRESIDING OFFICER (Mr. CLARK). Is there objection to the request of the Senator from South Carolina?

Mr. ALLEN. Mr. President, reserving the right to object, I would like to ask the distinguished Senator from South Carolina if he would agree that on the calling off of the quorum call the Senator from Alabama be recognized for the purpose of introducing a motion to re-

cede. I might state that this request is made with the knowledge and at the suggestion of the majority leader.

Mr. GRIFFIN. Mr. President, would the distinguished Senator from Alabama yield for a question?

Mr. ALLEN. I yield.

Mr. GRIFFIN. Mr. President, would that be a similar motion to that which was made last night, as stated in the press?

Mr. ALLEN. It was filed after the Senate adjourned.

Mr. GRIFFIN. It would allow the Senate to pass the bill and get the debt ceiling behind us and allow the Senate on some other occasion to consider campaign financing in the regular and orderly way.

Mr. ALLEN. The Senator is correct.

Mr. THURMOND. Mr. President, I am willing to yield to the Senator from Alabama for that purpose. I ask unanimous consent that after the quorum call is had, I may be allowed to yield to the Senator from Alabama for that purpose.

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

Mr. MANSFIELD. Mr. President, reserving the right to object, do I understand that what the Senator is asking is that he be recognized after the motion is made by the distinguished Senator from Alabama?

The PRESIDING OFFICER. After the disposition of the quorum call.

Mr. THURMOND. Mr. President, I will state it over so that there will be no misunderstanding. I ask unanimous consent that we have a quorum call, and that upon the disposition of the quorum call, the Senator from Alabama be permitted to make a motion, and that after that motion, I may resume.

Mr. MONDALE. Mr. President, reserving the right to object, on the consideration of the motion of the Senator from Alabama, is full debate permissible?

The PRESIDING OFFICER. It is a debatable motion. Is there objection to the request of the Senator from South Carolina? Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, would the Senator from South Carolina allow the quorum call to go for 6 or 7 minutes?

Mr. THURMOND. I have no objection. I want it understood that I am yielding to the Senator from Alabama but that I have the floor when all of this is completed.

CALL OF THE ROLL

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk called the roll and the following Senators answered to their names:

[No. 542 Leg.]

Allen	Ervin	Pastore
Bayh	Fannin	Pearson
Beall	Griffin	Pell
Bible	Hansen	Roth
Buckley	Hart	Stafford
Byrd, Robert C.	Long	Stevens
Clark	Mansfield	Thurmond
Curtis	Mondale	Tower
Dole	Muskie	Williams
Dominick	Nunn	

The PRESIDING OFFICER. A quorum is not present.

Mr. ROBERT C. BYRD. Mr. President, I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

After some delay, the following Senators entered the Chamber and answered to their names:

Alken	Hatfield	Randolph
Bennett	Hathaway	Ribicoff
Bentsen	Hruska	Schweiker
Biden	Jackson	Scott
Brock	Kennedy	William L.
Brooke	Magnuson	Sparkman
Case	McClellan	Taft
Church	McIntyre	Talmadge
Domenici	Metcalf	Tunney
Eastland	Moss	Weicker
Fong	Nelson	
Gravel	Proxmire	

Mr. ROBERT C. BYRD. I announce that the Senator from South Dakota (Mr. ABOUREZK), the Senator from North Dakota (Mr. BURDICK), the Senator from Nevada (Mr. CANNON), the Senator from Florida (Mr. CHILES), the Senator from California (Mr. CRANSTON), the Senator from Missouri (Mr. EAGLETON), the Senator from Arkansas (Mr. FULBRIGHT), the Senator from Indiana (Mr. HARTKE), the Senator from Colorado (Mr. HASKELL), the Senator from South Carolina (Mr. HOLLINGS), the Senator from Kentucky (Mr. HUDDLESTON), the Senator from Iowa (Mr. HUGHES), the Senator from Hawaii (Mr. INOUE), the Senator from Louisiana (Mr. JOHNSTON), the Senator from Wyoming (Mr. McGEE), the Senator from South Dakota (Mr. McGOVERN), the Senator from New Mexico (Mr. MONTOYA), the Senator from Mississippi (Mr. STENNIS), the Senator from Illinois (Mr. STEVENSON), the Senator from Virginia (Mr. HARRY F. BYRD, JR.), the Senator from Minnesota (Mr. HUMPHREY) are necessarily absent.

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

Mr. GRIFFIN. I announce that the Senator from Tennessee (Mr. BAKER), the Senators from Oklahoma (Mr. BARTLETT and Mr. BELLMON), the Senator from Florida (Mr. GURNEY), the Senator from New York (Mr. JAVITS), the Senator from Maryland (Mr. MATHIAS), the Senator from Ohio (Mr. SAXBE), and the Senator from Pennsylvania (Mr. HUGH SCOTT) are necessarily absent.

Also, the Senator from Kentucky (Mr. COOK), the Senator from North Carolina (Mr. HELMS), the Senator from Illinois (Mr. PERCY), and the Senator from North Dakota (Mr. YOUNG) are necessarily absent.

The Senator from New Hampshire (Mr. COTTON) is absent because of illness in his family.

The Senator from Idaho (Mr. MCCLURE) and the Senator from Oregon (Mr. PACKWOOD) are absent on official business.

The Senator from Arizona (Mr. GOLDWATER) is absent by leave of the Senate on official business.

The PRESIDING OFFICER (Mr. CLARK). A quorum is present.

Under the previous order, the distinguished Senator from Alabama (Mr. ALLEN) has the floor.

Mr. ALLEN. Mr. President, I do not plan to discuss this issue at great length because we have already discussed it somewhat. But I do want to point out again the predicate for offering the motion that I intend to offer in just a moment.

The fact is that the House sent us a simple debt limit bill consisting of 13 lines. It came over to the Senate and the Senate added 122 pages of amendments. It went back to the House and the Senate requested a conference and the House ignored that request. The House refused to dignify our amendments by amending them and sending them back. They just sent back their bill again.

The motion that the Senator from Alabama wishes to make is the motion which he made last night.

By the way, I noticed no reference whatsoever in the press to the fact that that motion was made, even though it was the key motion that was made throughout the entire proceedings on this bill.

A motion to recede from the Senate amendments, if that motion is carried, will result in final passage of the bill. So that it is not the Senator from Alabama and those who are opposed to this campaign subsidy bill who are keeping the debt limit bill from passing, but those who favor the campaign subsidy bill.

This motion constitutes final passage of the bill. It is the hope of the Senator from Alabama that those who favor campaign spending will not do as they did last night and, by parliamentary maneuver and a motion to table, prevented the Senate's taking action up or down on that motion.

I hope that, now that we have a quorum present, the Senate will face up to its responsibility of voting up or down on whether the bill shall pass.

I am not trying to throw any obstructions in the way of passage of the bill. I advocate passage of the bill and am going to offer a motion in just a moment that would allow the Senate to pass the bill if it wants to. I hope it will not be filibustered. I hope that by parliamentary tactics or motions to table, the consideration of this bill by the Senate will not be prevented.

Mr. GRIFFIN. Mr. President, will the Senator from Alabama yield?

Mr. ALLEN. I yield.

UNANIMOUS-CONSENT REQUEST

Mr. GRIFFIN. I wish to make a unanimous-consent request and I ask that Senators listen carefully.

Let me point out that, if the unanimous-consent request should be agreed to, I would not make the motion contemplated at this time but would make it following the vote on the motion which the Senator from Alabama is about to make.

I believe agreement to my request would open up another way—a fair way—of resolving the problem in which the Senate is embroiled. Accordingly, I hope there will be no objection.

My suggestion in the form of a request is this:

Mr. President, I ask unanimous consent that it be in order to move to recede from the Senate amendments except the Senate amendment relating to the public financing of Presidential campaigns, and with respect to that motion Senators prominently regarded as candidates for President be recorded as voting "present" in recognition of their obvious conflict of interest, with the understanding that any Senator prior to the vote may file a statement with the clerk of the Senate declaring that he is not, and will not be a candidate for President.

The PRESIDING OFFICER. Is there objection?

Mr. LONG. Mr. President, I object.

Mr. GRIFFIN. The Senator from Louisiana is objecting?

Mr. LONG. Mr. President, I am not aware that I am being prominently considered for the office of President of the United States, but one can never tell when lightning might strike. [Laughter.]

Mr. ALLEN. Regular order, Mr. President.

The PRESIDING OFFICER. Regular order is called for.

Mr. ALLEN. Mr. President, the motion at the desk will give the Senate an opportunity to pass the debt limit bill in a matter of 30 seconds, if it so desires. I hope the press will give notice of the fact that an opportunity is being given for the passage of this bill by 11:15 a.m., with no filibuster on the part of the Senator from Alabama. If this motion is going to be filibustered at all or if parliamentary tactics are to be used against it, it will be by those who favor the campaign subsidy.

Mr. President, I call up the motion at the desk and ask that it be stated.

The PRESIDING OFFICER. The motion will be stated.

The legislative clerk read as follows:

Mr. ALLEN. Mr. President, I move that the Senate recede from its amendments on H.R. 11104.

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

The yeas and nays were ordered.

Mr. MONDALE. Mr. President, there is an underlying motion before the Senate which would permit the Senate and Congress to deal with the question of extending the temporary debt ceiling in a way that would permit the Government to manage its financial business and at the same time face up to what I consider to be the most compelling, profound, and moral issue arising out of Watergate—namely, the clear disclosures of the compromise and corruption which arise out of the present system of uncontrolled, private financing of Presidential campaigns.

Any person who listened at all to the disclosures in Watergate realizes that democracy itself is threatened by a continuation of the present system, which permits persons who wish to do so, and who have sufficient wealth, to compromise and sometimes corrupt the decisions of American Government, in exchange for large and sometimes massive campaign gifts.

It also shows that an incumbent President who is willing to do so can use the enormous powers of Government over every aspect of American life and business to force and even extort from Americans vast quantities of money for purposes of funding a campaign, and possibly for other purposes, by threatening governmental decisions which could adversely affect a commercial or some other interest.

This is not speculation. It is a matter of record. These are conclusions which have been made by, among others, businessmen who themselves have been shaken down and asked to make massive contributions in circumstances where they felt compelled to make such contributions; otherwise, harsh Government actions against their interests would be forthcoming.

Because of this threat to American democracy, which had become opposed by an overwhelming majority of American citizens, the Senate acted, after long and serious debate, to adopt a strong, comprehensive public financing proposal dealing with Presidential and congressional campaigns.

It is a blended system, which permits limited private campaign contributions under carefully controlled circumstances, to make certain that it is clear and uncompromising. It is also a system which permits and requires public funding of congressional and Presidential campaigns. It is a proposal which passed the Senate by a very strong margin. It was attached as a mandate to the debt ceiling bill, also by a very strong margin. I think the Senate acted wisely and responsibly, by very strong margins, in doing so.

This is the time to act. The public now sees that corruption and compromise are almost inevitable under the present system. The public realizes that the problem is getting worse, not better, and that if we fail to act now, there is a good chance that what we have seen in Watergate will not be an end, but the beginning, of a sordid picture by which the American Government is put up for sale to the highest bidder—what we might call a Buy America campaign. This must stop, and must stop now, if we are to do anything to restore public confidence at this time.

Mr. President, there was a time when many conservative columnists and others opposed this proposal; but I think that under the pressure of the present system, we now see a dramatic change.

Mr. Spater, president of American Airlines, testified that he wants public financing. He did so on the basis of his experience, which was that fund raisers for the administration came to him and demanded that he make a contribution of \$100,000. The person who approached him was a personal lawyer to the President and, more than that, counsel for an opposing airline. The president of American Airlines testified that, under the circumstances, he felt he had no choice. He felt that he had no choice but to contribute in order to prevent a Government decision which might be very serious and adverse to American Airlines. He then concluded that we could not continue with this present form of extorted, pri-

vate giving; that we needed to change to some system of public financing.

Mr. Spater has been joined in his position by such people as Henry Ford, and others. We see columnists such as James Kilpatrick, who said in a recent column that he had opposed public financing for a good part of his lifetime, but had come to the conclusion that public financing was essential if we wanted a government which was the best of democracy, and not open to a system of enormous private financing, designed to twist and compromise the decisions of American Government.

So increasingly the American public realizes that what is at stake here is nothing less than the objective of a government which is by the people, of the people, for the people. Either we clean up our present system of financing American campaigns or we are going to be in the position where our Government will be up for sale. I think increasingly that is the situation today.

Now, in terms of the posture of the present parliamentary situation, I believe it is obvious that we have a filibuster under way. Yesterday when the question was asked of the distinguished Senator from Alabama as to whether he intended to let the Senate vote on the motion of the manager of the bill (Mr. Long) the Senator from Alabama said, "Well, in the spirit of Operation Candor, I will say no." Mr. President, you might be able to explain it in other words, but it is a filibuster. It is designed to prevent the Senate from voting on the motion of the Senator from Louisiana and the reason it is designed to prevent us from voting is that it is known that a majority of the Senate clearly supports the action we took this week, and wishing to act not only on the question of the debt ceiling, but at the same time on the honesty and integrity of American elections. That strategy is still in effect here, in my opinion, and that is why it has been necessary to file a cloture motion, which is returnable Sunday, and probably another will be filed today returnable Monday, if necessary.

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

Mr. MONDALE. I yield.

Mr. BIDEN. Is it the Senator's understanding that one of the additional reasons justifying the actions being taken today and yesterday to force us to relent with regard to public financing is that we need more study of this subject? I have heard that mentioned by the opposition a number of times. Is that part of the understanding? Has the Senator heard that?

Mr. MONDALE. I have heard that again and again, but I am somewhat unimpressed by that.

Mr. BIDEN. I was concerned about that yesterday when I heard it. I have been here only about 11 months. I have heard it. Yesterday when I returned to my office I was querying my administrative assistant about this matter. He did a little research. He came up with an interesting resolution. I refer to Senate resolution No. 132, in the Senate, July 6, 1949. The resolution was submitted by Henry Cabot Lodge, and I would like to read it:

RESOLUTION

Resolved, That the Senate Committee on Rules and Administration is authorized and directed to make a full and complete study and investigation for the purpose of obtaining such information with respect to the problems involved in financing with governmental funds Presidential election campaigns in the United States as may be necessary to enable the committee to formulate and report to the Senate at the earliest practicable date a bill providing for such method of financing Presidential election campaigns.

In submitting that resolution, there were remarks by Mr. Lodge. He said:

Mr. LODGE. Mr. President, I submit for appropriate reference a resolution which requires the Committee on Rules and Administration of the Senate to study, formulate, and report to the Senate legislation providing for the public financing of presidential campaigns to the exclusion of all other methods of financing, and I ask unanimous consent that an explanatory statement by me, together with three newspaper articles may be printed in the Record.

I will read one further paragraph from Senator Lodge's statement:

There is probably not a man in public life today who does not realize that our system of financing presidential campaigns by means of contributions from individuals and officers of corporations has led in the past—and continues to lead today—to most unfortunate, unhealthy, and sometimes pernicious results. This is because many of those who make these contributions do so in the expectation that there will be value received in return for their generosity. This may take differing forms, one of which is an appointment to some executive post in the Government.

Mr. MONDALE. What year was that resolution?

Mr. BIDEN. That was 1949. As I said, I am a young man and I guess I am a little impatient; but I think we should not wait another 20 or 30 years before we get down to the issue.

Mr. MONDALE. As the Senator from Delaware knows, President Theodore Roosevelt called for public financing of Presidential elections in 1902 and 1903. I forget the exact date. His statement is a matter of record. Measures of this kind have been introduced and hearings have been held. There have been discussions among private groups, such as Common Cause and many, many others involved in this subject. The labor movement and leadership in the business community is increasingly calling for it.

The Senate had a debate and had several votes on this measure this week. It was very seriously considered and overwhelmingly adopted by the Senate. Discussions have been had with the House leadership. It is my understanding that insofar as the leadership is concerned, they are prepared to accept a compromise proposal for public financing of Presidential elections and we can go on and study further the question of congressional public financing.

The Senate in 1967, I think that is the year, adopted the dollar checkoff. I think we debated it for 6 weeks. We debated the whole principle of public financing and that was adopted at that time.

Mr. BIDEN. I hope if we get by this, and it gets to the position of compromise in the House, it is not suggested,

as the distinguished minority whip, the Senator from Michigan, suggested that only those who will not be candidates for President be able to vote on it. I daresay I would be the only Senator in this body who would be able to vote, since I am the only one who is constitutionally unable to run for that office in 1976.

Mr. RANDOLPH. Mr. President, if the Senator will yield, I ask most respectfully when he believes we will have an opportunity to vote on the motion. We are ready.

Mr. MONDALE. I think it will be very shortly. We wanted to develop these positions.

Mr. RANDOLPH. I appreciate the response.

Mr. MONDALE. We already have one or two votes. We are not trying to delay a vote, but we think some of these issues should be amplified.

I would say further to the Senator from Delaware that the other day in Disneyland, the President of the United States said he would like to spend some of his time cleaning up American politics; and, if you really want to clean up American politics, you have to begin with the question of money. This is the dark side of the political moon. Every Member of the Senate knows it. We all know it is an issue that has to be dealt with, and that is what we are trying to do here; deal with the question of cleaning up American politics. If we do not do it now, the public mood could change, and it could be many, many years, such as happened following the introduction of the resolution by Senator Lodge, before we can again seriously take up this question of cleaning up American politics, and by that time I think the nature of this trend would be so serious that democracy itself could be threatened.

I think that the American people will perhaps be living closer to their homes in the coming months and years and will find these suggested remedies of value.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I seek recognition.

The PRESIDING OFFICER. The Senator from Montana is recognized.

CLOTURE MOTION

Mr. MANSFIELD. Mr. President, I send to the desk a cloture motion and ask that it be read.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair, without objection, directs the clerk to read the motion.

The legislative clerk read the cloture motion as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, hereby move to bring to a close the debate upon the motion to insist on the Senate amendments, request a conference with the House on the disagreeing votes of the two Houses, and authorize the Chair to appoint conferees on the bill H.R. 11104, an act to provide for a temporary increase of \$10,700,000,000 in the public debt limit and to extend the period

to which this temporary limit applies to June 30, 1974.

Mike Mansfield	Claiborne Pell
Robert C. Byrd	Charles Percy
Edward M. Kennedy	Edmund S. Muskie
Mike Gravel	William D. Hathaway
Walter F. Mondale	Lloyd Bentsen
John O. Pastore	James Abourezk
Gaylord Nelson	Abraham Ribicoff
Alan Cranston	Henry M. Jackson
Hubert H. Humphrey	Daniel K. Inouye

UNANIMOUS-CONSENT REQUEST

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate adjourns today it adjourn to 1 o'clock tomorrow afternoon.

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

Several Senators addressed the Chair.

Mr. MANSFIELD. Mr. President, I ask unanimous consent at the same time that the cloture vote occur at 2 o'clock or thereabouts, approximately.

Mr. ROBERT C. BYRD. Mr. President, reserving the right to object—

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

Mr. TAFT. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

ADJOURNMENT

Mr. MANSFIELD. Mr. President, I move that the Senate adjourn.

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

The PRESIDING OFFICER. Is there a sufficient second? [putting the question]. There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion to adjourn. On this question the yeas and nays have been ordered and the clerk will call the roll.

The legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from South Dakota (Mr. ABOUREZK), the Senator from North Dakota (Mr. BURDICK), the Senator from Florida (Mr. CHILES), the Senator from California (Mr. CRANSTON), the Senator from Missouri (Mr. EAGLETON), the Senator from Arkansas (Mr. FULBRIGHT), the Senator from Indiana (Mr. HARTKE), the Senator from Colorado (Mr. HASKELL), the Senator from South Carolina (Mr. HOLLINGS), the Senator from Kentucky (Mr. HUDDLESTON), the Senator from Iowa (Mr. HUGHES), the Senator from Hawaii (Mr. INOUE), the Senator from Louisiana (Mr. JOHNSTON), the Senator from Wyoming (Mr. MCGEE), the Senator from South Dakota (Mr. MCGOVERN), the Senator from New Mexico (Mr. MONTOYA), the Senator from Nevada (Mr. CANNON), the Senator from Mississippi (Mr. STENNIS), the Senator from Virginia (Mr. HARRY F. BYRD, JR.), the Senator from Minnesota (Mr. HUMPHREY), and the Senator from Illinois (Mr. STEVENSON) are necessarily absent.

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

Mr. GRIFFIN. I announce that the

Senator from Tennessee (Mr. BAKER), the Senators from Oklahoma (Mr. BARTLETT and Mr. BELLMON), the Senator from Florida (Mr. GURNEY), the Senator from New York (Mr. JAVITS), the Senator from Maryland (Mr. MATHIAS), the Senator from Ohio (Mr. SAXBE), and the Senator from Pennsylvania (Mr. HUGH SCOTT) are necessarily absent.

Also, the Senator from Kentucky (Mr. CLARK), the Senator from North Carolina (Mr. HELMS), the Senator from Illinois (Mr. PERCY), and the Senator from North Dakota (Mr. YOUNG) are necessarily absent.

The Senator from New Hampshire (Mr. COTTON) is absent because of illness in his family.

The Senator from Idaho (Mr. McCLEURE) and the Senator from Oregon (Mr. PACKWOOD) are absent on official business.

The Senator from Arizona (Mr. GOLD-

WATER) is absent by leave of the Senate on official business.

The yeas and nays resulted—yeas 34, nays 28, as follows:

[No. 543 Leg.]

YEAS—34

Bayh	Jackson	Pearson
Bentsen	Kennedy	Pell
Bible	Long	Proxmire
Biden	Magnuson	Randolph
Brooke	Mansfield	Ribicoff
Byrd, Robert C.	McIntyre	Schweiker
Case	Metcalfe	Sparkman
Church	Mondale	Stafford
Clark	Moss	Tunney
Gravel	Muskie	Williams
Hart	Nelson	
Hathaway	Pastore	

NAYS—28

Aiken	Domenici	Hatfield
Allen	Dominick	Hruska
Beall	Eastland	McClellan
Bennett	Ervin	Nunn
Brock	Fannin	Roth
Buckley	Fong	Scott
Curtis	Griffin	William L. Stevens
Dole	Hansen	

Taft	Thurmond	Weicker
Talmadge	Tower	
Abourezk	Fulbright	Mathias
Baker	Goldwater	McClure
Bartlett	Gurney	McGee
Bellmon	Hartke	McGovern
Burdick	Haskell	Montoya
Byrd	Helms	Packwood
Harry F., Jr.	Hollings	Percy
Cannon	Huddleston	Saxbe
Chiles	Hughes	Scott, Hugh
Cook	Humphrey	Stennis
Cotton	Inouye	Stevenson
Cranston	Javits	Symington
Eagleton	Johnston	Young

The PRESIDING OFFICER (Mr. CLARK). On this vote, there are 34 yeas and 28 nays. The motion to adjourn having been agreed to, the Senate stands in adjournment until 10 o'clock tomorrow morning.

Whereupon, at 11:58 a.m. the Senate adjourned until tomorrow, Sunday, December 2, 1973, at 10 a.m.

EXTENSIONS OF REMARKS

HONORING LES ARENDS

HON. EDWARD R. MADIGAN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, November 30, 1973

Mr. MADIGAN. Mr. Speaker, the resignation announcement of our colleague, the leader of the Illinois Republican delegation and the Republican whip, LES ARENDS, was shocking to all of us.

But, we understand his reasons and wish him well, knowing that his service will be available to us as a friend.

A newsman who has known LES ARENDS many, many years, Mr. Ed Borman, the news editor of the News-Gazette in Champaign, Ill., authored an article that puts the service of LES ARENDS in proper perspective.

The full text of the article follows:

SIX U.S. PRESIDENTS KNEW LES ARENDS

(By Ed Borman)

Many neighbors, friends and constituents never fully understood the importance of Les Arends of Melvin, Ill. (population 550), in Washington.

Six presidents of the United States—Roosevelt, Truman, Eisenhower, Kennedy, Johnson and Nixon—understood it better.

Ever since President Roosevelt wanted a draft law because he realized the United States soon would be involved in World War II, every president has had to deal with Congressman Arends when national security was involved. He has been on the Armed Services Committee since he was first elected to Congress in 1934. He said it wasn't easy to do, but Congressman Arends cast the deciding vote when the draft law was passed shortly before Pearl Harbor.

In 1969, astronauts planted on the moon a disc that listed Sen. Everett McKinley Dirksen and Congressman L. C. Arends among the congressional leaders who made it possible for Americans to reach the moon.

Still, in his native Ford County, he was just "Les"—a tall, ageless man whose father started the bank and the elevator and whose reelection to Congress was just taken for granted long before most voters were born.

As he dropped into the grain elevator in Melvin or hailed people by their first name

on the streets of Gibson City or Paxton, the home folks sometimes were inclined to criticize "Les" because he didn't "get home" as often as they thought he should.

They had to be reminded that, while they were sleeping, he was flying back to Washington—perhaps to have breakfast with the President of the United States.

More than once, this newsman has driven him to airports in a beatup Chevrolet because the congressman didn't want to use an official car and make a "big deal" about being at the White House the next morning.

Nevertheless, Arends has been Republican whip of the House since 1943—longer than anyone in United States history. No matter what a president's politics, he had to deal with Les Arends when congressional chips were down.

Arends played many rounds of golf with President Eisenhower at Burning Tree Country Club. Those were happy days for him.

In 1946, he took a personal interest in a freshman congressman from California, Richard M. Nixon, and saw him become vice president in 1952.

After Nixon was defeated for president in 1960 and for governor of California, Arends was among a half dozen Republican leaders who convinced Nixon that he was not "through."

Arends' happiest moment came in January 1969 when he watched his close friend sworn in as President. His greatest regret was that he could not deliver a Republican majority in Congress to support President Nixon, but as Republican whip he made the most of the votes he could round up. He had a great knack of picking up Democratic votes, particularly from the South, when he really needed them.

The Illinois legislature did a bad thing to Congressman Arends when it reapportioned the state's congressional districts in 1971. It changed his district so that it extended north to Lake Michigan. Over 86 per cent of the people in this district were "new" to him. He had not sought their votes before.

There aren't many votes in Ford County. In his long career, Arends had built unbeatable strength in population centers like Bloomington, Kankakee, and Danville. When Joliet was added to his district, he took that in stride. But in 1972, he realized he had to win in places like Aurora, Batavia, Geneva, La-Salle, Peru, and DeKalb.

The temptation to retire in 1972 at age 76 after 38 years in Congress was strong.

President Nixon called Congressman Arends to the White House and personally asked him to stay on the job because "I need you." That was all it took to send a 76-year-old congressman out to beat a 33-year-old city councilman from Aurora, who challenged him in the 1972 GOP primary.

"On him depends a lot of what the future of the world is going to be."

Those who knew the Congressman well believed then that Arends' commitment to President Nixon was that he would stay on the job through 1976—even though it meant another campaign for reelection in 1974.

That's why it was hard to believe Thursday morning when the "bulletin" from Washington came over the news wires: "Congressman Leslie C. Arends, 78, announced today he will not seek reelection in 1974."

Close confidantes were as surprised as his congressional colleagues.

Only the week before, Arends was a guest at a reception in his honor at Morris. The affair had all the earmarks of a pre-campaign event for an "old war horse" who was ready to go to the polls again.

Mr. Arends had been about his duties as House whip the night before he made his announcement on the House floor. Many men half his age can't keep up with him, so his decision can hardly be attributed to "health."

Watergate and other events of the last year obviously have troubled him, but the congressman said only that he wants to spend more time with his wife and only daughter. Those who know him well doubt that he'll ever say much more.

After all, when a man is 78 and has served his nation as Mr. Arends has for 40 years, who can quarrel with a decision that he has had enough?

A newsman can only look back to something he wrote Feb. 28, 1972: "There is a chilling thought these days for Republicans—from President Nixon down to the precinct committeeman of Peach Orchard Township in Melvin, Ford County, Ill. . . . They could lose Congressman L. C. Arends."

A newsman, who has known Congressman Arends for more than 30 years, can look back to February 1972, when Congressman Gerald Ford of Michigan, then Republican leader of the House and now vice president-designate—came to Ford County to campaign with Arends.

Congressman Arends declared that night: One of the real motivating reasons for being in Congress today is that I have such confidence, belief and trust in Dick Nixon.