duced plants to make them available to the public, providing protection available to those who breed, develop, or discover them, and thereby promoting progress in agriculture in the public interest;

S. 3418. An act to amend the Public Health Service Act to provide for the making of grants to medical schools and hospitals to assist them in establishing departments and programs in the field of family practice, and otherwise to encourage and promote the training of medical and paramedical personnel in the field of family medicine and to provide for a study relating to causes and treatment of malnutrition;

S. 3479. An act to amend section 2 of the Act of June 30, 1954, as amended, providing for the continuance of civil government for the Trust Territory of the Pacific Islands; and

S. 4083. An act to modify and enlarge the authority of Gallaudet College to maintain and operate the Kendall School as a demonstration elementary school for the deaf to serve primarily the National Capital region, and for other purposes.

ADJOURNMENT

Mr. ANDERSON of California. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 17 minutes p.m.), under its previous order, the House adjourned until Monday, December 14, 1970, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2608. A letter from the Chairman, Migratory Bird Conservation Commission, transmitting the annual report of the Commission for fiscal year 1970, pursuant to 16 U.S.C. 715b; to the Committee on Agriculture.

2609. A letter from the Director, Office of Management and Budget, Executive Office of the President, transmitting a report on the operation of section 501 of the Second Supplemental Appropriations Act, 1970, which establishes a limitation on budget outlays for fiscal year 1971 (H. Doc. No. 91-426) to the Committee on Appropriations and ordered to be printed.

2610. A letter from the Chairman, Indian Claims Commission, transmitting a report that proceedings have been finally concluded with respect to docket No. 227, *Pueblo of Laguna, et al., Plaintiffs,* v. *The United States of America, Defendant,* pursuant to 25 U.S.C. 70t; to the Committee on Interior and Insular Affairs.

2611. A letter from the chairman, Federal Trade Commission, transmitting the 55th-annual report of the Commission, covering fiscal year 1969; to the Committee on Interstate and Foreign Commerce.

2612. A letter from the Secretary of the Army, transmitting a draft of proposed legislation to amend the Flood Control Act of 1960, as amended, relating to the compilation and dissemination of information on floods and flood damages; to the Committee on Public Works.

2613. A letter from the Administrator, Environmental Protection Agency, transmitting notice of the Agency's intention to submit a report on an "investigation and study of the feasibility of all methods of financing the cost of preventing, controlling, and abating water pollution, other than methods authorized by existing law," due by December 31, 1970, under section 109 of the Water Quality Improvement Act of 1970, after that date but before June 30, 1971; to the Committee on Public Works.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. FLOOD: Committee of Conference. Conference report on H.R. 18515 (Rept. No. 91-1729). Ordered to be printed.

Mr. BOLAND: Committee of Conference. Conference report on H.R. 17755 (Rept. No. 91-1730). Ordered to be printed.

Mr. HOLIFIELD: Committee on Government Operations. The role and effectiveness of Federal advisory committees (Rept. No. 91-1731). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. GUDE:

H.R. 19943. A bill to facilitate and encourage cooperation between the United States and certain defense contractors engaged in the furnishing of defense material to the United States in providing for an orderly conversion from defense to civilian production, and to assure, through such cooperation, that the United States and such defense contractors will be able to meet the challenge arising out of the economic conversion and diversification required by reason of the changing defense needs of the United States to provide for such an orderly conversion in an effort to minimize, to the extent possible, the hardships and other disruptive factors likely to be encountered by defense workers and their families as a result thereof; to the Committee on Interstate and Foreign Commerce.

By Mr. SCHERLE:

H.R. 19944. A bill to provide that preliminary payments shall not be less than 32 cents per bushel, for corn; to the Committee on Agriculture.

By Mr. FRASER (for himself, Mr. BROOKS, Mr. EDWARDS of California, and Mr. ST GERMAIN):

H.R. 19945. A bill to provide an additional period of time for review of the basic national rail passenger system; to postpone for 6 months the date on which the National Railroad Passenger Corporation is authorized to contract for provision of intercity rail passenger service; to postpone for 6 months the date on which the Corporation is required to begin providing intercity rail passenger service and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. RYAN:

H.R. 19946. A bill to amend title 38, United States Code, to guarantee veterans' loans to purchase dwellings in multifamily structures which are owned cooperatively; to the Committee on Veterans' Affairs.

H.R. 19947. A bill to amend the Internal Revenue Code of 1954 to allow a deduction from gross income for donations of blood or body organs to nonprofit organizations or institutions; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. ADDABBO:

H.R. 19948. A bill for the relief of Baldassare Mangiaracina; to the Committee on the Judiciary.

By Mrs. MINK:

H.R. 19949. A bill for the relief of Louis Teipoonui Gooding; to the Committee on the Judiciary.

By Mr. RYAN:

H.R. 19950. A bill for the relief of Juan Manuel Di Bono; to the Committee on the Judiciary.

SENATE—*Friday, December 11, 1970*

The Senate met at 11 a.m. and was called to order by Hon. THOMAS J. McINTYRE, a Senator from the State of New Hampshire.

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

Ever-living God, as we bow in this place of prayer and of labor, may Thy mercies which are new every morning come upon us now to refresh us and restore us for the unfinished work. Undergird by Thy renewing power the bodies, minds, and spirits which are Thy good gifts to us and energize us for this new day.

Look upon this good land in this hour and bring reconciliation out of division, harmony out of discord, unity out of diversity. Confirm our faith once more in the supremacy of spiritual verities and in those holy principles of our spiritual kinsmen, the Founding Fathers, lest in troubled and unsure times we go astray. Guide us through this day by Thy higher wisdom and when it is over bring us safe to rest in the knowledge of work well done for all the people.

In Thy holy name we pray. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

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

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., December 11, 1970.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. THOMAS J. McINTYRE, a Senator from the State of New Hampshire, to perform the duties of the Chair during my absence.

RICHARD B. RUSSELL,
President pro tempore.

Mr. McINTYRE thereupon took the chair as Acting President pro tempore.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr Berry, one of its reading clerks, announced that the House had agreed to the report of the committee

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of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3867) to assure opportunities for employment and training to unemployed and underemployed persons, to assist States and local communities in providing needed public services, and for other purposes.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following bills and they were signed by the Acting President pro tempore (Mr. McINTYRE):

S. 703. An act for the relief of Arthur Jerome Olinger, a minor, by his next friend, his father, George Henry Olinger, and George Henry Olinger, individually;

S. 1366. An act to release the conditions in a deed with respect to a certain portion of the land heretofore conveyed by the United States to the Salt Lake City Corp.;

H.R. 2214. An act for the relief of the Mutual Benefit Foundation;

H.R. 2335. An act for the relief of Enrico DeMonte;

H.R. 2477. An act for the relief of Commander John N. Green, U.S. Navy;

H.R. 3571. An act for the relief of Miloye M. Sokitch;

H.R. 4239. An act to amend the Tariff Schedules of the United States so as to prevent the payment of multiple customs duties in the case of horses temporarily exported for the purpose of racing;

H.R. 4634. An act for the relief of Lawrence Brink and Violet Nitschke;

H.R. 7267. An act to require the Foreign Claims Settlement Commission to reopen and redetermine the claim of Julius Deutsch against the Government of Poland, and for other purposes;

H.R. 7830. An act for the relief of James Howard Giffin;

H.R. 9488. An act for the relief of Mrs. Ruth Brunner;

H.R. 10153. An act for the relief of Frances von Wedel;

H.R. 10634. An act to amend the Interstate Commerce Act and the Federal Aviation Act of 1958 in order to exempt certain wages and salaries of employees from withholding for income tax purposes under the laws of States or subdivisions thereof other than the State or subdivision of the employee's residence;

H.R. 12173. An act for the relief of Mrs. Francine M. Welch;

H.R. 12979. An act to amend title 5, United States Code, to revise, clarify, and extend the provisions relating to court leave for employees of the United States and the District of Columbia;

H.R. 14684. An act for the relief of the State of Hawaii;

H.R. 17582. An act to amend the peanut marketing quota provisions to make permanent certain provisions thereunder; and

H.R. 17923. An act making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1971, and for other purposes.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Thursday, December 10, 1970, be dispensed with.

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

ORDER FOR RECOGNITION OF SENATOR YOUNG OF OHIO ON MONDAY, DECEMBER 14, 1970

Mr. MANSFIELD. Mr. President, I ask unanimous consent that after disposition of the Journal on Monday next, the distinguished Senator from Ohio (Mr. YOUNG) be recognized for not to exceed 15 minutes.

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

COMMITTEE MEETINGS DURING SENATE SESSION

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

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

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider nominations on the Executive Calendar, with the exception of the last nomination on the list.

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

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

DISTRICT OF COLUMBIA PUBLIC SERVICE COMMISSION

The legislative clerk read the nomination of Jeremiah Colwell Waterman, of the District of Columbia, to be a member of the Public Service Commission of the District of Columbia.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is considered and confirmed.

DEPARTMENT OF JUSTICE

The legislative clerk read the nomination of Robert C. Mardian, of California, to be an Assistant Attorney General.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is considered and confirmed.

U.S. CIRCUIT COURTS

The legislative clerk read the nomination of Donald R. Ross, of Nebraska, to be a U.S. circuit judge for the eighth circuit.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is considered and confirmed.

U.S. DISTRICT COURTS

The legislative clerk read the nomination of Franklin T. Dupree, Jr., of North Carolina, to be a U.S. district judge for the eastern district of North Carolina; and Hubert I. Teitelbaum, of Pennsylvania, to be a U.S. district judge for the western district of Pennsylvania.

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

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

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

LEGISLATIVE SESSION

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

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

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of measures on the calendar to which there is no objection, beginning with Calendar No. 1438.

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

UNITED SEAMEN'S SERVICE

The Senate proceeded to consider the bill (H.R. 15549) to amend title 10, United States Code, to further the effectiveness of shipment of goods and supplies in foreign commerce by promoting the welfare of U.S. merchant seamen through cooperation with the United Seamen's Service, and for other purposes, which had been reported from the Committee on Commerce with an amendment, at the top of page 4, insert a new section, as follows:

SEC. 4. The Merchant Marine Act, 1936 (46 U.S.C. 1101 et seq.), as amended, is amended as follows:

(a) By striking out of section 501(a)(2) thereof (46 U.S.C. 1151(a)(2)) the words "to enable it to operate and maintain" and inserting in lieu thereof "for the operation and maintenance of".

(b) By striking out of section 502(a) thereof (46 U.S.C. 1152(a)) the words "to enable it to operate and maintain" and inserting in lieu thereof "for the operation and maintenance of".

(c) By inserting in section 601(a)(2) thereof (46 U.S.C. 1171(a)(2)) following the word "owns" the words "or leases".

(d By inserting in section 601(a)(2) thereof (46 U.S.C. 1171(a)(2)) following the word "purchase" the words "or lease".

(e) By striking the last sentence of section 805(d) thereof (46 U.S.C. 1223(d)).

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.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91-1424), explaining the purposes of the measure.

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

PURPOSE OF THE BILL

The purpose of the bill is to authorize the Secretary of Defense to cooperate with the United Seamen's Service upon a finding by the President that it is necessary in the interest of U.S. commitments abroad. The bill also would make certain amendments to the Merchant Marine Act, 1936, as is explained more fully under "Explanation of Amendment."

BACKGROUND AND NEED FOR THE LEGISLATION

The United Seamen's Service is a nonprofit charitable organization incorporated under the laws of the State of New York, the purpose of which is to assist U.S. merchant seamen. It provides a number of services and facilities to American seamen in foreign ports and maintains centers in several ports around the world including Qui Nhon and Cam Ranh Bay in Vietnam. The services provided by the United Seamen's Service include lodging and recreation centers, repatriation for men separated from their vessels because of sickness or accident, legal assistance, visitation to seamen in hospitals or detention centers, and mail and telephone communications services.

The U.S. Government has historically provided certain services and assistance to American seamen in foreign ports. This support is normally under the supervision of the U.S. consulates. However, for more than 25 years, it has been extended in cooperation with the United Seamen's Service, which was organized under Government sponsorship in 1942 by the War Shipping Administration. Since the end of World War II, the United Seamen's Service has continued to provide welfare and support services for American seamen abroad. This bill would reestablish the Government's authority to cooperate in providing logistic support and needed facilities that were previously provided by Executive order under the President's emergency powers, and would be helpful in instances such as Vietnam and Korea where the United Seamen's Service was required to establish facilities in connection with a U.S. sealift effort.

Under the bill, personnel of the United Seamen's Service may be furnished available transportation at Government expense in the performance of their duties. Also reimbursable meals and quarters, available office and recreational space, warehousing, wharfage, and means of communication may be authorized. In addition, no fee would be charged for a passport issued to an employee of the United Seamen's Service to assume or perform duties outside the United States and necessary supplies could be transported at Government expense. Finally, the bill would authorize the President to make arrangements to provide for convertibility of local currencies for the United Seamen's Service in connection with its activities. This authority is substantially identical to that existing with respect to such other charitable organizations as the Red Cross.

The Secretary of Defense would have discretion to provide these services after a finding by the President that it is necessary in the interest of the United States.

The bill does not involve financial contribution to the United Seamen's Service by the Government. United Seamen's Service is, and would continue to be, wholly funded privately. The cost of the United Seamen's Service is wholly borne by personnel of the merchant marine, contributions from management, labor unions, and other interested organizations and individuals, and charities such as the United Givers Fund. Services furnished by the Government are either on a space-available or reimbursable basis. With respect to cost, in the House of Representatives witnesses for the Department of Defense concluded that the bill would not result in any additional cost to the Government. The Department of Commerce, which, along with the Departments of State and Transportation, endorsed enactment of the legislation, concluded that provision of the services authorized in the bill would result in a reduction of cost to the Government. This was based on the experience in Vietnam where the opening of United Seamen's Service centers has saved the Government millions of dollars in its sealift operation by reducing overtime payments due seamen as a result of their being restricted to their vessels.

EXPLANATION OF AMENDMENT

The recently enacted Merchant Marine Act of 1970 (Public Law 91–469) set forth a program to revitalize our maritime capability. The program envisages the construction of 30 modern ships during the next 10 years with the assistance of construction-differential subsidies. Many of the new vessels will also be the subject of operating-differential subsidies. If the program is to be successfully effectuated, billions of dollars of new capital will be required from the private sector.

The committee amended H.R. 15549 so as to correct a technical, but important, omission in the Merchant Marine Act of 1970. The amendment would amend sections 501, 502, 601, and 805 of the Merchant Marine Act, 1936, to permit leased vessels to be eligible for construction and operating subsidies, similiar to the practice already permitted in connection with capital construction funds under recently revised section 607 of the act. The purpose of the amendment is to facilitate successful implementation of the new program by permitting capital from the private sector to be raised in the most efficient manner, utilizing modern and flexible techniques.

Since World War II, lease financing has become an increasingly popular method of financing such varied capital investments as airplanes, locomotives, supermarkets, and post offices. However, the Merchant Marine Act, 1936, has not been amended to reflect this change except in the recent revision of section 607 dealing with capital construction funds. Now that a new program to revitalize our merchant fleet is underway and substantial private capital will be required, it is important that ship operators have this flexibility, subject to control by the Secretary of Commerce. The committee therefore amended H.R. 15549 so as to amend the Merchant Marine Act, 1936, accordingly.

COST OF THE LEGISLATION

Enactment of this legislation is not expected to result in any increased cost to the Government.

AGREEMENT BETWEEN THE UNITED STATES AND SPAIN

The Senate proceeded to consider the resolution (S. Res. 469) to express the sense of the Senate on the agreement of friendship and cooperation between the United States and Spain, which had been reported from the Committee on Foreign Relations with an amendment, on page 2, line 2, after the word "agreement", strike out "shall be construed as a national commitment by the United States to the defense of Spain.", and insert "of Friendship and Cooperation between the United States and Spain shall be deemed to be a national commitment by the United States."

The amendment was agreed to.

The resolution as amended was agreed to.

The preamble was agreed to.

The resolution (S. Res. 469), with its preamble, reads as follows:

Whereas the Committee on Foreign Relations, in accordance with its responsibility to the Senate to consider matters related to "relations with foreign nations generally", "treaties", and "intervention abroad", as provided in the Legislative Reorganization Act of 1946, as amended, has examined the Agreement of Friendship and Cooperation between the United States and Spain, signed in Washington on August 6, 1970; and

Whereas on August 26, 1970, the committee received testimony from the Under Secretary of State for Political Affairs and the Deputy Secretary of Defense to the effect that the aforementioned agreement entails no national commitment on the part of the United States to the defense of Spain; and

Whereas the said agreement is not in consequence of "affirmative action taken by the executive and legislative branches of the United States Government" expressed by means of "a treaty, convention, or other legislative instrumentality specifically intended to give effect to such a commitment", as provided in S. Res. 85, Ninety-first Congress, first session: Now, therefore, be it

Resolved, That it is the sense of the Senate that nothing in said agreement of Friendship and Cooperation between the United States and Spain shall be deemed to be a national commitment by the United States.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91–1425), explaining the purposes of the measure.

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

PURPOSE

The purpose of the resolution is to make it absolutely clear that the executive agreement between the United States and Spain cannot be construed as a national commitment to Spain on the part of the United States. The resolving clause of Senate Resolution 469, as reported, removes any possible doubt here or abroad on this score with these words "* * * nothing in the said Agreement of Friendship and Cooperation between the United States and Spain shall be deemed to be a national commitment by the United States."

BACKGROUND

The original 10-year "executive agreement" with Spain concerning U.S. use of bases in that country was signed in 1953 and extended for another 5 years in 1963. When reports concerning the terms for a proposed new 5-year extension started circulating in 1968, the Committee on Foreign Relations began to concern itself closely with these intergovernmental discussions. As the discussions progressed, the committee requested and received briefings—particularly on the role of the Defense Department in the negotiations—on March 11, April 2 and 14, and June 5, 1969. Partly as a result of this interest, and partly because of inherent problems, it was decided by the two governments on June 20, 1969, to extend the expired agreement until September 26, 1970, so that ample time could be devoted to negotiating a new agreement. During the resumed period of negotiations, the committee continued to be briefed in closed session; specifically, there were meetings on April 22 and July 24, 1970. The Subcommittee on U.S. Security Agreements and Commitments Abroad also received secret testimony on this matter as recently as July 17, 1970.

Thereafter, the committee chairman, Senator Fulbright, requested the State Department to consider submitting the agreement as a treaty. However, at a hastily arranged

ceremony on August 6 the new agreement, entitled the "Agreement of Friendship and Cooperation between the United States and Spain", was signed as an executive agreement and made public. At the same time, the Under Secretary of State for Political Affairs, U. Alexis Johnson, issued a statement containing the following paragraph:

The question has been raised as to whether the proposed Agreement of Friendship and Cooperation contains a commitment by the United States to defend Spain and if it does, whether it should be submitted to the Senate for its advice and consent to ratification. I entirely agree that were the proposed Agreement of Friendship and Cooperation to contain such a commitment as, for example, is contained in the North Atlantic Treaty, the Southeast Asia Collective Defense Treaty, or the Security Treaty with New Zealand and Australia, or our various bilateral mutual defense treaties, the agreement should be submitted to the Senate for its advice and consent to ratification. However, as I have stated, the proposed agreement contains no such commitment.

On August 26, 1970, in an open session of the Foreign Relations Committee, Under Secretary Johnson repeated and elaborated on this statement. The record of that public hearing is printed for the information of the Senate and contains the text of the agreement with Spain together with the exchange of notes and relevant State Department releases.

The hearing record also contains the comments of Senator Church of September 22, 1970, when he introduced Senate Resolution 469 to put the Senate on record as stating that the agreement with Spain did not constitute a national commitment by the United States. In particular, he invoked the recent definition by the Senate of such a commitment set forth in Senate Resolution 85 agreed to on June 25, 1969. Senate Resolution 85 declares:

That (1) a national commitment for the purpose of this resolution means the use of the Armed Forces of the United States on foreign territory, or a promise to assist a foreign country, government or people by the use of the Armed Forces or financial resources of the United States, either immediately or upon the happening of certain events, and (2) it is the sense of the Senate that *a national commitment by the United States results only from affirmative action taken by the executive and legislative branches of the United States by means of a treaty, statute, or concurrent resolution of both Houses of Congress specifically providing for such commitment.* (Emphasis supplied.)

On October 5, 1970, the committee received the views of the Department of State on Senate Resolution 469 as follows:

DEPARTMENT OF STATE,
Washington, D.C., October 5, 1970.

Hon. J. W. FULBRIGHT
Chairman, Committee on Foreign Relations, U.S. Senate.

DEAR MR. CHAIRMAN: In response to your letter dated September 24 concerning Senate Resolution 469, I am pleased to transmit the comments of the executive branch.

The proposed resolution would express the sense of the Senate that, "nothing in the said agreement (the Agreement of Friendship and Cooperation between the United States and Spain, signed on Aug. 6, 1970) shall be construed as a national commitment by the United States to the defense of Spain." We would of course not object to the adoption of a resolution which merely reiterates the testimony previously set forth by administration officials. However, in light of the administration's public statements on this point, we do not consider the resolution to be necessary.

The Office of Management and Budget advises that from the standpoint of the administration's program there is no object to the submission of this report.

Sincerely yours,

DAVID M. ABSHIRE,
Assistant Secretary for Congressional Relations.

The resolution was discussed by the Committee on Foreign Relations on October 6 and November 19. On November 23 it was modified to make it clear that—in addition to there being no U.S. commitment to "the defense of Spain"—the executive agreement constituted no national commitment to Spain of any kind. On the same day, Senate Resolution 469 was ordered reported favorably by a vote of 10 to 0.

COMMITTEE RECOMMENDATION

While the administration considers the resolution to be unnecessary, the Committee on Foreign Relations on the contrary believes it both necessary and valuable for the future. It is a natural consequence of the Senate's effort—expressed most fully in the national commitments resolution—to reassert the constitutional role of Congress in the formulation of foreign policy. This effort does not in any way detract from the powers of the Executive; and it is not aimed against any target; rather, it is an increasingly successful attempt to exercise rights and powers delegated by the American people to their elected representatives which had been allowed to fall into desuetude.

In the case of the agreement of friendship and cooperation between the United States and Spain—a title most often employed to describe treaties—there can be no question that this instrument does not meet the definition of a national commitment contained in Senate Resolution 85. The executive branch representatives from both the State and Defense Departments have agreed on the point. And the adoption of Senate Resolution 469 would not impugn their testimony in the slightest way.

It would, however, constitute a formal finding by the Senate that the agreement of friendship and cooperation is not to be considered, either now or at any time in the future, as a national commitment by the United States to come to the defense of Spain. This is desirable, particularly in view of certain language in the agreement drafted in a deliberately ambiguous form. Unless the Senate clearly indicates the limited character of the agreement, consistent with the interpretation the executive branch presently gives it, we may once again confront in the future a condition where "circumstances alter cases." When the Gulf of Tonkin Resolution was adopted in response to reported attacks on a U.S. destroyer in international waters off Vietnam, who could have anticipated that the resolution would later be interpreted as congressional sanction for a full-scale war on the mainland, involving an American expeditionary force of a half-million men.

To foreclose any possibility that the Agreement of Friendship and Cooperation with Spain might later be given an expanded application, it is incumbent upon us, now, at the outset, to place an authoritative construction upon it.

The public hearing gave the administration an opportunity to set forth its interpretation of the agreement. By approving Senate Resolution 469 the Senate—as has the committee—would be fixing the reach of the agreement within these bounds.

In taking this action, the majority of committee members still adhere to the opinion that the administration should have submitted the agreement as a treaty. By that means, both branches of our Government given responsibilities in the field of foreign policy by the Constitution would have participated in shaping this country's future relationship with Spain. It is ironic that on November 25, 1970, the President submitted to the Senate, for its advice and consent to ratification, a proposed treaty on extradition with Spain, which was signed at Madrid last May. Apparently the Senate can be entrusted with issues concerning extradition relations, narcotic offenses and aircraft hijacking, but not with matters which could involve the security of the Nation.

In conclusion, it should be stressed that Senate Resolution 469 is unopposed by the administration and has been reported by a large bipartisan majority of the Committee on Foreign Relations. The committee strongly recommends that Senate Resolution 469 be adopted.

REPORT BY THE COMMITTEE ON EQUAL EDUCATIONAL OPPORTUNITY

The resolution (S. Res. 480) to extend the date for the making of a final report by the Select Committee on Equal Educational Opportunity, was considered and agreed to, as follows:

Resolved, That the Select Committee on Equal Educational Opportunity, established under Senate Resolution 359, Ninety-first Congress, agreed to February 19, 1970, shall make the final report required by such Senate resolution not later than January 31, 1972, instead of January 31, 1971.

Without objection, the preamble was agreed to.

WARREN BEARCLOUD, PERRY PRETTY PAINT, AGATHA HORSE CHIEF HOUSE, MARIE PRETTY PAINT WALLACE, NANCY PAINT LITTLELIGHT, AND PERA PRETTY PAINT NOT AFRAID

The bill (H.R. 15805) for the relief of Warren Bearcloud, Perry Pretty Paint, Agatha Horse Chief House, Marie Pretty Paint Wallace, Nancy Paint Littlelight, and Pera Pretty Paint Not Afraid was announced as next in order.

Mr. MANSFIELD. Mr. President, I am glad that the legislative clerk read the names in full, because I want the Chair to understand that these are very good Crow Indians and very good constituents of mine.

Mr. SCOTT. Mr. President, I had the impression that Marie Pretty Paint Wallace might be from Alabama. [Laughter.]

The bill, H.R. 15805, was considered, ordered to a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. SCOTT. Mr. President, I move the motion to reconsider the vote be laid on the table.

The motion was agreed to.

Mr. ERVIN. Mr. President, I would like to have time for just one comment; namely, that the people of Alabama would be glad to know that the distinguished minority leader believes that the Wallaces of Alabama are very pretty people, as is this Indian from Montana.

Mr. SCOTT. I was indicating painted people rather than pretty ones.

Mr. MANSFIELD. Her name is Pretty Paint. Wallace is the name of the man she happened to be married to.

LEGISLATIVE PROGRAM

Mr. SCOTT. Mr. President, I should like to inquire about the order of business, and such roadblocks, detours, or obstructions that may be currently indicated.

Mr. MANSFIELD. Yes, indeed. We have some conference reports which will be brought up, hopefully. There is the extension of the Libraries Act, which will be brought up. There is Calendar No. 1407, which will be brought up with the approval of the distinguished Senator from North Dakota (Mr. YOUNG), when he reaches the floor; and then, of course, we will, at an appropriate time, proceed to the consideration of Calendar No. 1259, H.R. 18306, which is the bill dealing with financial institutions which has been considered on the floor from time to time. But that will be sometime earlier in the afternoon.

Mr. SCOTT. Do I understand correctly that the family assistance plan and such other matters as are connected with it are likely to be brought up Monday or Tuesday?

Mr. MANSFIELD. On Tuesday. The supplemental appropriations bill, on Monday next, will be the pending business.

VETERANS' RELIEF

Mr. MANSFIELD. Mr. President, this morning, I have received a number of communications from Montana, one from the commander in chief of the Veterans of Foreign Wars of the United States. In brief, the tenor of these telegrams from the veterans organizations of the State, the veterans, those who are interested in veterans' welfare, as well as Mr. Rainwater, are under the impression that the veterans' pension bill, H.R. 15911, has been reported separately by the Finance Committee and they are, to quote Mr. Rainwater:

> Shocked to learn there is no indication Senate will bring this bill up before Congress adjourns. If this legislation is not approved by 91st Congress, 150,000 veterans, mostly older World War I veterans, will have their VA pension cut or canceled.
>
> Urgently request every effort be extended to have H.R. 15911 considered immediately.

This measure has not been reported from the Senate Finance Committee, which has been working for months on very complicated legislation dealing with social security, welfare reform and import quotas. I have been informed, however, that a similar bill has been attached as an amendment to the social security, import quota, family assistance, et cetera, bill which should be reported to the Senate by next Monday.

The fate of this measure is unknown at this time. If, however—and I speak on behalf of the joint leadership in this respect—H.R. 15911 is reported to the Senate as a separate measure, we want to assure all of those concerned that we will make every possible effort to see that it is considered expeditiously and passed.

Mr. SCOTT. We will, indeed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that a number of telegrams which I received all of a sudden from Montana be printed in the RECORD.

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

WASHINGTON, D.C.

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

The Veterans of Foreign Wars of the United States is pleased that Veterans Pension Bill, H.R. 15911, has been reported separately by Finance Committee. Shocked to learn there is no indication Senate will bring this bill up before Congress adjourns. If this legislation is not approved by 91st Congress, 150,000 veterans, mostly older World War I veterans, will have their VA pensions cut or canceled.

Urgently request every effort be extended to have H.R. 15911 considered immediately.

H.R. RAINWATER,
Commander in Chief,
Veterans of Foreign Wars.

HELENA, MONT.

Hon. MIKE MANSFIELD,
Senate Office Building,
Washington, D.C.:

The Social Security increase enacted last year will result in approximately 150,000 needy and disabled veterans suffering reductions in non-service connected VA pension benefits on January 1, 1971, if the Pension Bill H.R. 15911 is not enacted prior to adjournment to the 91st Congress we therefore urge that you schedule H.R. 15911 for early consideration on the Senate floor.

Sincerely,

JOHN E. SLOAN,
DAV National Service Officer.

HELENA, MONT.

Senator MIKE MANSFIELD,
Washington, D.C.:

Urgently request you arrange for rescheduling of H.R. 15911, veterans' pension bill for enactment before January 1 in order to prevent loss of Veterans' Administration pension by more than 150,000 veterans and widows.

Sincerely, yours,

DAVID W. ARMSTRONG, Jr.,
Director, Montana Veterans Welfare Commission.

BILLINGS, MONT.

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

DEAR SENATOR MANSFIELD: Social security legislation enacted last year will result in approximately 150,000 needy and disabled veterans suffering reduction in VA pension benefits on Jan. 1, 1971, if the pension bill, H.R. 15911, is not enacted prior to adjournment of the 91st Congress. We therefore urge that you schedule House bill, H.R. 15911, for early consideration on the Senate floor.

Sincerely,

ALBERT C. THORMAHLEN,
Commander of Billings Chapter 10, Disabled American Veterans.

GREAT FALLS, MONT.

Hon. MIKE MANSFIELD,
Washington, D.C.:

On behalf of 1,230 VFW members we are asking you to reschedule H.R. 15911.

WAYNE PICKETT,
Commander, VFW Post 1087.

GREAT FALLS, MONT.

Hon. MIKE MANSFIELD,
Washington, D.C.

The Ladies Auxiliary to VFW 1087 are asking you to reschedule H.R. 15911.

EDITH HOUGE,
President, Ladies Auxiliary.

BILLINGS, MONT.

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

DEAR SENATOR MANSFIELD: Social security legislation enacted last year will result in approximately a hundred and fifty thousand needy and disabled veterans suffering reductions in VA pension benefits on January 1, 1971, if the pension bill H.R. 15911 is not enacted prior to adjournment of the 91st Congress. We therefore urge that you schedule House Resolution H.R. 15911 for early consideration on the Senate floor.

Sincerely,

BERTHA REITER,
Commander, Billings Unit 10,
Disabled American Veterans Auxiliary.

BILLINGS, MONT.

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

DEAR SENATOR MANSFIELD: Social security legislation enacted last year will result in approximately 150,000 needy and disabled American veterans suffering reductions in veterans administration pension benefits on January 1, 1971 if pension bill H.R. 15911 is not enacted prior to the adjournment of the 91st Congress. We therefore urge that you schedule H.R. 15911 for early consideration on Senate floor.

Sincerely,

DONALD E. KEIFER,
Commander Military Order of the Purple Heart, Chapter 343.

BILLINGS, MONT.

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

DEAR SENATOR MANSFIELD: Social security legislation enacted last year will result in approximately 150,000 needy and disabled veterans suffering reduction in V.A. pension benefits on Jan. 1, 1971, if the pension bill H.R. 15911 is not enacted prior to adjournment of the 91st Congress. We therefore urge that you schedule House resolution H.R. 15911 for early consideration on the Senate floor.

WILLIAM W. JEFFERIES,
Commander, Department of Montana Disabled American Veterans.

BILLINGS, MONT.

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

DEAR SENATOR MANSFIELD: Social security legislation enacted last year will result in approximately 150,000 needy and disabled veterans suffering reduction in a VA pension benefit on Jan. 1, 1970 if pension bill H.R. 15911 is not enacted prior to adjournment of the 91st Congress. We therefore urge that you schedule House resolution H.R. 15911 for early consideration on Senate floor.

Loyally yours,

ALBERT JUNKERT,
Commander, VFW Post 1634.

MISSOULA, MONT.

Hon. MIKE MANSFIELD,
Senate Office Building,
Washington, D.C.:

Please do utmost to bring HR 15911 up for action anything less tragic.

WM. HEIKKINEN.

BILLINGS, MONT.

Hon. MIKE MANSFIELD,
Senate Office Building,
Washington, D.C.:

Social security legislation enacted last year will result in approximately 150,000 needy and disabled veterans suffering reduction in VA pension benefits on Jan 1, 1971 if pension bill HR 15911 is not enacted, prior to ad-

journment of the 91st Congress. I therefore urge that you schedule House Resolution HR 15911 for early consideration on the Senate floor.

ELSIE M. ROGERS,
President, Midland Empire Chapter 459, National Association of Retired Federal Employees.

BOZEMAN, MONT.

Senator MIKE MANSFIELD,
Washington, D.C.:
We urge your support on HR 15911.

T. R. TOWNSEND,
Commander, Major Drennan Post 903.

MISSOULA, MONT.

Hon. MIKE MANSFIELD,
U.S. Senate,
Washington, D.C.:
Senate delay in passage H.R. 15911 is critical to older veterans who will lose veterans' pensions due to social security raise without income limitation protection which H.R. 15911 would provide. Please do everything within your power to get this bill out of Senate Finance Committee for Senate vote prior to adjournment. Older veterans drawing pensions and social security benefits are still below Government-established poverty level. Very critical.

J. G. KING,
Legislative Chairman, Veterans of World War I.

GREAT FALLS, MONT.

Hon. MIKE MANSFIELD,
Washington, D.C.:
Request you do all possible to reschedule H.R. 15911. This bill is of great concern to us as veterans.

Mr. and Mrs. RENO MICHELOTTI.

GREAT FALLS, MONT.

Senator MIKE MANSFIELD,
Washington, D.C.:
Understand that Veterans' Administration appropriation bill is now part of House Resolution 15911. Request the Veterans' Administration benefit portion be rescheduled for later consideration in order to be properly processed and passed.

THE WYLIE GALT POST AND UNIT 99,
AMERICAN LEGION.

GREAT FALLS, MONT.

Hon. MIKE MANSFIELD,
Washington, D.C.:
This 586 member legion post meeting in general session urgently requests you take action to reschedule H.R. 15911. This bill vital to all veterans.

AMERICAN LEGION POST No. 3.

BILLINGS, MONT.

Hon. MIKE MANSFIELD,
Senate Office Building,
Washington, D.C.
DEAR SENATOR MANSFIELD: Social security legislation enacted last year will result in approximately 150,000 needy and disabled veterans suffering reduction in V.A. pension benefits on Jan. 1, 1971, if the pension bill H.R. 15911 is not enacted prior to adjournment of the 91st Congress. We therefore urge that you schedule House Resolution 15911 for early consideration on the Senate floor.

Sincerely,

Cmdr. EDWARD R. YOUNG.

GREAT FALLS, MONT.

Hon. MIKE MANSFIELD,
Washington, D.C.:
Urgently request you take action to reschedule H.R. 15911. This bill vital to all veterans.

TOM ALLISON,
Secretary, Cascade County Veterans Council.

BILLINGS, MONT.

Hon. MIKE MANSFIELD,
Senate Office Building,
Washington, D.C.
DEAR SENATOR MANSFIELD: Social security legislation enacted last year will result in approximately a hundred and fifty thousand needy and disabled veterans suffering reductions in VA pension benefits on January 1, 1971, if the pension bill H.R. 15911 is not enacted prior to adjournment of the 91st Congress. We therefore urge that you schedule House Resolution 15911 for early consideration on the Senate floor.

Sincerely,

HELEN B. HUGHES,
Montana Department Commander, Disabled American Veterans Auxiliary.

ORDER OF BUSINESS

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

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be a brief period for the transaction of routine morning business with a time limitation of 3 minutes attached thereto.

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

Mr. PROXMIRE. Mr. President, I ask unanimous consent that I be permitted to proceed for 6 minutes in the morning hour.

Mr. MANSFIELD. Mr. President, the Senator may have 20 minutes if he wishes.

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

WHY SENATE SHOULD REJECT THE CONFERENCE REPORT THAT INCLUDES FUNDS FOR CONTINUING THE SST

Mr. PROXMIRE. Mr. President, the Senate should reject the Department of Transportation conference report. I have discussed this matter with a number of Senators, and we have determined to call to the attention of the Senate in detail the reasons why this conference report which contains $210 million for the supersonic transport must not pass the Senate.

Mr. President, I intend to be on the Senate floor from the time the House acts on the conference report until we adjourn sine die with a determination that during that period of time the conference report on the Department of Transportation bill, as long as $210 million or any amount is contained in it for the SST, will not pass.

I am sure that the leadership will keep me informed of developments so that I will be in a position to protect my rights.

To pass the conference report with the $210 million for the SST would, in some ways, be worse than providing the full funding of $290 million which the administration originally requested.

In a letter to the Senator from Mississippi (Mr. STENNIS) under date of December 9, Secretary Volpe wrote:

> Any significant reduction in fiscal year 1971 funding would increase program costs on a 2-to-1 ratio.

That means that if the Congress appropriates $210 million this year, the ultimate cost to the Government will be $150 million more than if we were to appropriate the $290 million this year. This is the finding of the Department of Transportation itself.

So what do we benefit by adopting this report? The original burden of $1,343,000,000 was a huge burden. If we pass this conference report, then the SST cost to the Government becomes about $1.5 billion. Does that make sense?

The distinguished senior Senator from Washington was reported to have said said that Boeing "can live with the $210 million." So the SST will proceed if this conference report is agreed to. The only difference is that the cost will be greater. Does that make sense? I do not think so.

In the course of the debate, a number of Senators objecting to the SST placed heavy emphasis on the prospective environmental pollution.

Mr. President, if we had to talk about a single new factor that made the difference in the vote this year on the SST, I think we must conclude that was it.

We pointed out that the Commission which has been created to report on the progress the SST research is making toward reducing this pollution is overwhelmingly weighted on the side of those who favor the SST. Experts on the environment from the Department of Interior, from Health, Education and Welfare, from the Office of Science and Technology, all of whom served on President Nixon's 1969 panel and all of whom found serious problems with the environmental impact of the SST, have been eliminated from this Commission.

Did the conference say a word about appointing representatives of these departments to the SST Environmental Commission? The answer is "No."

The present Environmental Commission on the SST includes representatives of Macdonnell Douglas, aircraft manufacturers, and American Airlines. These are private parties which have a direct financial interest in promoting the SST and no particular competence on the environment. Why did not the conference consider the possibility of including such environmental experts as Russell Train or Gordon McDonald or other members of the Commission on Environmental Policy? Why did not the conference suggest that the aircraft manufacturers and airlines be balanced by representatives from the Sierra Club and Friends of the Earth or other competent and responsible environmental groups?

Has the conference by word or provision in the law given Senators concerned about the environmental pollution

on the SST a scintilla of additional assurance? The answer is "No."

Mr. President, this Senator does not see how the Senate in good conscience can ever accept this conference report as long as it has funds in it to continue on the road toward production of the SST.

Funds for studying the environmental impact of the SST? Yes. Funds to continue the SST before these environmental studies are complete? No.

So, in summary, Mr. President, is there any reason for a Senator who voted against providing funds for the SST when this came before the Senate a few days ago to vote for the conference report? The answer is "No."

The conferees' action has increased the cost of the SST to the taxpayer by more than $150 million. It has provided no further assurance against environmental pollution which was obviously a prime concern of many Senators who opposed the SST. There is no reason to accept this conference report. The Senate has made its position clear by an emphatic 52 to 41 vote up and down on the supersonic transport. No vote specifically on the issue has ever been taken in the House of Representatives. The vote to instruct conferees obviously prevented a number of Congressmen who understandably would not want to bind their colleagues in advance on any issue in conference.

What those of us who are determined to prevent the conference report from being accepted by the Senate are doing is to uphold the will clearly expressed by a majority of Senators. It is therefore necessary that the Congress now pass a transportation appropriation bill that does not contain funds for the SST. Until the Congress agrees to do this, we intend to stop action on any conference report or continuing resolution which contains SST funds.

Mr. President, I cannot pass up the opportunity to observe that the result of the SST conference cast very serious question on the present method used by the Senate to appoint conferees. I have nothing but respect for the members of the conference from the Senate. They are men I admire; they are men I like. But the fact is that the cards were stacked when the conferees were appointed. The fact is that a majority of the Senate conferees favored the SST and they had voted against my amendment to delete the funds for the SST.

A very heavy majority of House conferees—six out of nine—favored the SST. So there was no way—no way—we could win in the conference unless the conferees did something quite extraordinary in repudiating their own views, to support those of a majority of the Senate.

These are fine men, but I think we have been burned, and I think we have learned from this conference as in the past that we cannot continue to have a system of appointing conferees which will result in the frustration of the will of the Senate.

I tried hard to get on the conference. I asked the chairman of the subcommittee to include me on the conference, but I was denied. I asked that someone favorable to the SST be added to the conferees so the Senate conferees on the SST would be diveded—four for and four against. That was denied and ignored.

I hope the Democratic caucus when it meets will give careful consideration to changing the rules to appoint conferees on this basis when there is a controversy that divides the Senate, and when this is the principal issue between the House and the Senate, that a majority of the Senate conferees will be on the side of the majority position taken by the Senate. This is the only fair way to proceed and I understand that is what is done in most other parliamentary bodies. Unless we do change the rules in that regard, the Senate will continue to be frustrated. Even if that procedure were followed, it would be difficult to come out with a compromise report to satisfy the House and the Senate, but we would have a report that would be more believable to those who voted against the SST.

Mr. President, I realize that the appropriation of the Department of Transportation includes vital funds paying the Coast Guard, paying the traffic controllers who are essential for the safety of air travelers in this country. I realize there are other essential programs that must be funded.

How can we proceed with those vital services if this bill is to be delayed while we discuss the SST in detail? The answer, Mr. President, is to pass a Department of Transportation bill or a continuing resolution with all funds in it for transportation, except for the SST. Such a bill or resolution would pass the Congress promptly. This is a course of action that is available to the Congress now and will remain available right up until we adjourn sine die.

But as far as this Senator is concerned, no conference report or continuing resolution that includes funds for continuing the SST will pass the Senate.

THE SUPERSONIC TRANSPORT

Mr. NELSON. Mr. President, first, I wish to say that I concur in the statements of my colleague, Senator PROXMIRE. This is a critically important issue.

I will oppose any continuing resolution, as the Senator said he would, as well as the conference report—any conference report—that contains appropriations for the continued construction of the prototype SST.

Senator PROXMIRE has led this fight in opposition to the SST for half a dozen years now. He is better informed about the economics of the SST than any other person I know. He has carried on a lonely fight with a small handful of people endorsing his position for these last half dozen years. Now, fortunately, the people around the country have not only begun to recognize the merit of the economic issue and the question of the economic feasibility of the SST, but also the grave environmental implications that have given us substantial additional support in both Houses of Congress.

There are no two men in public life for whom I have greater respect and personal affection than Senator JACKSON and Senator MAGNUSON. Having served now for 8 years on the Committee on Interior and Insular Affairs with Senator JACKSON, there is no one I know who is more dedicated to the concept of the protection and preservation of our resources and environment than Senator JACKSON, nor Senator MAGNUSON, who has over the years made a great contribution in this field.

However, we have many differences of opinion with them on both the economic issues raised by Senator PROXMIRE, as well as the environmental issue. They view the seriousness of the environmental implications differently than we do. They believe, as do many qualified experts that whatever problems there are can be resolved. On that point we are in sharp disagreement. If they shared my view of the problem they too would oppose the SST because there is no question about their environmental commitment.

The ACTING PRESIDENT pro tempore. The time of the Senator has expired.

Mr. NELSON. Mr. President, I ask unanimous consent that I may proceed for 5 additional minutes.

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

Mr. NELSON. Mr. President, our difference here is in our interpretation as to the necessity, the feasibility, the value, the economics of the SST. They are the matters on which we disagree, and on which reasonable people can disagree. Our disagreement is also over the importance of the environmental issue, which they believe is not as serious as many others believe it to be.

I regret very much being on the other side of the issue from the Senators from Washington because there are not two men in or out of public life for whom I have greater respect.

I realize also that they and many others believe this is an important airplane and must be developed by our country. In addition to our difference over that, they also face a very serious and immediate problem because it involves the employment of all kinds of workers in their State, as well as in many other States. I would like to address myself to some of the environmental questions.

I do not have the expertise to discuss the economics of this plane, but my colleague from Wisconsin (Mr. PROXMIRE) has addressed himself to the issue from the standpoint of its cost and economics in admirable detail.

I want to briefly address myself to the environmental question. First, in all the years since the pioneers came here we have been dissipating the resources of this Nation at a rapidly accelerating pace, creating disaster all the way across the Nation. This is happening in every industrial society in the world—we just happen to be the leader in it.

After a century of discussion of the environment's importance and the importance of the protection of the world environment, the public is finally taking notice of the issue—its significance, its implications to us and all other living creatures all around the planet.

They were lonely voices 100 years ago And 64 years ago, when Teddy Roosevelt called an urgent conference of Governors to discuss the conservation of the resources of this Nation, nobody paid attention to it.

Down through those years a number of organizations and great environmental leaders in the sciences and in the conservation movements warned the country that we will proceed to destroy the habitability of the planet.

In the last decade, following that exceptional book, "Silent Spring" by Rachael Carson, there has been an escalating concern about the deterioration of our environment.

Finally, in the past 2 years the environment has become a significant political issue. It is interesting to note, as an oxide, that in the 1968 campaign neither candidate for President addressed himself at all to the issue of the environment. That tells us something about how rapidly this issue has come into visability, how rapidly millions and tens of millions of people in this country have come to recognize, just in these past 2 years, the world environmental seriousness of the situation.

As we tackle these issues there must first be nationwide and worldwide education and understanding—and that is coming rapidly, as reflected in the vote on the floor of the Senate on the SST issue.

The ACTING PRESIDENT pro tempore. The time of the Senator has expired.

Mr. NELSON. Mr. President, I ask unanimous consent for another 10 minutes.

The ACTING PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

Mr. NELSON. The environmental issues are going to come to us one at a time. We cannot tackle them all at once, though I wish we could. This one has come to us involving the first major specific confrontation in the Congress over the environmental concerns, over the environmental implications of a technological development and a test of whether or not we are prepared to say "No" to the utilization of a technology simply because it works. This is what we have always done in the past, and as a consequence of our indiscriminate use of technology, all in the name of progress, we have polluted every major watershed east of the Mississippi. We are seriously degrading the watersheds west of the Mississippi. We have polluted almost every major river in America. We have destroyed Lake Erie. We have degraded Lake Michigan. We have seen the beginnings of the pollution of Lake Superior the third greatest body of fresh water on earth. We now see the rapid deterioration of all the oceans of the world.

Nobody ever thought, a half century or a quarter century ago, that it would be possible for us to destroy the productivity of the oceans. Nevertheless, we are well on our way. Most marine biologists, and all marine biologists with whom I have discussed the question, agree that at the current accelerated pace of the introduction of industrial and municipal wastes and pollutants, herbicides and pesticides, through the air and water and into the oceans, the productivity of all the oceans of the world will be over, for all practical purposes, within 25 and 50 years.

That will be a worldwide disaster of immeasurable consequences. And yet we continue our merry way, destroying the oceans, the single largest asset on the face of the planet.

Why is it possible to do it, and why is it happening so fast? It is happening so fast because the productivity of the oceans is, in the main, confined to the first dozen miles off the Continental Shelf and in the marine estuaries. These are the breeding grounds of marine creatures. So it is only a small amount of the water and space off the shores of all the continents of the world that have to be polluted in order for the oceans to be destroyed.

Now we are coming to a proposal to build a supersonic transport in order to cut flying time across the oceans by half, so that one could leave New York City and get to London in 3 hours and 10 or 15 minutes, instead of 6 hours and 10 or 15 minutes. The only virtue at all of the SST is that it will save somebody 3 hours in crossing the ocean, at a greater cost than it would to travel in the 707 or the 747—a much greater cost in fact.

Is that a virtue, a benefit that is worth while for the investment, in view of the grave risk of pollution of the stratosphere and the implications of the sonic boom over the oceans?

So far as I know, everybody agrees now that the supersonic transport could not be flown across land at supersonic speed. So the benefit of its speed across any continent is going to be lost. That leaves the oceans.

There are two major questions we are aware of, and I am sure there are many of which we are not aware. One is the question of flying the supersonic transport in the stratosphere at 65,000 feet, in a very fragile environment, and the implications of introducing water vapor into the stratosphere, plus the nitrogen oxides and the other pollutants of that engine. Every scientist agrees that the stratosphere is a very stable environment and that a pollutant introduced into that environment will stay there from 1 to 3 years, because there is very little vertical movement there. The best educated guess of the scientists is that with 500 SST's flying in the stratosphere we will, in a relatively short period of time, introduce an additional 10 percent water vapor into that atmosphere, to say nothing about the nitrogen oxides and the hydrocarbons that will also go in. And that where the plane will be flying, mostly in the northern hemisphere, the water vapor increase will probably go to about 60 percent.

Question: What does that mean? What are the implications of introducing that much water vapor and those pollutants into the stratosphere, and creating a kind of vapor-pollutant shield around the globe?

Nobody knows. But every scientist knows that it may spell serious global trouble. There have been no studies as to what it means.

Many distinguished scientists feel that it may change the climate of the planet at the surface level.

Mr. PROXMIRE. Mr. President, will the Senator yield at that point?

Mr. NELSON. Yes.

Mr. PROXMIRE. I think the Senator is making the most profound kind of criticism of what would happen if we proceed with the SST. He argues, as I understand it, that no studies have been made of the full impact in terms of temperature, radiation, and many other factors—smog, fog, cloudiness, the temperature of the earth—no comprehensive, responsible, or acceptable studies have been made.

Does it not make sense that before Congress should go ahead and provide another $290 million, such studies should be made? As I understand, the argument of those on the other side is that such studies are in progress, they will be made in the future, and in the event we find that the atmosphere is going to be too seriously polluted, the SST simply will not be allowed to be built.

Does not the Senator feel it would be far wiser to make the studies first?

The PRESIDING OFFICER. The Senator's additional time has expired.

Mr. NELSON. I ask unanimous consent to proceed for another 10 minutes.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. PROXMIRE. To make the studies first, and then, after the studies have been made, to proceed?

Mr. NELSON. The Senator is, in my judgment, 100 percent correct. What astonishes me is that we have proceeded years ago—in 1961, for example—to start such studies. The idea of investing the amount of money involved here to develop a plane, and then make the studies, does not make any sense, because these two planes will not help much in making the studies. If my memory is correct—and I shall correct the record if I am using the wrong name—I believe it was Dr. Garvin, who headed the scientific study commissioned by the President through Dr. Egeberg, who testified before the House Committee that all studies could be made without building a prototype, if they could be made at all.

Mr. PROXMIRE. We have an ample number of military prototypes now, if it takes planes to emit pollutants to make a study. We have that in abundance.

What concerns me is that if we go ahead and spend additional funds, then the argument will be that much stronger that we have gone this far, we have to go farther; we have put this money in the pot; we have risked more than $1 billion of the taxpayers' money; we cannot stop now. And what particularly concerns me is that those who would make the judgment, the finding, the report on the effect on the environment, are a group consisting of the Department of Commerce representative, who is chairman, the Defense Department representative, the FAA representative, the representative of McDonnell-Douglas, and the representa-

tive of American Airlines—with no one from the Office of Science and Technology; no one from the Office of Environmental Policy; no one from the office of Health, Education, and Welfare which would be concerned with the ecological effect; no one from the Department of the Interior—none of those who worked on President Nixon's ad hoc panel, and unanimously found the SST could cause pollution of the environment.

Under those circumstances, it seems to me we are really stacking the deck in favor of a finding that would be soft on pollution and hard on the SST benefits, and we would probably come out on the wrong side, in my view, from the standpoint of the taxpayer as well as from the standpoint of the overwhelming majority of our citizens who would not fly overseas.

Mr. NELSON. I think the Senator is absolutely right. And if we give this supersonic transport the momentum of completing the prototype, the world will know that the competition is still on, Britain and France will know that they have got to deploy their Concorde, which they can do much more quickly than we can deploy ours, and the Russians the same. So the race will be on.

Can the Senator imagine that once we have the two prototypes in the air—the Concorde is flying, and the Russian plane is flying—that then we are going to continue the studies and not build the plane?

Moreover, I do not know how they are going to make their studies, anyway. I cannot find a scientist who can tell me how such a study could be made.

So no one knows what it will mean to put pollutants into the stratosphere worldwide, and increase the water vapor by 10 to 60 percent. If we are going to put the pollutants there, we will be playing Russian roulette with the climate worldwide.

How are we going to find out? Are we going to do it with the pilot model? I do not know how we are going to find out the environmental complications no matter what studies we make. I cannot find any scientist who can tell me how they are going to make their studies, nor how they are going to go about determining the effect of the sonic boom over the oceans, where a great variety of creatures live.

The only difference between living things on the ocean and living things on land is that the former do not vote. We worry about flying it over land, because those living creatures vote; but out there on the oceans, they do not. So why worry?

No one knows yet what 2½ to 3½ pounds of pressure per square foot from that sonic boom, in a 50-mile-wide course across the ocean, means to all the migratory birds, animals, and life systems on the surface of the ocean.

Does the Senator know what a sonic boom of 3 pounds per square foot is? That is about 132,000 pounds of bang for every acre across the ocean—132,000 pounds of bang for every acre of the surface. What will that do to all the animals migrating on all the oceans of the world, and all the birds that are migrating, or the other life systems. No one knows.

But any reasonably conservative scientist would start out by saying: "I think it must spell disaster to the environment of the oceans, and until you prove to me it does not spell disaster, do not do it."

Heretofore, we have done everything, in this country, and worried about the disasters later. Now we have the disasters. It is not a question of whether we have ever made a stupid mistake. We have polluted the air envelope around the world. We have polluted the lakes and the oceans. Russia has done the same. Lake Baikal is going down the drain as fast as those Socialists can make it go. They are no better than we are.

Now we have a chance, on a specific issue, to halt it.

As the Senator suggests, once you get this machine going, once you get the momentum of the competition and the momentum of having built it, are we going to stop it? No. The key to stopping it now is to stop it worldwide. Then, if we have to get to Europe 3 hours faster, if that is so important—to whom I do not know—let us study it, all of us together. I have introduced a resolution to refer this question to the United Nations Conference on the Environment in Stockholm, Sweden, in 1972, which is just a year away.

Yes, once we launch the SST, it is on its way. I think we should kill it now. Then we should pass a bill, and that bill should say that no commercial supersonic transport can land within the territorial limits of the United States.

The economics of the SST are highly questionable, at best. The Senator from Wisconsin knows that, the British know it, the French know it, and we know it—everyone knows that the economics are questionable at best. So, if we refuse to permit them to land in this country, that is the end of the Concorde, and that is the end of the SST, because the United States represents the most lucrative market in the world. We at least ought to assume our responsibility for this.

People say, "How can you stop it from landing here?" This is not a restrictive trade proposition. It is not discriminatory. We would be saying to the rest of the world that we will not permit our SST's to land in this country and we apply the same rule, even-handedly, to all the countries of the world. Nobody can complain about that. As a matter of fact, Sweden has established standards. If I understand them, the standards will not permit the current generation of SST's or anything like them to fly over Sweden.

What is our responsibility? The President made the argument, many Senators have made the argument, and the industry has made the argument that the plane is going to be built, anyway. So, no matter if we are going to commit worldwide disaster; they want the United States be a part of it.

After all, we have some kind of syndrome about being the world's leader in everything. We have to be first in everything. Now we want to be first in a great big failure. I do not think we ought to lead in failures.

What is our responsibility? Nobody, no country in the world, has jurisdiction over the oceans or the stratosphere. There is no responsibility. There is no jurisdiction. The most that can be said is that each country has jurisdiction over the oceans within the 3- or 10-mile limit and it has jurisdiction over its land, except that there is a limit on that, because satellites are flying over everybody's land. So the most we can say is that each country has a little piece of the control and the jurisdiction, over the worldwide environment—just a piece. If we have a piece of it, what should we do about it? Should we say, "If everybody else is going to risk polluting the stratosphere and destroying the habitat of the oceans for all kinds of living creatures, we might as well joint in"? That is irresponsible in the extreme.

Our moral responsibility is to say that there are grave questions environmentally that are global and that effect not only human beings but all living creatures. The United States has a moral responsibility to lead in stopping the degradation of the environment worldwide, because we all share the same environment. Since our jurisdiction is confined to the territorial limits of the United States, and since we have a responsibility, in my judgment, to provide moral and practical leadership, we should say, "You may not land here." That ends that argument. Then let us do the studies.

The PRESIDING OFFICER (Mr. EAGLETON). The time of the Senator has expired.

Mr. NELSON. I ask unanimous consent that I may proceed for 5 additional minutes.

Mr. BYRD of Virginia. Mr. President, reserving the right to object—and I shall not object—first, I want to say that I feel that the Senator from Wisconsin is making a very effective and able presentation. But I rise to ask the Senator how long he anticipates he may continue.

Mr. NELSON. I am near the end of my remarks; not more than 5 minutes.

Mr. BYRD of Virginia. I have no objection, Mr. President.

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

Mr. NELSON. So my point about it all is that we have a moral responsibility to do our part, since we control only a small part of the world's environment, and share the whole environment. If Russia is not going to assume its responsibility and France is not and England is not, then is there some argument that we should not? In fact, the responsibility for the United States is greater, because if we go ahead, England and France have to go. If we open our market, if we are going to have an SST, then they have to be in competition. We are the ones who can stop this competition.

I will have more to say about this matter next week, for several days next week, along with the senior Senator from Wisconsin. I would hope that, after having had a great victory, with 52 votes, the Senate would not turn around now, after all the involvement we have had in this discussion all over this country, with young people saying, "Does the system really work or does it collapse under pressure? Does it work or does not it work?" I think it worked very well, when

we look at the vote on the SST. I think it reflected all kinds of things that have been going on, including Earth Day on April 22, when 10,000 grade schools and high schools, with 8 to 10 million young kids, and 3,500 colleges, 3,000 communities, millions of people all over the country, expressing in a constructive, quiet way, all day long, their concern about the status of the environment.

Columnists wrote articles after that, and I received telephone calls and queries on TV saying, "Well, was it just another day?" I said, "No, it is not just another day. This was a great day, and it will continue, and the environment issue will become more and more important, because we are living with it every day and it is being degraded day by day."

This is the first evidence, the first really specific evidence, on a tough issue. This is not to say that we have not passed some fine legislation. We have done so, some of it led by Senator JACKSON and by Senator MAGNUSON. But this is a specific occasion when the environmental concerns of the people of this country came into a direct confrontation with a tremendous technological development. Are we going to sell it down the river by turning around and collapsing because we have to have a DOT appropriation?

I agree with Senator PROXMIRE that we can pass a continuing resolution and leave the SST money out. I will vote for that. I am not trying to hold up the DOT appropriations and neither is anyone else. But if they insist on including appropriations for the SST, I will talk as long as I am able to talk on the issue, as I know several other Senators will; and they had better start putting turkeys in the Senate dining room for Christmas dinner and New Year's, also, and if necessary, longer than that, because this is a fight that has to be settled now.

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

Mr. NELSON. I yield.

Mr. PROXMIRE. Mr. President, I congratulate the Senator. I think he has expressed the theme of the debate on the SST that will be going on for some days to come—if necessary, up to January 3.

I think we have to recognize that this is not just another bill that we are disappointed we did not get, or another action we are disappointed we did not get. This is the number one ecology issue before Congress, as my colleague from Wisconsin has said so well. There is no question about it. This is the real breakthrough we have made in the last few years.

It is also the No. 1 priorities issue. If there is one dramatic demonstration of how we ought to reorder our priorities, it is right here. Here is a program that will not feed a hungry child, that will not build a home, that will not provide a cure for someone who is ill. It will do nothing of any significant importance for any human being. Yet, we are asked to pour this enormous sum into it.

I think that in the next few days it will be necessary for the Senators from Wisconsin to speak several times at considerable length on this issue. I have talked with a number of Senators, and I am sure many will be anxious to speak, also. I think it is important that we not only talk to our colleagues but also to the country as a whole on this issue.

I thank my colleague for having set such an excellent pace in this talk. His part in this debate will not only be educational and constructive but also of considerable inspiration.

Mr. NELSON. I thank the Senator, who has been leading this fight for several years.

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

Mr. NELSON. I ask unanimous consent that I may proceed for 1 additional minute.

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

Mr. NELSON. I did not discuss the question of priorities, which has been raised by my senior colleague and which is so critical.

I conclude by saying that I have a friend in New York who tells me that when we get the SST going, he will be able to get to London quicker than he will be able to drive across New York City. Well, that is a great priority. Who needs that 3½-hour saving, when the whole mass transportation system of America has collapsed? We ought to settle that before we settle this.

I yield the floor.

ORDER OF BUSINESS

Mr. BYRD of Virginia obtained the floor.

Mr. BYRD of Virginia. Mr. President, I ask unanimous consent that I may yield to the distinguished Senator from North Dakota (Mr. YOUNG), without the time being charged to the Senator from Virginia.

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

PROVISION FOR POTATO AND TOMATO PROMOTION PROGRAMS

Mr. YOUNG of North Dakota. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on S. 1181.

The PRESIDING OFFICER (Mr. EAGLETON) laid before the Senate the amendments of the House of Representatives to the bill (S. 1181) to provide for potato and tomato promotion programs which were to strike out all after the enacting clause, and insert:

TITLE I—ADVERTISING PROJECTS: MILK

SEC. 101. The Agricultural Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, is further amended, by adding at the end of subsection 8c(5) the following new subparagraph (I):

"(I) Establishing or providing for the establishment of research and development projects, and advertising (excluding brand advertising), sales promotion, educational, and other programs, designed to improve or promote the domestic marketing and consumption of milk and its products, to be financed by producers in a manner and at a rate specified in the order, on all producer milk under the order. Producer contributions under this subparagraph may be deducted from funds due producers in computing total pool value or otherwise computing total funds due producers and such deductions shall be in addition to the adjustments authorized by subparagraph (B) of subsection 8c(5). Provision may be made in the order to exempt, or allow suitable adjustments or credits in connection with, milk on which a mandatory checkoff for advertising or marketing research as required under the authority of any State law. Such funds shall be paid to an agency organized by milk producers and producers' cooperative associations in such form and with such methods of operation as shall be specified in the order. Such agency may expend such funds for any of the purposes authorized by this subparagraph and may designate, employ, and allocate funds to persons and organizations engaged in such programs which meet the standards and qualifications specified in the order. All funds collected under this subparagraph shall be separately accounted for and shall be used only for the purposes for which they were collected. Programs authorized by this subparagraph may be either local or national in scope, or both, as provided in the order, but shall not be international. Order provisions under this subparagraph shall not become effective in any marketing order unless such provisions are approved by producers separately from other order provisions, in the same manner provided for the approval of marketing orders, and may be terminated separately whenever the Secretary makes a determination with respect to such provisions as is provided for the termination of an order in subsection 8c (16)(B). Disapproval or termination of such order provisions shall not be considered disapproval of the order or of other terms of the order. Notwithstanding any other provision of this Act, as amended, any producer against whose marketings any assessment is withheld or collected under the authority of this subparagraph, and who is not in favor of supporting the research and promotion programs, as provided for herein, shall have the right to demand and receive a refund of such assessment pursuant to the terms and conditions specified in the order."

TITLE II—ADVERTISING PROJECTS: OTHER COMMODITIES

SEC. 201. Section 8c(6)(I) of the Agricultural Adjustment Act of 1933, as amended, and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, is amended to read as follows:

"Establishing or providing for the establishment of production research, marketing research, and development projects designed to assist, improve, or promote the marketing, distribution, and consumption or efficient production of any such commodity or product, the expense of such projects to be paid from funds collected pursuant to the marketing order: *Provided*, That with respect to those commodities specified in section 8c(2) of this Act, such projects may provide for any form of marketing promotion including paid advertising: *Provided further*, That the inclusion in a Federal marketing order of provisions for research and marketing promotion, including paid advertising, shall not be deemed to preclude, preempt, or supersede any such provisions in any State program covering the same commodity."

TITLE III—POTATO RESEARCH AND PROMOTION

This title may be cited as the "Potato Research and Promotion Act".

FINDINGS AND DECLARATION OF POLICY

SEC. 302. Potatoes are a basic food in the United States. They are produced by many individual potato growers in every State in the United States. In 1966, there were one million four hundred and ninety-seven thousand acres of cropland in the United States devoted to the production of potatoes. Approximately two hundred and seventy-five million hundredweight of potatoes have been

produced annually during the past five years with an estimated sales value to the potato producers of $561,000,000.

Potatoes and potato products move, in a large part, in the channels of interstate commerce, and potatoes which do not move in such channels directly burden or affect interstate commerce in potatoes and potato products. All potatoes produced in the United States are in the current of interstate commerce or directly burden, obstruct, or affect interstate commerce in potatoes and potato products.

The maintenance and expansion of existing potato markets and the development of new or improved markets are vital to the welfare of potato growers and those concerned with marketing, using, and processing potatoes as well as the general economic welfare of the Nation.

Therefore, it is the declared policy of the Congress and the purpose of this title that it is essential in the public interest, through the exercise of the powers provided herein, to authorize the establishment of an orderly procedure for the financing, through adequate assessments on all potatoes harvested in the United States for commercial use, and the carrying out an effective and continuous coordinated program of research, development, advertising, and promotion designed to strengthen potatoes' competitive position, and to maintain and expand domestic and foreign markets for potatoes produced in the United States.

DEFINITIONS

SEC. 303. As used in this title:

(a) The term "Secretary" means the Secretary of Agriculture.

(b) The term "person" means any individual, partnership, corporation, association, or other entity.

(c) The term "potatoes" means all varieties of Irish potatoes grown by producers in the forty-eight contiguous States of the United States.

(d) The term "handler" means any person (except a common or contract carrier of potatoes owned by another person) who handles potatoes in a manner specified in a plan issued pursuant to this title or in the rules and regulations issued thereunder.

(e) The term "producer" means any person engaged in the growing of five or more acres of potatoes.

(f) The term "promotion" means any action taken by the National Potato Promotion Board, pursuant to this title, to present a favorable image for potatoes to the public with the express intent of improving their competitive positions and stimulating sales of potatoes and shall include, but shall not be limited to, paid advertising.

AUTHORITY TO ISSUE A PLAN

SEC. 304. To effectuate the declared policy of this title, the Secretary shall, subject to the provisions of this title, issue and from time to time amend, orders applicable to persons engaged in the handling of potatoes (hereinafter referred to as handlers) and shall have authority to issue orders authorizing the collection of assessments on potatoes handled under the provisions of this title, and to authorize the use of such funds to provide research, development, advertising, and promotion of potatoes in a manner prescribed in this title. Any order issued by the Secretary under this title shall hereinafter in this title be referred to as a "plan". Any such plan shall be applicable to potatoes produced in the forty-eight contiguous States of the United States.

NOTICE AND HEARINGS

SEC. 305. When sufficient evidence is presented to the Secretary by potato producers, or whenever the Secretary has reason to believe that a plan will tend to effectuate the declared policy of this title, he shall give due notice and opportunity for a hearing upon a proposed plan. Such hearing may be requested by potato producers or by any other interested person or persons, including the Secretary, when the request for such hearing is accompanied by a proposal for a plan.

FINDINGS AND ISSUANCE OF A PLAN

SEC. 306. After notice and opportunity for hearing, the Secretary shall issue a plan if he finds, and sets forth in such plan, upon the evidence introduced at such hearing, that the issuance of such plan and all the terms and conditions thereof will tend to effectuate the declared policy of this title.

REGULATIONS

SEC. 307. The Secretary is authorized to make such regulations with the force and effect of law, as may be necessary to carry out the provisions of this title and the powers vested in him by this title.

REQUIRED TERMS IN PLANS

SEC. 308. Any plan issued pursuant to this title shall contain the following terms and conditions:

(a) Providing for the establishment by the Secretary of a National Potato Promotion Board (hereinafter referred to as "the board") and for defining its powers and duties, which shall include powers—

(1) to administer such plan in accordance with its terms and conditions;

(2) to make rules and regulations to effectuate the terms and conditions of such plan;

(3) to receive, investigate, and report to the Secretary complaints of violations of such plan; and

(4) to recommend to the Secretary amendments to such plan.

(b) Providing that the board shall be composed of representatives of producers selected by the Secretary from nominations made by producers in such manner as may be prescribed by the Secretary. In the event producers fail to select nominees for appointment to the board, the Secretary shall appoint producers on the basis of representation provided for in such plan.

(c) Providing that board members shall serve without compensation, but shall be reimbursed for reasonable expenses incurred in performing their duties as members of the board.

(d) Providing that the board shall prepare and submit to the Secretary for his approval a budget, on a fiscal period basis, of its anticipated expenses and disbursements in the administration of the plan, including probable costs of research, development, advertising and promotion.

(e) Providing that the board shall recommend to the Secretary and the Secretary shall fix the assessment rate required for such costs as may be incurred pursuant to subsection (d) of this section; but in no event shall the assessment rate exceed 1 cent per one hundred pounds of potatoes handled.

(f) Providing that—

(1) funds collected by the board shall be used for research, development, advertising, or promotion of potatoes and potato products and such other expenses for the administration, maintenance, and functioning of the board, as may be authorized by the Secretary;

(2) no advertising or sales promotion program shall make any reference to private brand names or use false or unwarranted claims in behalf of potatoes or their products or false or unwarranted statements with respect to the attributes or use of any competing products; and

(3) no funds collected by the board shall in any manner be used for the purpose of influencing governmental policy or action, except as provided by subsection (a)(4) of this section.

(g) Providing that, notwithstanding any other provisions of this title, any potato producer against whose potatoes any assessment is made and collected under authority of this title and who is not in favor of supporting the research and promotion program as provided for under this title shall have the right to demand and receive from the board a refund of such assessment: *Provided,* That such demand shall be made personally by such producer in accordance with regulations and on a form and within a time period prescribed by the board and approved by the Secretary, but in no event less than ninety days, and upon submission of proof satisfactory to the board that the producer paid the assessment for which refund is sought, and any such refund shall be made within sixty days after demand therefor.

(h) Providing that the board shall, subject to the provisions of subsections (e) and (f) of this section, develop and submit to the Secretary for his approval any research, development, advertising or promotion programs or projects, and that any such program or project must be approved by the Secretary before becoming effective.

(i) Providing the board with authority to enter into contracts or agreements, with the approval of the Secretary, for the development and carrying out of research, development, advertising or promotion programs or projects, and the payment of the cost thereof with funds collected pursuant to this title.

(j) Providing that the board shall maintain books and records and prepare and submit to the Secretary such reports from time to time as may be prescribed for appropriate accounting with respect to the receipt and disbursement of funds entrusted to it and cause a complete audit report to be submitted to the Secretary at the end of each fiscal period.

PERMISSIVE TERMS IN PLANS

SEC. 309. Any plan issued pursuant to this title may contain one or more of the following terms and conditions:

(a) Providing authority to exempt from the provisions of the plan potatoes used for nonfood uses, and authority for the board to require satisfactory safeguards against improper use of such exemptions.

(b) Providing for authority to designate different handler payment and reporting schedules to recognize differences in marketing practices and procedures utilized in different production areas.

(c) Providing for the establishment, issuance, effectuation, and administration of appropriate programs or projects for the advertising and sales promotion of potatoes and potato products and for the disbursement of necessary funds for such purposes: *Provided, however,* That any such program or project shall be directed toward increasing the general demand for potatoes and potato products: *And provided further,* That such promotional activities shall comply with the provisions of section 308(f) of this title.

(d) Providing for establishing and carrying on research and development projects and studies to the end that the marketing and utilization of potatoes may be encouraged, expanded, improved, or made more efficient, and for the disbursement of necessary funds for such purposes.

(e) Providing for authority to accumulate reserve funds from assessments collected pursuant to this title, to permit an effective and continuous coordinated program of research, development, advertising, and promotion in years when the production and assessment income may be reduced: *Provided,* That the total reserve fund does not exceed the amount budgeted for two years' operation.

(f) Providing for authority to use funds collected herein, with the approval of the Secretary, for the development and expansion of potato and potato product sales in foreign markets.

(g) Terms and conditions incidental to and not inconsistent with the terms and conditions specified in this title and necessary to effectuate the other provisions of such plan.

ASSESSMENTS

SEC. 310. (a) Each handler designated by the board, pursuant to regulations issued under the plan, to make payment of assessments shall be responsible for payment to the board, as it may direct, of any assessment levied on potatoes; and such handler may collect from any producer or deduct from the proceeds paid to any producer, on whose potatoes such assessment is made, any such assessment required to be paid by such handler. Such handler shall maintain a separate record with respect to each producer for whom potatoes were handled, and such records shall indicate the total quantity of potatoes handled by him including those handled for producers and for himself, shall indicate the total quantity of potatoes handled by him which are included under the terms of a plan as well as those which are exempt under such plan, and shall indicate such other information as may be prescribed by the board. To facilitate the collection and payment of such assessments, the board may designate different handlers or classes of handlers to recognize difference in marketing practices or procedures utilized in any State or area. No more than one such assessment shall be made on any potatoes.

(b) Handlers responsible for payment of assessments under subsection (a) of this section shall maintain and make available for inspection by the Secretary such books and records as required by the plan and file reports at the times, in the manner, and having the content prescribed by the plan, to the end that information and data shall be made available to the board and to the Secretary which is appropriate or necessary to the effectuation, administration, or enforcement of this title or of any plan or regulation issued pursuant to this title.

(c) All information obtained pursuant to subsections (a) and (b) of this section shall be kept confidential by all officers and employees of the Department of Agriculture and of the board, and only such information so furnished or acquired as the Secretary deems relevant shall be disclosed by them, and then only in a suit or administrative hearing brought at the direction, or upon the request, of the Secretary, or to which he or any officer of the United States is a party, and involving the plan with reference to which the information to be disclosed was furnished or acquired. Nothing in this section shall be deemed to prohibit—

(1) the issuance of general statements based upon the reports of a number of handlers subject to a plan if such statements do not identify the information furnished by an person, or

(2) the publication by direction of the Secretary of the name of any person violating any plan together with a statement of the particular provisions of the plan violated by such person.

Any such officer or employee violating the provisions of this subsection shall upon conviction be subject to a fine of not more than $1,000 or imprisonment for not more than 1 year, or both, and shall be removed from office.

PETITION AND REVIEW

SEC. 311. (a) Any person subject to a plan may file a written petition with the Secretary, stating that such plan or any provision of such plans or any obligation imposed in connection therewith is not in accordance with law and praying for a modification thereof or to be exempted therefrom. He shall thereupon be given an opportunity for a hearing upon such petition, in accordance with regulations made by the Secretary. After such hearing, the Secretary shall make a ruling upon the prayer of such petition which shall be final, if in accordance with law.

(b) The district courts of the United States in any district in which such person is an inhabitant, or has his principal place of business, are hereby vested with jurisdiction to review such ruling: *Provided*, That a complaint for that purposes is filed within twenty days from the date of the entry of such ruling. Service of process in such proceedings may be had upon the Secretary by delivering to him a copy of the complaint. If the court determines that such ruling is not in accordance with law, it shall remand such proceedings to the Secretary with directions either (1) to make such ruling as the court shall determine to be in accordance with law, or (2) to take such further proceedings as, in its opinion, the law requires. The pendency of proceedings instituted pursuant to subsection (a) of this section shall not impede, hinder, or delay the United States or the Secretary from obtaining relief pursuant to section 312(a) of this title.

ENFORCEMENT

SEC. 312. (a) The several district courts of the United States are vested with jurisdiction specifically to enforce, and to prevent and restrain any person from violating any plan or regulation made or issued pursuant to this title.

(b) Any handler who violates any provisions of any plan issued by the Secretary under this title, or who fails or refuses to remit any assessment or fee duly required of him thereunder shall be subject to criminal prosecution and shall be fined not less than $100 nor more than $1,000 for each such offense.

INVESTIGATION AND POWER TO SUBPENA

SEC. 313. (a) The Secretary may make such investigations as he deems necessary for the effective carrying out of his responsibilities under this title or to determine whether a handler or any other person has engaged or is engaging in any acts or practices which constitute a violation of any provision of this title, or of any plan, or rule or regulation issued under this title. For the purpose of any such investigation, the Secretary is impowered to administer oaths and affirmations, subpena witnesses, compel their attendance, take evidence, and require the production of any books, papers, and documents which are relevant to the inquiry. Such attendance of witnesses and the production of any such records may be required from any place in the United States. In case of contumacy by, or refusal to obey a subpena issued to, any person, including a handler, the Secretary may invoke the aid of any court of the United States within the jurisdiction of which such investigation or proceeding is carried on, or where such person resides or carries on business, in requiring the attendance and testimony of witnesses and the production of books, papers, and documents; and such court may issue an order requiring such person to appear before the Secretary, there to produce records if so ordered, or to give testimony touching the matter under investigation. Any failure to obey such order of the court may be punished by such court as contempt thereof. All process in any such case may be served in the judicial district whereof such person is an inhabitant or wherever he may be found. The site of any hearings held under this section shall be within the judicial district where such handler or other person is an inhabitant or has his principal place of business.

(b) No person shall be excused from attending and testifying or from producing books, papers, and documents before the Secretary, or in obedience to the subpena of the Secretary, or in any cause or proceeding, criminal or otherwise, based upon, or growing out of any alleged violation of this title, or of any plan, or rule, or regulation issued thereunder on the ground or for the reason that the testimony or evidence, documentary or otherwise, required of him may tend to incriminate him or subject him to a penalty or forfeiture; but no individual shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, documentary or otherwise, except that any individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying.

REQUIREMENT OF REFERENDUM

SEC. 314. The Secretary shall conduct a referendum among producers who, during a representative period determined by the Secretary, have been engaged in the production of potatoes for the purpose of ascertaining whether the issuance of a plan is approved or favored by producers. No plan issued pursuant to this title shall be effective unless the Secretary determines that the issuance of such plan is approved or favored by not less than two-thirds of the producers voting in such referendum, or by the producers of not less than two-thirds of the potatoes produced during the representative period by producers voting in such referendum, and by not less than a majority of the producers voting in such referendum. The ballots and other information or reports which reveal or tend to reveal the vote of any producer or his production of potatoes shall be held strictly confidential and shall not be disclosed. Any officer or employee of the Department of Agriculture violating the provisions hereof shall upon conviction be subject to the penalties provided in paragraph 310(c) above.

SUSPENSION OR TERMINATION OF PLANS

SEC. 315. (a) The Secretary shall, whenever he finds that a plan or any provision thereof obstructs or does not tend to effectuate the declared policy of this title, terminate or suspend the operation of such plan or such provision thereof.

(b) The Secretary may conduct a referendum at any time and shall hold a referendum on request of the board or of 10 per centum or more of the potato producers to determine if potato producers favor the termination or suspension of the plan, and he shall terminate or suspend such plan at the end of the marketing year whenever he determines that such suspension or termination is favored by a majority of those voting in a referendum, and who produce more than 50 per centum of the volume of the potatoes produced by the potato producers voting in the referendum.

AMENDMENT PROCEDURE

SEC. 316. The provisions of this title applicable to plans shall be applicable to amendments to plans.

SEPARABILITY

SEC. 317. If any provision of this title or the application thereof to any person or circumstances is held invalid, the validity of the remainder of this title and of the application of such provision to other persons and circumstances shall not be affected thereby.

AUTHORIZATION

SEC. 318. There is hereby made available from the funds provided by section 32 of Public Law 320, Seventy-fourth Congress (49 Stat. 774), as amended (7 U.S.C. 612c), such sums as are necessary to carry out the provisions of this title: Provided, That no such sum shall be used for the payment of any expenses or expenditures of the board in administering any provision of any plan issued under authority of this title.

EFFECTIVE DATE

SEC. 319. This title shall take effect upon enactment.

TITLE IV—RESTRICTIONS ON IMPORTED COMMODITIES

SEC. 401. Section 8e of the Agricultural Adjustment Act of 1933, as amended, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, and as amended by the Agricultural Act of 1961, is amended by inserting in the first sentence thereof between "tomatoes" and "avocadoes," the following: "raisins, olives (other than Spanish-style green olives), prunes".

And amend the title so as to read: "An act to amend section 8c(6)(I) of the Agricultural Marketing Agreement Act of 1937, as amended, to permit projects for paid advertising under marketing orders, to provide for a potato research and promotion program, and to amend section 8e of the Agricultural Marketing Agreement Act of 1937, as amended, to provide for the extension of restrictions on imported commodities imposed by such section to imported raisins, olives, and prunes."

Mr. YOUNG of North Dakota. Mr. President, I move that the Senate concur in the House amendment to S. 1181 with an amendment as follows:

In lieu of the matter proposed to be inserted, insert the text of S. 4560, Calendar No. 1407.

The amendment I am proposing is fully explained in Senate Report No. 91-1400. It would adopt the House provision with respect to promotion programs for milk. It would delete the House provision extending promotion program authority to all commodities that are subject to marketing order authority. It would delete the House provision imposing import restrictions on prunes, raisins, and olives—other than Spanish-type green olives. It would retain the Senate-approved provision authorizing advertising programs for tomatoes, and would retain the authority for potato promotion programs which has been approved by both the House and Senate. The only substantive difference between the amendment I am proposing and S. 1811, as passed by the Senate on October 16 last year, is the authority for milk promotion which is contained in title I of the amendment.

The motion was agreed to.

Mr. YOUNG of North Dakota. Mr. President, the amendment is fully explained in the report. It was approved unanimously by the Committee on Agriculture and Forestry.

Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91-1400), explaining the purposes of the measure.

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

EXPLANATION

On October 16, 1969, the Senate passed S. 1181 providing authority for potato and tomato promotion programs. On November 30, 1970, the House of Representatives passed S. 1181 with an amendment in the nature of a substitute providing authority for promotion programs for milk, potatoes, and all other commodities for which marketing orders are authorized by section 8c(2) of the Agricultural Adjustment Act (of 1933). The original bill reported herewith provides for a milk promotion program as provided for by the House amendment to S. 1181, a tomato advertising program as provided for by S. 1181 as passed by the Senate, and a potato promotion program as provided for by both the Senate and House versions of S. 1181. It does not include the provisions of the House amendment which would have provided for paid advertising programs for commodities other than milk, tomatoes, and potatoes, nor does it include the provisions of the House amendment which would have extended the restrictions on imported commodities of section 8e of the Agricultural Adjustment Act (of 1933) to raisins, prunes, and certain olives.

It is anticipated that after the Senate has had an opportunity to study the bill reported herewith, a move will be made to lay the message from the House on S. 1181 before the Senate and concur in the amendment of the House with an amendment substituting the text of the bill reported herewith.

Title I of the bill reported herewith is identical to title I of the House amendment to S. 1181, except that "as required" has been changed to "is required" in the third sentence of the proposed new subparagraph (I).

Title II of the bill reported herewith is identical to title II of S. 1181 as passed by the Senate, except that (1) the word "apples" has been substituted for the word "avocados" to take into account the enactment of Public Law 91-363 on July 31, 1970; and (2) the word "first" has been inserted before the word "proviso" to take into account the enactment of Public Law 91-292 on June 25, 1970, which added a second proviso. Title II of the House amendment, in completely amending section 8c(6)(I) of the Agricultural Adjustment Act (of 1933) to provide for paid advertising promotion for all commodities subject to marketing orders, would inadvertently repeal a provision relating to almonds which was enacted by Public Law 91-522 on November 25, 1970.

Title III of the bill reported herewith is identical to title III of the House amendment to S. 1181, except for the following clerical changes:

(1) In the last paragraph of section 302 the word "of" has been inserted after "carrying out".

(2) In section 310(a) "difference" has been changed to "differences".

(3) In section 310(c)(1) "an person" has been changed to "any person".

COST

It is estimated that Federal costs under title I (milk) would be $200,000 for each of the first 2 years, somewhat less thereafter. The cost under title II (tomatoes) is estimated by the Department of Agriculture to be little, if any. Initiation of a plan under title III (potatoes) is estimated to cost from $180,000 to $325,000 depending upon whether suitable mailing lists can be obtained so that the referendum can be held by mail rather than by the use of polling places.

DEPARTMENTAL VIEWS

Attached are reports from the Department of Agriculture favoring enactment of the various titles of this bill.

DEPARTMENT OF AGRICULTURE,
Washington, August 7, 1969.

Hon. W. R. POAGE,
Chairman, Committee on Agriculture, House of Representatives.

DEAR MR. CHAIRMAN: This is in reply to your request for a report on H.R. 10710, a bill to amend the Agricultural Marketing Agreement Act of 1937, as amended, to provide authorization for the establishment of advertising, sales promotion, educational, and research programs, including marketing research and development, financed by deductions from payments due producers delivering milk to handlers regulated by Federal milk orders.

The Department supports enactment of H.R. 10710. We would suggest minor modifications, including accommodation of refunds to producers under certain circumstances.

The programs authorized by H.R. 10710 would be financed by deductions from funds owed to producers under the order. Deductions could be made directly from the total pool value of all producer milk. An equitable adjustment could be made in areas where a mandatory checkoff from dairy farmers for advertising and research is required by State law.

Funds would be paid to an agency organized by milk producers and associations of producers. This agency could employ persons and organizations for research and promotional programs designed to promote marketing and the domestic consumption of milk and milk products.

Provisions authorizing producer deductions would not become effective unless separately approved by producers in the same manner provided for the approval of orders. Disapproval of the producer deduction provisions would not be considered disapproval of the order, and such provisions could be terminated separately from other order provisions.

In recent years, an increasing number of dairy farmer cooperatives have expressed their support for this type of legislation. The threat of filled and imitation milk in fluid milk markets throughout the Nation has stimulated interest for increased promotion, advertising, and research.

H.R. 10710 would constitute enabling legislation and its implementation in a Federal milk order would require a public hearing as well as producer approval. Thus, a forum will be provided for a careful and thorough review of all the problems which might be associated with the adoption of a promotion program in an individual milk marketing area. It is important that any such program contain provisions which will be fair, equitable, efficient, and fruitful.

Projects carried out under the program would be subject to approval and continuing review by the Secretary to insure compliance with the statute and to protect the public interest.

We suggest that the bill be modified to provide that adjustments for mandatory checkoffs required by State law be allowed only if it is determined that deductions were actually made and used for purposes comparable with the purposes authorized under the bill.

We recommend also that the bill be modified by adding the following after the last sentence of the bill: "Notwithstanding any other provision of this Act, as amended, any producer against whose marketings any assessment is withheld or collected under the authority of this subparagraph, and who is not in favor of supporting the research and promotion programs, as provided for herein, shall have the right to demand and receive a refund of such assessment pursuant to the terms and conditions specified in the order."

The additional costs that may result from enactment of the legislation would be related to conducting public hearings and general administration of the programs. For each of the first 2 years we would anticipate additional annual costs of about $200,000. Thereafter, costs would be somewhat less. For the most part, additional costs would be associated with amending existing order provisions to authorize producer deductions for research and promotional programs.

Although H.R. 10710 does not mention the source of funds for administration, there is a bill (H.R. 13193) proposed by the Department which is before the Congress, which would permit the Department to recover costs of administration through user fees.

In view of the time situation, we have not obtained from the Bureau of the Budget advice regarding the relationship of the

proposed legislation to the administration's program.

Sincerely,

CLIFFORD M. HARDIN,
Secretary.

JANUARY 20, 1970.

Hon. ALLEN J. ELLENDER,
Chairman, Committee on Agriculture and Forestry, U.S. Senate.

DEAR MR. CHAIRMAN: This is in response to your request of April 21, 1969, for a report on S. 1862, a bill to amend section 8c(6)(I) of the Agricultural Marketing Agreement Act of 1937, as amended. This proposal would authorize marketing promotion including paid advertising under marketing orders applicable to tomatoes.

The Department recommends that this bill be passed.

Many industry groups believe that market promotion, including advertising, will not only strengthen their position in the marketplace but also will increase the demand for their commodity. Further, they believe they must advertise in order to hold the present space devoted to their product in the retail stores. The Agricultural Marketing Agreement Act currently authorizes marketing promotion as well as advertising projects for a number of horticultural commodities. The Department supports the extension of the promotion mechanism to tomatoes as contemplated by S. 1862.

There are currently two Federal marketing agreement and order programs in effect for tomatoes, one for tomatoes grown in Florida and the other for tomatoes grown in the Lower Rio Grande Valley in Texas. If this bill were enacted into law these groups would be able to take advantage of advertising programs.

The expense of such projects would be paid from funds collected pursuant to the marketing order. It is expected that little, if any, additional cost to the Department would result from the enactment of the proposed bill. However, should any additional cost result, it would be absorbed within existing appropriations with respect to these programs.

The Bureau of the Budget advises that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely,

RICHARD LYNG,
Acting Secretary.

DEPARTMENT OF AGRICULTURE,
Washington, D.C., April 18, 1969.

Hon. ALLEN J. ELLENDER,
Chairman, Committee on Agriculture and Forestry, U.S. Senate.

DEAR MR. CHAIRMAN: This is in reply to your request of March 3 for a report on S. 1181. The purpose of the bill is to enable potato growers to finance a nationally coordinated research and promotion program to improve their competitive position and expand their markets for potatoes.

The Department has no objection to this bill but suggests some modifications.

The bill provides for authority to establish a plan to collect assessments on potatoes produced in the 48 contiguous States of the United States. Producers with less than 5 acres will be exempt from assessments. The assessments will be used for promotion of potatoes including paid advertising. In addition, assessments can be used for research and development projects. The costs incurred by the potato industry in administering the program will also be paid from assessments. Prior approval by the Secretary of Agriculture for all projects and expenditures is provided for as a safeguard against improper use of funds.

The bill provides for a maximum assessment rate of 1 cent per hundredweight. Handlers are responsible for payment of the assessments, and they may deduct them from their settlement with the producers. Producers will be able to obtain a refund on the assessments paid by them, if they request it in the time and manner prescribed. The bill provides that hearings with respect to a proposed plan be held when requested by potato producers. A favorable referendum vote, by two-thirds of the potato producers voting in such referendum, or two-thirds of their production and not less than a majority of those voting, is required to approve any plan issued pursuant to this bill. If such a plan is favored by producers, a board will be appointed by the Secretary of Agriculture from industry nominations of eligible producers. Such board will administer the plan under the supervision of the Secretary of Agriculture.

Provisions in this bill are similar to those in Public Law 89-502 (80 Stat. 279) enacted by the 89th Congress, and cited as the "Cotton Research and Promotion Act." Promulgation and referendum proceedings for any plan issued pursuant to this bill are similar to those in marketing orders authorized by the Agricultural Marketing Agreement Act of 1937, as amended. Administrative provisions are also similar to those in marketing orders. There are no provisions for quality control or compulsory inspection in this bill.

The potato producers have been confronted, in recent years, with increased competition from other products marketed as easily prepared convenience foods. Some of these products are promoted on a national basis. Potato producers have not been able to effectively match this competition because production and marketing of potatoes is performed by numerous individual farmers in every State in the United States. This has made it difficult for them to finance and carry out adequate research and promotion projects to maintain a competitive position in the markets. This bill would give potato producers authority to help themselves by financing such projects.

Several potato-producing areas have State orders or commissions to promote potatoes produced in their specific areas. This bill is intended to supplement these existing programs with a nationally coordinated program.

The Department recommends the following modifications of this bill: (1) In section 2, page 1, line 6 (findings and declaration of policy), it is recommended that the findings, as contained in the national potato research and promotion bill in the 90th Congress (S. 2862 dated January 23, 1968, predecessor to this bill), be added as a part of section 2 of this bill. The addition would make clear that the legislation is intended to exercise the full sweep of the Federal commerce powers. It would also facilitate administration and enforcement as proof would not be required in each action for enforcement that the potatoes involved were in interstate commerce or directly burdened, obstructed, or affected interstate commerce in potatoes or potato products.

In the event the findings are not added, section 4 should be modified to indicate the intention to exercise the full sweep of the Federal commerce powers. In section 4, page 3, line 25 (authority to issue a plan), add to the end of the sentence the following: "and as are in the current of interstate commerce or directly burden, obstruct, or affect interstate commerce in potatoes or potato products".

(2) In subsection 3(d), page 2, line 20-22 (definitions), revise the term "handler" to read as follows:

"(d) The term 'handler' means any person (except a common or contract carrier or potatoes owned by another person, who handle potatoes in a manner specified in a plan issued pursuant to this Act or in the rules and regulations issued thereunder."

(3) In section 3, page 2, beginning on line 23, delete subsection (e)—the definition of "handle"—and renumber the remaining definitions.

(4) In subsection 10(a), page 9 (assessments), revise the language beginning on line 25 and continuing through the word "potatoes," in line 3 on page 10, to read as follows:

"SEC. 10. (a) Each handler designated by the board, pursuant to regulations issued under the plan, to make payment of assessments shall be responsible for payment to the board, as it may direct, of any assessment levied on potatoes;".

Also in subsection 10(a), add a sentence at the end to read as follows: "To facilitate the collection and payment of such assessments, the board may designate different handlers or classes of handlers to recognize difference in marketing practices or procedures utilized in any State or area. No more than one such assessment shall be made on any potatoes.".

The changes in (2) and (3) are recommended in the interest of providing a greater degree of flexibility in designating the various activities that will make a person a "handler." The change in (4) will provide flexibility in designating the "handler" responsible for payment of assessments to, as well as the manner and method of collection of assessments by, the board. These changes follow similar provisions in the Cotton Research and Promotion Act and are desirable in the light of our experience under that act.

(5) In section 6, page 4, line 16 (finding and issuance of a plan), delete "or modifications", as being unnecessary and confusing inasmuch as the Secretary must find that all the terms and conditions contained in the plan as issued will tend to effectuate the declared policy of the act.

(6) In subsection 9(e), page 9, lines 11 and 12 (permissive terms in plans), modify "research and development or advertising and promotion" to read "research, development, advertising and promotion". This change will make the quoted modification conform to other specifications of such activities elsewhere in the act.

(7) In subsection 12(b) (enforcement), delete the word "willfully" in two places on page 13, lines 6 and 8. "Willfully" is an undesirable term because it is difficult to prove and would result in administrative and enforcement difficulties.

Also in subsection 12(b), page 13, line 10, delete the words "liable to a penalty of not" and substitute in lieu thereof the words "fined not less than $100 or"; and delete the balance of the paragraph following the word "offense" in line 11. This change substitutes terminology generally associated with criminal prosecution in place of language relating to civil action. Additionally, specific authorization for civil action to collect unpaid assessments is unnecessary as subsection 12(a) provides the district courts with adequate authority to enforce collection.

We believe the enactment of this bill would result in a cost of $325,000 to conduct promulgation proceedings, a referendum and related items to initiate a plan if it is necessary to conduct the referendum by the use of polling places in each county. However, if the proponents of a plan are able to provide suitable mailing lists of potato producers eligible to vote so that the referendum can be conducted by mail, this would reduce total costs to initiate a plan to $180,000. Additionally, the Department's annual cost for administration is estimated to be $80,000.

The Bureau of the Budget advises that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely,

CLIFFORD M. HARDIN,
Secretary of Agriculture.

CHANGES IN EXISTING LAW

In compliance with subsection (4) of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets new matter is printed in italic, existing law in which no change is proposed is shown in roman):

AGRICULTURAL ADJUSTMENT ACT OF 1933

* * * * *

Orders

SEC. 8c.(1) The Secretary of Agriculture shall, subject to the provisions of this section, issue, and from time to time amend, orders applicable to processors, associations of producers, and others in the handling of any agricultural commodity or product thereof specified in subsection (2) of this section. Such persons are referred to in this title as "handlers." Such orders shall regulate, in the manner hereinafter in this section provided, only such handling of such agricultural commodity, or product thereof, as is in the current of interstate or foreign commerce, or which directly burdens, obstructs, or affects, interstate or foreign commerce in such commodity or product thereof.

* * * * *

Terms—milk and its products

(5) In the case of milk and its products, orders issued pursuant to this section shall contain one or more of the following terms and conditions, and (except as provided in subsection (7)) no others:

* * * * *

(I) Establishing or providing for the establishment of research and development projects, and advertising (excluding brand advertising), sales promotion, educational, and other programs, designed to improve or promote the domestic marketing and consumption of milk and its products, to be financed by producers in a manner and at a rate specified in the order, on all producer milk under the order. Producers contributions under this subparagraph may be deducted from funds due producers in computing total pool value or otherwise computing total funds due producers and such deductions shall be in addition to the adjustments authorized by subparagraph (B) of subsection 8c(5). Provision may be made in the order to exempt, or allow suitable adjustments or credits in connection with, milk on which a mandatory checkoff for advertising or marketing research is required under the authority of any State law. Such funds shall be paid to an agency organized by milk producers and producers' cooperative associations in such form and with such methods of operation as shall be specified in the order. Such agency may expend such funds for any of the purposes authorized by this subparagraph and many designate, employ, and allocate funds to persons and organizations engaged in such programs which meet the standards and qualifications specified in the order. All funds collected under this subparagraph shall be separately accounted for and shall be used only for the purposes for which they were collected. Programs authorized by this subparagraph may be either local or national in scope, or both, as provided in the order, but shall not be international. Order provisions under this subparagraph shall not become effective in any marketing order unless such provisions are approved by producers separately from other provisions, in the same manner provided for the approval of marketing orders, and may be terminated separately whenever the Secretary makes a determination with respect to such provisions as is provided for the termination of an order in subsection 8c(16)(B). Disapproval or termination of such order provisions shall not be considered disapproval of the order or of other terms of the order. Notwithstanding any other provisions of this Act, as amended, any producer against whose marketings any assessment is withheld or collected under the authority of this subparagraph, and who is not in favor of supporting the research and promotion programs, as provided for herein, shall have the right to demand and receive a refund of such assessment pursuant to the terms and conditions specified in the order.

Terms—other commodities

(6) In the case of the agricultural commodities and the products thereof, other than milk and its products, specified in subsection (2) orders issued pursuant to this section shall contain one or more of the following terms and conditions, and (except as provided in subsection (7)), no others:

* * * * *

(I) Establishing or providing for the establishment of production research, marketing research and development projects designed to assist, improve, or promote the marketing, distribution, and consumption or efficient production of any such commodity or product, the expense of such projects to be paid from funds collected pursuant to the marketing order: *Provided*, That with respect to orders applicable to almonds, cherries, carrots, citrus fruits, onions, Tokay grapes, fresh pears, dates, plums, nectarines, celery, sweet corn, limes, olives, pecans, avocados, [or] apples or *tomatoes* such projects may provide for any form of marketing promotion including paid advertising and with respect to almonds may provide for crediting the pro rata expense assessment obligations of a handler with all or any portion of his direct expenditures for such marketing promotion including paid advertising as may be authorized by the order: *Provided further*, That the inclusion in a Federal marketing order of provisions for research and marketing promotion, including paid advertising, shall not be deemed to preclude, preempt or supersede research provisions in any State program covering the same commodity.

Mr. YOUNG of North Dakota. Mr. President, I ask unanimous consent that S. 4560 be indefinitely postponed.

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

VIETNAM—PRESIDENT NIXON'S NEWS CONFERENCE LAST EVENING, AND TROOP WITHDRAWALS

Mr. BYRD of Virginia. Mr. President, last evening, the President of the United States held a significant news conference, the first he has held in Washington for some time.

I am not one of those who condemn the President for not holding more frequent news conferences.

I think his policy in regard to news conferences is sound. He holds them when he feels it will be in the public interest and when he has matters that would be of significance and concern to the American people.

Mr. President, I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks the transcript of the President's news conference of last evening.

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

(See exhibit 1.)

Mr. BYRD of Virginia. Mr. President, I want to comment on one aspect of the President's news conference and that is the discussion on Vietnam. Let me read into the RECORD one paragraph from the news conference, in which the President said:

> I must insist that there be continued reconnaissance over North Vietnam because, as we are withdrawing our forces, I have to see whether or not there's any chance of a strike against those forces that remain. And we have to watch for the build-up.

Mr. President, the President of the United States, as the Commander in Chief of our Armed Forces, has a dreadful responsibility in attempting, as he is attempting to do, to bring the Vietnam war to a conclusion. He must be ever aware of the safety of the Americans now in Vietnam. Their safety becomes more in jeopardy as we reduce our forces there.

The President has been condemned both on the floor of the Senate and throughout the Nation because he has not acted more quickly to bring the Vietnam war to a conclusion.

I think it is important to emphasize that President Nixon inherited this war, that he was not the President who sent troops into Vietnam, but that he is the President who is now bringing troops out of Vietnam.

When Richard M. Nixon assumed the oath of office as President of the United States on January 20, 1969, the United States had in Vietnam at that time 535,500 troops—Army, Navy, Air Force, and Marines. In addition to that figure, there were offshore 35,000 Navy personnel, and in Thailand 45,000 military personnel.

Thus, when we add the 535,000 to the offshore and the Thailand troops, there were at that point, on January 20, 1969, 615,000 Americans participating in the Vietnam endeavor.

What is the situation today?

On December 3, 1970, the United States had in Vietnam 349,700 troops—Army, Navy, Air Force, and Marines. Offshore in Southeast Asia, the United States had an additional 19,100 and in Thailand 38,400.

When we add the number of troops in Vietnam to the personnel offshore in Southeast Asia and in Thailand, it brings the total of U.S. military personnel in the Vietnam operation to 407,000.

That compares with the 615,000 military personnel who were involved in the Vietnam operation on January 20, 1969.

Mr. President, I ask unanimous consent that the table showing the number of troops in Vietnam on January 21, 1969, and on December 3, 1970, be printed in full at the conclusion of my remarks.

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

(See exhibit 2.)

Mr. BYRD of Virginia. Thus, Mr. President, I think that the President of the United States should be commended for the way he has handled the Vietnam activities in reducing the number of troops which were engaged in combat in that country. Bear in mind, too, that most of the troops which have been withdrawn are combat troops.

I speak today as one who for at least 4 years, and perhaps even longer, has stated publicly and on the floor of the

Senate that I have felt U.S. involvement in a ground war in Southeast Asia was a grave error of judgment. I have said that many times.

I believe it today.

But when the United States became involved there and the then President of the United States sent troops to Vietnam, I fully and completely supported those troops.

I shall continue to support them as long as they are there, as long as they are assigned to the theater of war by our duly elected Commander in Chief.

While the rate of withdrawal of troops by President Nixon may not satisfy everyone in this country, and may not satisfy everyone in the Senate, it seems to me, in fairness to the President, that the Senate must realize President Nixon has made great progress in reducing U.S. commitments in the way of troops to Vietnam.

Thus, today, I believe it is appropriate to present the figures and the facts to the American people, which show that in the space of less than 2 years, a little over 23 months, President Nixon has reduced the number of troops in and around Vietnam from 615,000 to 407,000, a very substantial reduction of 208,000.

I, for one, am pleased to rise on the floor of the Senate today and to present these figures and to applaud the President's assertion yesterday at his news conference.

I read it again for the RECORD:

I must insist that there be continued reconnaissance over North Vietnam because, as we are withdrawing our forces, I have to see whether or not there's any chance of a strike against those forces that remain. And we have to watch for the build-up.

Indeed he does. He has a tremendous responsibility to the troops who remain there.

I submit that as time goes on and those troops are further reduced, the danger to the men who are left becomes even greater.

I am pleased to note the very significant statement that the President made last night, that he will continue reconnaissance over North Vietnam to the end that our troops not be taken by surprise, but that our troops will be protected in every way possible.

We must end this war in Vietnam. But until it is ended and all troops are withdrawn our Nation has an obligation to protect those men who are there.

EXHIBIT 1

TRANSCRIPT OF THE PRESIDENT'S NEWS CONFERENCE ON FOREIGN AND DOMESTIC MATTERS

Won't you be seated, please. Miss Thomas has the first question tonight.

1. U.S. POLICY ON VIETNAM

Q. Mr. President, a question about Vietnam. Our recent air strikes have raised speculation that our policy of not bombing North Vietnam may be undergoing a subtle change. What is our policy? Also, despite the objection by the Saigon Government and the Vietcong, do you plan to propose a unilateral cease-fire from Christmas through Tet in a bid for peace?

A. Let me answer the second part of the question first. We are prepared to have cease-fires on a limited basis over the holiday seasons.

As you know, the North Vietnamese have turned down any extended cease-fire over the holiday seasons out of hand.

We, of course, could not have any extended cease-fire unilaterally, because that would be very dangerous for our forces. It's a brief cease-fire, we will do it. If it's extended, we will not.

With regard to the second part of your question, the bombing of North Vietnam: You may recall that, a few weeks ago, there was bombing of installations in North Vietnam, after the North Vietnamese had fired on some of our unarmed reconnaissance planes.

Now, there's been, I note, some speculation in the press and also some charges from North Vietnam that there is no understanding that reconnaissance planes are to fly over North Vietnam since the bombing halt was announced.

I want to be very sure that that understanding is clear. First, President Johnson said that was such an understanding at the time of the bombing halt. Secretary Clifford did. And Ambassador Vance did.

But if there is any misunderstanding, I want to indicate the understanding of this President with regard to the flying of reconnaissance planes over North Vietnam.

I must insist that there be continued reconnaissance over North Vietnam because, as we are withdrawing our forces, I have to see whether or not there's any chance of a strike against those forces that remain. And we have to watch for the build-up.

If our planes are fired upon, I will not only order that they return the fire, but I will order that the missile site be destroyed and that the military complex around that site which supports it also be destroyed by bombing.

That is my understanding.

Beyond that, there is another understanding with regard to the bombing of North Vietnam which at a number of these press conferences, and in my speech on Nov. 3, and in four televised speeches to the nation last year, I have stated. I restate it again tonight.

At a time that we are withdrawing from North Vietnam—from South Vietnam, it is vitally important that the President of the United States, as Comander in Chief, take the action that is necessary to protect our remaining forces, because the number of our ground combat forces is going down very, very steadily.

Now, if, as a result of my conclusion that the North Vietnamese by their infiltration threaten our remaining forces—if they thereby develop a capacity and proceed possibly to use that capacity to increase the level of fighting in South Vietnam—then I will order the bombing of military sites in North Vietnam, the passes that lead from North Vietnam into South Vietnam, the military complexes and the military supply lines.

That will be the reaction I shall take. I trust that that is not necessary, but let there be no misunderstanding with regard to this President's understanding about either reconnaissance flights or about a step-up of the activities.

2. CHANGES IN CABINET

Q. Are you contemplating any further changes in your Cabinet, and, if so, why change the line-ups at half-time or, depending on what happens in '72, at the end of the first quarter?

A. It seems we are in the football season pretty genuinely tonight. First, with regard to changes in the Cabinet, one has already been named, made for reasons that I have already indicated. As far as other changes, I have none to announce tonight. I will announce tonight, however, two, I think important, additions to the Administration.

The first, Mr. Rumsfeld is coming into the White House as a counselor to the President on a full-time basis and Mr. Frank Carlucci will take over as the director of O.E.O.

He is his deputy and has done an outstanding job in that particular position, and I believe in promoting a man who has done such a job to the top spot.

Mr. George Bush, the Congressman who was defeated in his bid for the United States Senate, I talked to yesterday and I'm very happy to report that he has agreed to take a top position in the Administration. That will be announced tomorrow at Mr. Ziegler's 11 o'clock conference. Mr. Bush will be there.

I don't mean that we didn't want to give you the break, Mr. Cormier, but all of the arrangements haven't quite been finished.

3. ACTIONS BY FBI CHIEF

Q. Mr. President, as a lawyer and as his immediate superior, do you approve of the following actions of F.B.I. Director J. Edgar Hoover? One accusation which has been made public—accusing two men of conspiring to kidnap Government officials and/or blow up Government buildings as an antiwar action before any formal charges had been made and a trial could be arranged for those gentlemen. And continuing to call the late Martin Luther King a liar. Do you approve of those actions?

A. I have often been asked about my opinion of Mr. Hoover. I believe that he has rendered very great service to this country. I generally approve of the action that he has taken. I'm not going to go into any of the specific actions that you may be asking about tonight with regard to the testimony, for example, that you referred to. The Justice Department is looking into that testimony that Mr. Hoover has given and will take appropriate action if the acts justify it.

4. POSITION ON HICKEL

Q. Mr. President, considering the rather broad national interest in some of former Secretary Hickel's views, I wonder if you would elaborate for us exactly what he did to lose your confidence and what you expect the new Interior Secretary to do that Mr. Hickel failed to do.

A. The problem of confidence, where you have a Cabinet team or a board of directors, is something that can't really be described that precisely. And there are numbers of things that occur that determine whether or not that confidence is going to continue to exist.

In this instance, I thought that when I appointed Mr. Hickel that we would have that mutual confidence that is essential between a President and a Cabinet officer.

There were some—certain things that happened during the course of his stewardship in which I think I lost confidence in him and perhaps he lost confidence in me.

Under the circumstances I thought a change was right.

I have great admiration for him. I think he rendered sincere service. I wish him the very best.

I just didn't want to discriminate against the other network.

5. DIVISIONS IN THE NATION

Q. Mr. President, another question about confidence, if I may, involving you. There seems to be a feeling in some quarters, not just among blacks and students but also among some of your natural Republican allies, some voters, and, certainly, as you may have noticed, some columnists, that you have yet to convey a sufficiently sharp and clear sense of direction, vision and leadership on many matters to end the divisions in this country as you said you hoped to do two years ago and as your own Scranton Commission on Campus Unrest has urged you to do. Do you recognize this as a problem for yourself and for the country and, if so, what can you do about it and what will you do about it?

A. Well, Mr. Semple, it is, of course, a problem, but I should emphasize that divisions in this country are never going to end—there's always going to be a generation gap and there's always going to be differences between the races and between the religions.

The problem is trying to mute those differences, to mitigate them to the greatest extent possible and to develop a dialogue.

I think we've made some progress in that respect—not as much as I would like. I'm concerned about our relations with youth. I do believe that as we make progress in bringing the war in Vietnam to a close, as we are making it—I was glad to note, or example, that the casualties this week were down to 27, which was a fourth of what they were a year ago and an eighth of what they were two years ago. One is too many, but that's an improvement.

As we end the war, I think that will help some with youth, as the Scranton Committee did indicate. In the other areas, I trust we can give that sense of direction that you refer to and I particularly hope I can give it to the columnists. I want them to have a sense of direction, too.

6. PROGRESS IN PEACE TALKS

Q. Mr. President, does what you said a while ago about bombing of North Vietnam, and indications we've had from other officials of probably more raids to try to free American prisoners—does all that mean that you have abandoned hope for the Paris peace talks to reach a negotiated settlement?

A. Not at all. We're continuing those talks. As you note today, Ambassador Bruce made an offer, which refined the offer we had made earlier of a complete exchange of all prisoners of war. He offered to exchange, upon the part of both the United States and South Vietnam, 8,200 North Vietnamese that we have prisoner for approximately 800 Americans and other allied prisoners that they had. That's a 10-to-1 ratio, but we're willing to do that.

Their failure to accept that offer will pinpoint something that is pretty generally getting known around the world, and that is that this nation is an international outlaw, that it does not adhere to the rules of international conduct. But we are going to continue the negotiations as long as they are willing to negotiate and as long as there's some hope to make progress in the prisoner issue, or on a cease-fire and an earlier end to the war than the Vietnamization process will inevitably bring.

7. SECRET REPORT ON SST

Q. Mr. President, you've had at least two reports on the supersonic transport prepared at your direction. Both of those reports have been kept secret. Now a group of conservationists and others are in court asking that one of these reports be made public and the Attorney General is arguing against this, trying to keep this document kept secret. I'm wondering if you could tell us why the public should not know what is in that report, in view of the fact that you support the continuing expenditure of hundreds of millions of dollars.

A. I have no objection to the substance of reports being made public. The problem here is that, when reports are prepared for the President, they are supposed to be held in confidence. And some of those who participate in the making of those reports have that assurance.

Now, with regard to the SST, I have satisfied myself, after long deliberation and considering both of these reports, that the arguments with regard to the environment could be met, that this prototype should be built.

8. NEWS CONFERENCES

Q. Mr. President, a year or so ago you told us you thought you ought to have a news conference when it was of public interest, not just in your interest or in the press's. Do you or do you not feel that sufficient public interest developed to justify a news conference before the four months since the last one?

A. Mr. Kaplow, I've noted with interest that several members of the press corps have indicated a desire for more news conferences. And let me be quite candid as to what I feel about this.

Incidentally, I was prepared for this question.

What is involved here is not just 150,000 jobs which will be lost if we don't build it, not just the fact that billions of dollars in foreign exchange will be lost if we do not build it, but what is lost here is the fact that the United States of America, which has been first in the world in commercial aviation from the time of the Wright Brothers, decides not just to be second, but not even to show.

Now, not out of any sense of jingoism but because this plane is going to be built, because it's going to bring, for example, Asia—not only Japan but China in the last third of this century—three hours from the West Coast to Asia—I think the United States should build it, and I believe that we can answer the arguments of the conservationists.

First, I believe that I have a responsibility to members of the press. I go by that press building of yours about 11:30 at night from the E.O.B. I see most of you still working there.

I, as President, have a responsibility to help you do your job. But I, as President, also have a primary responsibility to do my job.

Now, my job is, among other things, to inform the American people. Now, one of the ways to inform them is through a press conference like this.

Another way is through making reports to the Nation, as I did on several occasions about the war in Southeast Asia.

Another is an interview—an hour's interview with the three anchor men of the three networks, which mainly dealt, as you may recall, upon Southeast Asia.

I feel that all of these are useful ways to inform the American people. I think the American people are entitled to see the President and to hear his views directly, and not to see him only through the press. And I think any member of the press would agree with that.

However, I would certainly be open to suggestions from members of the press as to how we could make better use of news conferences without dominating the television too much. Because I would recall to you that one network early this summer decided that it would be necessary to give opposition to the President's policy—opponents to the President's policy—equal time because he was on television too much.

And, so, consequently, the televised press conference, perhaps, should be limited. Perhaps we need more conferences in the office, perhaps more one-on-one, perhaps more—someone suggested a television conference which, instead of the anchor men, we have three of the top columnists. But you make the vote. I won't select it.

9. TROOPS FOR CAMBODIA

Q. Mr. President, Secretary Rogers assured the Senate Foreign Relations Committee today that there is no present intention of ever using American ground forces in Cambodia. Can you foresee any circumstances whatever under which we would use ground troops in Cambodia? A. None whatever.

10. ECONOMIC POLICY

Q. With unemployment and inflation rising, do you think it's fair to say that your economic policies have not worked, and do you plan any quick changes?

A. I believe our economic policies are working. First, we've cooled off the inflation. It is beginning to recede—the rate of inflation. Second, we are now moving into the second half of our plan of expanding our fiscal policy and that, together with an expanded monetary supply, we believe will move the economy up.

I should point out, too, that when we speak of the problem we have to keep it in context. It's interesting to note that the unemployment for this year will come out at 4.9 per cent. When we look at that figure, a rate of 4.9 per cent, we see that that is lower than any peacetime year in the sixties. In 1960, 1961, 1962, 1963, 1964, unemployment was always over 5 per cent.

Now, in answering the question that way, I want to say I'm not satisfied that that is as good as we can do. I believe that we can have a lower rate of unemployment than 5 per cent without war, which is the only time we had a lower rate of unemployment without—in the sixties—was at a time that we had it with war. That is our goal. I think we can achieve it.

11. INTEGRATION IN HOUSING

Q. Mr. President, concerning Governor Romney's plan, to what extent does the Federal Government use its leverage to promote racial integration in suburban housing?

A. Only to the extent that the law requires. In two cases, as a result of acts passed by the Congress, that the Federal Government not provide aid to housing or to urban renewal where a community has a policy of discrimination and has taken no steps to remove it.

On the other hand, I can assure that it is not the policy of this Government to use the power of the Federal Government or Federal funds in any other way, in ways not required by the law, for forced integration of the suburbs. I believe that forced integration in the suburbs is not in the national interest.

12. RIGHTS OF DEFENDANTS

Q. Mr. President, at a previous news conference you said that what happened at Mylai was a massacre. On another occasion, you said that Charles Manson is guilty. On another occasion you mentioned Angela Davis by name and then said that those responsible for such acts of terror will be brought to justice. My question concerns the problem of pretrial publicity and the fact that it could jeopardize a defendant's rights at a trial. How do you reconcile your comments with your status as a lawyer?

A. I think that's a legitimate criticism. I think sometimes we lawyers, even like doctors who try to prescribe for themselves, may make mistakes. And I think that kind of comment probably is unjustified.

Let's go to the left now. Mr. Warren.

13. VIEW ON ELECTION ISSUES

Q. Mr. President, in retrospect, do you think that the Republican emphasis on the law-and-order issue paid dividends, and in the future, looking to '72, what do you think will be the big issue then?

A. Mr. Warren, I really expected a lot more questions on the 1970 elections than we've had tonight. But let me answer that one by saying, first, that I feel that it is my responsibility as President to do everything that I can to work for the election of men who will help support me in keeping the pledges that I made to the American people when I ran for President.

I did everything that I could in 1970, to the best of my ability, to meet that responsibility. And after the election I commented upon the election and gave my views on it, views which differed from some of those here in this room.

Having done that, however, it is now my responsibility, now that the people have spoken, to work with those men and those women elected by the people in 1970. And I can only hope that, in the year 1971, Democrats and Republicans will work with the

President in a policy to bring an end to the war, in bringing our economy ahead, in holding down inflation, in moving on such great programs as the health program, which will be one of the highest priority programs I will submit.

14. THIRD-PARTY CANDIDATES

Q. Mr. President, to follow up on the 1970 campaign, in light of what has generally been considered to be purging Senator Goodell of New York, it is likely that you and the Administration will support third-party candidates in other states against Republican nominees who may disagree with some major points of your policies? A. Under no circumstances.

15. CONSULTATION ON SONTAY

Q. Mr. President, on related matters involving the Congress, you've been charged repeatedly that you do not consult enough with members of Congress and the most recent example was the raid on Sontay. Wonder if you might specifically answer the charge as to why you did not consult the members of Congress as the raid was occurring or immediately thereafter, when all the men were safe?

A. The reason that we did not consult with the members of Congress as the raid was occurring or before it was, of course, because of the high risk involved of the men who were participating.

And as far as the information was concerned afterwards, there was a period of time in which it was felt that the full information should be given to the country at a later time.

I believe that when we look at the record here, all of the information with regard to the raid has been completely put out—there's been no attempt to withhold anything. It was a very brave attempt. I'm very proud of the men who participated in it. I regret that it did not succeed. But I think that it gave hope to the men who were there, and I think it also gave a great deal of hope to their wives who were here.

16. WAGE-PRICE GUIDELINES

Q. Mr. President, back to the economy for a moment. At your first news conference, you ruled out exhorting, to use your words, labor and management to follow certain guidelines, saying that they would follow their organization's desire in any case. Now, since then, you've taken some small steps toward bringing Presidential influence to bear on wages and prices through the inflation alert and the steps you took the other night in your N.A.M. speech. In the light of that, do you consider your initial remarks about wage-price guidelines a mistake in controlling inflation?

A. Mr. Lisagor, I consider that at the time I made the first statement it would not have been proper for me, as President of the United States, to urge labor and management to restrain their price increases and their wage demands at a time that Government was the major culprit in contributing to inflation. But, now that Government has done its part in holding down the budget, and a restricted monetary policy, now it is time for labor and management to quit betting on inflation and to start help fighting inflation. I think it's a question of timeliness.

17. SOVIET ROLE IN CARIBBEAN

Q. Mr. President, do you think that United States security is threatened at all by Soviet military activity in the Caribbean, including the submarine base in Cuba? A. No, I do not.

18. U.S. POLICY IN MIDEAST

Q. Mr. President. Sir, does it remain United States policy in the Middle East that Israel must withdraw from all occupied Arab territories, excepting what Secretary Rogers called any substantial alterations?

A. Well, the policy is based basically on the '67 U.N. resolution. Now, that's a matter for negotiation, and to be more precise than that I do not think would be helpful at this time. I would only say that the cease-fire should continue, that I trust that we get the legislation through for the supplemental—not only there but for Southeast Asia—so that we can keep the balance of power in that part of the world so that the parties involved on both sides will be willing to negotiate, and that eventually they start talking.

19. AID FOR CAMBODIA

Q. Mr. President, how do you plan to keep your quarter-billion-dollar aid program for Cambodia from escalating into a guarantee of survival of the Cambodian Government?

A. The quarter-billion-dollar aid program for Cambodia is in my opinion probably the best investment in foreign assistance that the United States has made in my political lifetime. The Cambodians, a people seven million only, neutralist previously, untrained, are tying down 40,000 trained North Vietnamese regulars. If those North Vietnamese weren't in Cambodia, they'd be over killing Americans. That investment of $250-million in small arms and aid to Cambodia, so that they can defend themselves against a foreign aggressor—this is no civil war, there's no aspects of a civil war—the dollars we sent to Cambodia save American lives and enables us to bring Americans home. And I only hope the Congress approves it.

20. POSITION ON TRADE BILL

Q. You said in July that you would veto any trade bill that came to you that went beyond what you yourself had asked for in the way of quotas—import quotas—and you would ask only for taxing import quotas. Is that still your position now?

A. I stated my position on the trade bill, as you may recall, in a letter to the Senate leadership. I believe that the kind of a bill that we should have is one that is limited to textile quotas. I believe that the addition of shoes, for example, or a basket clause which might require the addition of other items would lose us more jobs than it would save, while the textile quotas will save jobs and insofar as any actions we have with the Japanese will not do so. That's the reason for my position.

21. REPORT ON CAMPUS UNREST

Q. Mr. President, the Scranton Commission on campus unrest was mentioned earlier, and that report was turned in quite some long time ago and we haven't had your description of it, although I think Vice President Agnew has called it pablum for permissiveness. How do you describe it?

A. Well, I've read it, and it's certainly not pablum. Of course, they didn't have pablum when I was a baby, so I wouldn't know what it tasted like, but I can only say that I read the Scranton Committee report. I have written to Governor Scranton. In fact, the letter went off last night or early this morning, and it will be released as soon as he informs Mr. Ziegler that he has received it, and that states my views in detail on the report.

22. U.S.-SOVIET RELATIONS

Q. Mr. President, are you concerned, Mr. President, there may be any serious deterioration in United States-Soviet relations as reflected in the progress on SALT talks, Big Four Berlin talks this week?

A. I'd noted the speculation to the effect that United States-Soviet relations, sometimes they're warmer and sometimes they're cooler. I would only suggest that United States-Soviet relation are going to continue to be difficult, but the significant thing is that we are negotiating and not confronting. We're talking at SALT. We're very far apart because our vital interests are involved, but we are talking. And our vital interests—the interests of both the Soviet Union and the United States—require that we have some limitation on arms, both because of the cost and because of the danger of a nuclear confrontation.

And so it is with Berlin and so it is with the Mideast. I'm not suggesting that we're going to find easy agreement, because we are two great powers that are going to continue it be competitive for our lifetime. But I believe that we must continue on the path of negotiation, and in my long talk with Mr. Gromyko I think there are some other areas where we can negotiate.

23. ONE-TERM PRESIDENCY

Q. Mr. President, would you comment on the emergence of Democratic aspirants for the Presidency in '72 and speculation that you might be a one-term President?

A. I think I'll let them speculate about the one-term Presidency.

24. POLICY TOWARD CHINA

Q. Mr. President, since the United Nations vote on China, have you found it expedient for the United States to review our policy towards mainland China?

A. No, our policy wouldn't be based on expediency, it would be based on principle. We have no plans to change our policy with regard to the admission of Red China to the United Nations at this time. However, we are going to continue the initiative that I had begun—an initiative of relaxing trade restrictions and travel restrictions and attempting to open channels of communication with Communist China, having in mind the fact that looking long toward the future we must have some communication and eventually relations with Communist China.

25. PROBLEM OF DEFECTORS

Q. Could you tell us your personal view on the defector problems of this Lithuanian who was beaten on the Coast Guard cutter?

A. Well, as I have already indicated, I was, as an American, outraged and shocked that this could happen. I regret that the procedures, the Coast Guard informing the White House, were not adequate to bring the matter to my attention. I can assure you it will never happen again.

The United States of America for 190 years has had a proud tradition of providing opportunities for refugees. And guaranteeing their safety. And we are going to meet that tradition.

26. RATE OF PULLOUT IN ASIA

Q. Mr. President, you mentioned several times tonight when we bring the war to a close. Is the war going to be over by 1972, for example? How many Americans are going to be in Vietnam by '72?

A. I am not going to indicate the rate of withdrawal of Americans as long as we are still negotiating in Paris. Indicating the rate of withdrawal, indicating when the Vietnamization program will be concluded would completely destroy any reason to continue the Paris negotiations. The Paris negotiations have not produced results. We do not have great hopes for them at this time. But we are going to continue to try in that line, and as long as we're negotiating there, I'm not going to indicate a withdrawal schedule.

27. DISSENT IN ADMINISTRATION

Q. Mr. President. In the light of the firing of Secretary Hickel and the Goodell case, could you tell us how much dissent you will tolerate in your Administration and in the Republican Party?

A. I have always felt that it was very important for a party that was basically a minority party to be as united as it possibly could be particularly as we go into a national election. And I can only say, as I implied rather strongly in answer to an earlier question, that I personally expect to support all of those Republicans who may be running for the United States Senate in 1972, if they want my support. And some of them are as

you know members of what is called the Liberal wing of the party. But they are Republicans. We welcome them. We want them. We need both.

Q. Mr. President, do you feel, do you feel that you could approve the . . .

A. He was up first.

28. TRADE BILL AND JAPAN

Q. Thank you, sir. Do you feel you could approve it in the form that's been approved by the Senate Finance Committee and also in a related issue, sir, do you feel there's any progress being made in the textile talks with the Japanese?

A. Some progress is being made. It is not as hopeless today as it was yesterday, for example, but I'm not satisfied with the progress.

As far as the forum is concerned, I do not want to say what I will do about the bill as long as it is still before the Senate. I have indicated clearly the kind of a bill I want. It should be limited to the textile quotas. It should be limited also in terms of the basket clause and the other items because I emphasize this point: the key question is jobs, and it's all well and good to apply a quota that's going to save jobs in America, but it doesn't make sense if it's going to cost us more jobs in America because of cutting down the exports that we make abroad.

CLOSING STATEMENT

I guess Mr. Cormier says that's all we have. I want to say in conclusion that Mrs. Nixon told me I had to make the last statement tonight. I understand I am to invite all the members of the White House press corps and your families to the annual Christmas party on the 23d of December, and she says there's some new lights that all the children will like to see. Thank you.

EXHIBIT 2

TROOPS IN VIETNAM

JANUARY 21, 1969

Vietnam (authorized) 549,500 (all reductions from authorized):

Army	360,000
Navy (plus Coast Guard)	35,000
Air Force	59,000
Marines	81,000
Total	535,500
Off Shore:	
Navy (plus Coast Guard)	35,000
Thailand	45,000

DECEMBER 3, 1970

Vietnam:	
Army	263,900
Navy (plus Coast Guard)	17,100
Air Force	43,300
Marines	25,300
Total	349,700
Southeast Asia:	
Off Shore (18,500 Navy, 600 Coast Guard)	19,100
Thailand	38,400

ORDER OF BUSINESS

Mr. BYRD of Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

JOHN PETKEVICH—BEST AMATEUR FREE SKATER

Mr. MANSFIELD. Mr. President, victory or high achievement in any form of sports is a goal many strive for but few achieve. As a Representative or a Senator, it is always an honor to have one of your constituents make such a mark. As a Montanan, I am exceedingly proud of John Misha Petkevich, of Great Falls, Mont., as a friend and a representative of our State. John made a mark for himself in the recent Olympics. He is considered to be the 1971 challenger for the U.S. national senior men's competition and is likely to be in a good position for the Olympic gold medal in Japan in 1972. This young man is considered to be the finest free stylist in skating competition.

John Petkevich is a young Montanan with a definite set of goals—social, cultural, and athletic—in mind. While high achievement as an amateur skater is of prime importance at the present time, he is looking to the future when he plans a career in the medical profession. He is now a student at Harvard University. He is receiving more and more national recognition and the December 9 issue of the Christian Science Monitor carries a feature story which I think will be of interest to my colleagues.

Mr. President, I ask unanimous consent that the feature entitled "On Invisible Skyhooks" be printed at this point in the CONGRESSIONAL RECORD.

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

ON INVISIBLE SKYHOOKS — PETKEVICH'S TRIPLE-REVOLUTION LEAP MAY CARRY HIM TO TOP SKATING HONORS

(By Monty Hoyt)

BOSTON.—Melodic strains of Rachmaninoff's Second Piano Concerto begin to fill the arena. Almost instinctively, the young, pigtailed heads of budding Peggy Flemings and their gangly-legged male counterparts stride swiftly to the barriers. What moments before was a rushing, whirring mass of exercising bodies, becomes a hushed, almost reverent group of youngsters at the musical cue. All eyes are trained on a solitary figure performing on center ice.

Bold, masterful strokes cover the ice surface in a few glides building momentum for a breathtaking triple-revolution jump. The onlookers gasp with approval, then applaud.

The concerto reaches a slower theme momentarily; the outline on the ice is accented by dramatic, sweeping gestures of the arms, complementing the movements of the blond, tousled head. Coming out of a dizzying spin, the figure moves quickly, effortlessly into the buildup for another daring leap, hanging suspended in the air as if by invisible skyhooks. Then, landing gracefully on a single blade-edge, the razor-thin support between superb accomplishment and crashing disaster, the single skater continues his routine in a web of intricate maneuvers, perfectly at one with his musical accompaniment.

John Misha Petkevich.

For several years now, he has bedazzled judges and spectators everywhere with his Paul Bunyan-sized leaps. Rubbing shoulders with the elite of the competitive skating world, he has missed being in the winning circle because his daredevil programs have been almost too much for him to master. And his compulsory school figures (counting for 50 percent of the score in a skating competition) have been notably weak.

But 1971 may change all that. John, twice runnerup in the U.S. National Senior Men's competition, is now heir to the American title. Fellow team member Tim Wood has retired to the professional ranks, vacating the American and World crowns.

"This is the big year," he acknowledges. He and his coach, Arthur Bourke, know that he must place at least second in figures in the World Championships in order to be in shooting position for the Olympic Gold Medal in Sapporo, Japan, in 1972.

Noted as the best amateur free skater in the world today, John recognizes he must be close enough to the leader in school figures so that he can make up any deficit with a superlative free-skating program.

John, or Misha (he responds to both and calls it an even draw as to which he prefers), has been a "charger" in figure skating competition. The U.S. Junior Champion in 1966, he placed 6th in the 1968 Olympics, his first international competition, and 5th in the last two World Championships.

Now he must vault three acknowledged European skaters in order to claim the world title left vacant by Tim Wood's retirement.

In skating, where an established winner is seldom dethroned, the 1971 World Championships in Lyons, France, next February, will likely determine who is to be the next Olympic Champion.

The Gold Medal in the men's Olympic figure skating event has long been an American specialty. Since World War II the United States has won the men's title four out of six times (Dick Button twice, and the two Jenkins brothers, Hayes and David, once each). In 1968, Tim Wood was narrowly edged out for the crown by Austrian Wolfgang Schwartz.

Petkevich is acknowledged by skating experts as the United States' best hope for a "skating Gold" in the 1972 Olympics. But this year's competitive season holds the key to that triumph.

The daily schedule this Harvard University senior adheres to attests the importance of 1971 in his skating career.

Up at 5:15 most mornings, he manages two hours of training on school figures at Harvard's Watson rink before breakfast. He fits in an hour of free skating workouts before rushing off to classes at 10.

On days he has biology labs, lunch usually comes from one of the handy vending machines nearby. On "nonlab" days he usually finds 10 minutes in the afternoon to "goof around" at Harvard's Elliot House before heading off to the Skating Club of Boston for three more hours of practice. Then it's a late dinner and study until 11:30 p.m.

This spartan schedule leaves little time for extras for this dean's list student. But in the spring he varies his routine with tennis; and this fall, in what he laughingly calls his "space time" he has taken up reading the ancient philosophers and some of the literary greats "from Milton onward."

On special occasions like the Harvard-Yale game, "I don't skate at all," John admits, with more than the usual touch of school spirit. "I don't even think about the rink. And, of course, there are no classes."

Musing about the future, John has already outlined a career in the medical profession for himself. He readily announces that 1972 will be his last year in competition—win, place, or show.

"One can only go around in circles for so long," he says, his face breaking into a ready smile.

TOY SAFETY

Mr. MOSS. Mr. President, if anyone had ever doubted the necessity of having a Toy Safety and Child Protection Act which Congress passed more than a year

ago, that doubt should have been alleviated by action taken yesterday in a Federal courtroom here in Washington.

Nine toys found to be dangerous after testing by a very reputable, national consumer organization were left on the market because, although they were dangerous, they were not dangerous enough for immediate removal.

It was argued during the hearings which I conducted on the toy safety bill that no such legislation was necessary, but rather the toy manufacturers should be left to adopt their own voluntary safety code.

Congress in its wisdom thought differently, and the bill was passed and signed by the President.

We are still waiting for the Department of Health, Education, and Welfare to implement the bill, and Senator MAGNUSON and I have expressed concern that the implementation of the bill may not be as strict as was intended by the Congress.

Sharing the concern of Senator MAGNUSON and myself, the Consumers Union undertook its own study of various toys on the market, and found nine such items to be hazardous. They asked the Federal court in Washington to issue an injunction against the sale of the nine toys. All of this is action which should have been done by the Department of Health, Education, and Welfare, as directed by the legislation.

The idea that the industry could be relied upon to police the safety of its own products was shattered by the legal steps taken to fight the injunction. Consumers Union had listed such items as a cap gun which makes more noise than a jackhammer, and is dangerous to a person's ears. They had listed a casting set which heats to 700 degrees.

I do not feel it is to the toy manufacturer's credit that they argued against the injunction when their only plea was that their toys were not dangerous enough to warrant immediate removal from the market. Nor do I find it to the court's credit that it agreed with that argument.

It is still possible for these toys to be removed from sale following another hearing by HEW, if the Department carries out full implementation of the Toy Safety and Child Protection Act.

Mr. President, as the sponsor of the act, I want to make it very clear that I will continue to press for rapid and thorough implementation of this law by the Secretary of Health, Education, and Welfare, and that oversight hearings will be scheduled early next year to discuss the matter, if such implementation is not forthcoming.

ORDER OF BUSINESS

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

ORDER FOR ADJOURNMENT TO 11 A.M. MONDAY, DECEMBER 14, 1970

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today it stand in adjournment until 11 a.m. on Monday next.

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

ORDER FOR RECOGNITION OF SENATOR PERCY ON MONDAY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at the conclusion of the remarks by the distinguished senior Senator from Ohio (Mr. YOUNG) the distinguished Senator from Illinois (Mr. PERCY) be recognized for not to exceed 20 minutes.

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

ORDER FOR PERIOD FOR THE TRANSACTION OF ROUTINE MORNING BUSINESS ON MONDAY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at the conclusion of the remarks of the Senator from Illinois (Mr. PERCY) on Monday next there be a morning hour for the conduct of morning business with a time limitation of 3 minutes attached thereto.

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

ANNOUNCEMENT ON CONSIDERATION OF SUPPLEMENTAL APPROPRIATION BILL

Mr. MANSFIELD. Mr. President, again for the information of the Senate, it is the intention of the leadership to call up on Monday at the conclusion of the morning business, if not before, the supplemental appropriation bill, which will be the last appropriation measure to be considered this year on its basis alone and not on a conference basis.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

COMMUNICATION FROM AN EXECUTIVE DEPARTMENT

The ACTING PRESIDENT pro tempore (Mr. MCINTYRE) laid before the Senate the following letter, which was referred as indicated:

REPORT OF FEDERAL TRADE COMMISSION

A letter from the Chairman, Federal Trade Commission, transmitting, pursuant to law, a report of the Commission covering its accomplishments during the fiscal year ended June 30, 1969 (with an accompanying report); to the Committee on Commerce.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BYRD of West Virginia, from the Committee on Appropriations, with amendments:

H.R. 19928. An act making supplemental appropriations for the fiscal year ending June 30, 1971, and for other purposes (Rept. No. 91-1430).

By Mr. LONG, from the Committee on Finance, with amendments:

H.R. 17550. An act to amend the Social Security Act to provide increases in benefits, to improve computation methods, and to raise the earnings base under the old-age, survivors, and disability insurance system, to make improvements in the medicare, medicaid, and maternal and child health programs with emphasis upon improvements in the operating effectiveness of such programs, and for other purposes (Rept. No. 91-1431), together with separate and individual views.

EXECUTIVE REPORT OF A COMMITTEE

As in executive session, the following favorable report of a nomination was submitted:

By Mr. BYRD of West Virginia:

Louis Patrick Gray III, of Connecticut, to be an Assistant Attorney General.

BILL INTRODUCED

A bill was introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MILLER:

S. 4581. A bill for the relief of Theresa Duffy Wilson; to the Committee on the Judiciary.

AMENDMENT OF SECTION 402 OF THE AGRICULTURAL TRADE DEVELOPMENT AND ASSISTANCE ACT OF 1954—AMENDMENT

AMENDMENT NO. 1098

Mr. MOSS submitted an amendment, intended to be proposed by him, to the bill (H.R. 14169) to amend section 402 of the Agricultural Trade Development and Assistance Act of 1954, as amended, in order to remove certain restrictions against domestic wine under title I of such act, which was ordered to lie on the table and to be printed.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, December 11, 1970, he presented to the President of the United States the following enrolled bills:

S. 703. An act for the relief of Arthur Jerome Olinger, a minor, by his next friend, his father, George Henry Olinger, and George Henry Olinger, individually.

S. 1366. An act to release the conditions in a deed with respect to a certain portion of the land heretofore conveyed by the United States to the Salt Lake City Corporation.

NOTICE ON A NOMINATION PENDING BEFORE THE COMMITTEE ON THE JUDICIARY

Mr. BYRD of West Virginia. Mr. President, the following nomination has been

referred to and is now pending before the Committee on the Judiciary:

Frederick M. Coleman, of Ohio, to be U.S. attorney for the northern district of Ohio for the term of 4 years, vice Robert B. Krupansky, resigned.

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in this nomination to file with the committee, in writing, on or before Thursday, December 17, 1970, any representations or objections they may wish to present concerning the above nomination, with a further statement whether it is their intention to appear at any hearing which may be scheduled.

ADDITIONAL STATEMENTS OF SENATORS

MAYOR RAYMOND R. TUCKER OF ST. LOUIS

Mr. EAGLETON. Mr. President, on November 23, 1970, former Mayor Raymond R. Tucker died in St. Louis. Mayor Tucker served the city from 1953 until 1965; previously, he held several appointive positions in city government and on the faculty of Washington University. His most notable contribution to the community prior to becoming mayor was his service as commissioner of smoke regulation, beginning in 1937. His achievements in this difficult job contributed to his fame and later successes in civic life.

Many outstanding mayors were elected in American cities during the 1950's and early 1960's—a period of rebirth and recognition of new urban realities—David Lawrence of Pittsburgh, Joseph Clark and Richardson Dilworth of Philadelphia, John F. Collins of Boston, Richard J. Daley of Chicago, Arthur Naftalin of Minneapolis, Henry Maier of Milwaukee, Richard Lee of New Haven, Ivan Allen of Atlanta. Mayor Tucker was in the forefront of this outstanding group of public officials. In fact, he was a "mayor's mayor," for many of his fellow chief executives would seek his advice and expertise on a particularly sensitive municipal problem.

Mayor Tucker's career exemplified the qualities of leadership, integrity, foresight, ingenuity, excellence, and humaneness. His legacy to St. Louis is one of unexcelled devotion to the public well-being and a commitment to excellence in the pursuit of that goal.

I ask unanimous consent that the following tributes to Mayor Tucker and synopses of his public career be printed in the RECORD.

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

[From the St. Louis Globe Democrat, Nov. 25, 1970]

FINE CIVIL LEADER—RAYMOND R. TUCKER

Few men in a community's history have, through their dedicated leadership and unswerving purpose, done as much to change the face and spirit of their city as Raymond R. Tucker, during his three terms as mayor of St. Louis.

Under his administrations, the whole structure of a decaying downtown was revitalized with the monumental Arch, the towering new buildings and stadium complex at the riverfront.

He would have been the last to assume the credit, and in fact many influential figures of the community were vitally instrumental in renewing the downtown area.

But Ray Tucker was a driving, determined factor in reshaping his city's facade to modern new beauty. He was in the forefront of every move to redevelop the city grown down at the heels, fast drifting into desuetude.

Even before Mr. Tucker became Mayor he was the key engineer in one of the biggest benefactions this city of "diurnal night" had long suffered. He was the father of the smoke abatement law that rid the community of a sooty plague such as modern-day ecologists may hardly image.

Raymond Tucker was a professor turned politician—an official whom the politicians mistrusted. He would not make trades at the expense of superior public administration. He was elected by going over the heads of the organized Democratic apparatus and always preserved his independence.

For years he taught in the School of Engineering at Washington University before entering public service. He was brilliant in his field and did a great amount of consulting work before he exchanged the classroom lectern for the mayor's desk at City Hall.

Not a single political foe—and no man can long serve major office without making some political enemies—ever cast personal or official blemish upon the Tucker stewardship in St. Louis.

Complete integrity was something Ray Tucker took for granted as part of his contribution to public service, and so did everyone who knew him.

The community mourns his death. And its people willingly would write as his epitaph: Raymond Tucker, one of the most effective mayors and respected public leaders St. Louis has ever had.

[From the St. Louis Post Dispatch, Nov. 27, 1970]

RAYMOND R. TUCKER

In a sense, Raymond R. Tucker never left the classroom, and St. Louis is the better for it. His conviction that the people make the right choices once they are aware of the facts led him time and again to consult the citizens directly rather than to operate in political back rooms and through regular party organizations. These consultations on public issues invariably became exercises in educating the public; and they were as honest, as straight-forward and as free of gimmickry and calculated hard sell as was his whole political life.

The three Tucker administrations in City Hall constitute a standard by which all of his successors in the mayoralty can be measured. Under his leadership, vast stretches of the city were rebuilt. The civic renaissance attracted national attention and touched not only downtown and Mill Creek, at its height the largest urban redevelopment program in the United States, but the neighborhoods as well. Better than $110,000,000 in public improvements were installed in the largest such construction program in the city's long history. The Mayor's ability to attract the two-thirds majorities necessary for authorization of so huge a spending scheme rested on the public confidence elicited by his scrupulous handling of public affairs.

Mr. Tucker personally solved the engineering problem of the riverfront train tunnel, which paved the way for construction of the Gateway Arch and the whole downtown rebirth that it stimulated. But he was more than a builder and administrator. He was a political leader in the highest meaning of the term. He stopped the neighborhood-destroying device of spot-zoning that had become a routine feature of almost every aldermanic meeting; he brought sanity to a traffic program in which the aldermen had installed more stop signs than in any city in the country, and by quiet persistence he led the aldermen to adopt civil rights ordinances covering fair employment, fair housing and equal access to public accommodations that at the time made St. Louis unique among the nation's major cities. The Tucker civil rights legacy may well have been why St. Louis avoided the racial troubles that afflicted Detroit, Newark, Cleveland and other troubled cities.

Some of his admirers argue that his defeat in the Democratic primary in 1965 grew out of his failure to assume control of the party apparatus earlier in his career, and they may well be right. But that was not his way. His preference was for direct consultation with his people, and he was faithful to it to the very end.

[From KMOX Radio Editorial, Nov. 27, 1970]

RAYMOND TUCKER

Raymond Tucker is gone now. His friends and his city have laid him to rest. And the words spoken on the occasion of his death carried the same theme which followed Ray Tucker in life. That theme was respect.

Ray Tucker was a man who didn't demand respect . . . he earned it. He was a college professor. But he won the respect of businessmen because he accomplished concrete results . . . not just theories. He was a politician, and an effective one. But he won the respect of his opponents through his integrity, dignity and sense of fair play. Ray Tucker moved comfortably in the circles of the powerful. But he commanded the respect of the poor and the voiceless, because he never forgot that all men were citizens worthy of recognition. Ray Tucker was an outstanding administrator, earning the accolades of urban officials across the nation . . . but he kept his eyes, his heart and his efforts on the problems at home.

Ray Tucker's achievements have been reviewed many times . . . his successful fight against smoke pollution; his streamlining of city administration, and his role as the moving force in St. Louis downtown redevelopment. The achievements are there . . . we only need look at the shining triumph of our Gateway Arch to be reminded of the life and work of Ray Tucker.

But for those of us who knew him well, his greatest achievement cannot be found in the bricks and stones of urban development, or even in the graphs and charts of his scholarly efforts. His finest achievement was in the quality of the man himself. Ray Tucker was, above all, a man of honor. And he honored his chosen profession of politics by elevating it to the level of true public service.

[From KMOX TV Editorial, Nov. 24, 1970]

A REMEMBRANCE OF RAYMOND R. TUCKER

Office holders are called "public servants." To our recollection, regrettably few officials ever measured up to the caliber of Raymond R. Tucker, whose dedication to his city gave true meaning to the term.

Grimy and grubby in the 1930's and '40's, St. Louis became the model city in the nation, by enforcing a smoke abatement program devised by Ray Tucker.

Later, as Mayor, he was dismayed by the accelerating decay and urban rot eating away at the city he loved. It was he who launched the revitalization programs whose fruits we see today in the shining Gateway Arch, the bright new downtown area with the stadium complex, and the clearing of slums in Mill Creek Valley. On the latter, Mayor Tucker conceded he may have erred because of the dislocation of poor families into other areas

ill-prepared to receive them. Yet few remember that Mill Creek Valley was one of the worst slums in the country. Responding to his critics, Tucker would grumble: "The way you talk, that rat-infested slum was the garden spot of America!"

Yet it was Ray Tucker who initiated the city's own anti-poverty programs, anti-discrimination laws, and fair housing and employment ordinances, long before the federal government's interest and dollars penetrated St. Louis.

Ray Tucker wasn't much of a politician. The pros in his party were not pleased by his determined independence. Although elected by large majorities for three terms, he would barely squeak by in the primaries against party stalwarts.

Yet he always insisted that no Mayor of St. Louis ever received as much help from the people as he did. He got that help because people wanted to help him. He was that kind of Mayor.

We of KMOX-TV have particularly fond remembrances of Ray Tucker. We join all of St. Louis in conveying our deepest sympathies to his wife, Edythe, his daughter Joan Marie, and his son John, as we say goodbye to a great Mayor and a true public servant.

RAY TUCKER REDIRECTED ST. LOUIS

In his 12 years as mayor of St. Louis, Raymond R. Tucker, who died this week, established himself as one of the most distinguished local officials America has produced in the post-war years. When he took over in 1953, St. Louis was a municipal disgrace. That city was run-down and on the verge of bankruptcy. By the time he left office in 1965, he changed the direction of one of the greatest U.S. cites.

Mayor Tucker did not accomplish that remarkable feat alone. He once said: "No mayor of St. Louis has ever received the help I've had." Yet throughout those years, he was the undisputed captain of the team, the clearinghouse for ideas and the man of integrity and leadership who was able to rally general support from all segments of the community.

Ray Tucker was a quiet, scholarly man who seemed an unlikely choice for mayor of a city where ward and precinct politics has been a dominant force. His background was in mechanical engineering and he was on the faculty of Washington university in St. Louis before he entered public life in 1934 as secretary to Mayor Bernard Dickman. In that post he drafted the St. Louis smoke control ordinance which was the strongest in the United States at the time. It got outstanding results that immediately won him national recognition.

As mayor he changed the face of St. Louis through slum clearance, major capital improvements and other renewal projects. His interest in people as human beings led to a fair employment practices act, a public accommodations ordinance and a fair housing ordinance. St. Louis became a leader in the field of human relations long before similar laws were approved in many parts of the country.

Shortly before he stepped down as mayor in 1965, to return to Washington university, the St. Louis Post-Dispatch made this editorial comment:

"He has set a high standard that no future mayor can avoid being judged by. He has left the community a legacy by scrupulously honest government, of intelligent leadership in the urban renaissance, of harmonious adjustment to social and racial changes with even-handed justice for all. For years to come, the measure of good municipal government in St. Louis will be the record of the Tucker administration."

To this we would only add that Ray Tucker of St. Louis also set a municipal example that became a yardstick for measuring leadership in Missouri and in communities throughout the nation.

[From the St. Louis Globe-Democrat, Nov. 24, 1970]

EX-MAYOR RAYMOND TUCKER DIES

Former St. Louis Mayor Raymond R. Tucker, 73, died at Barnes Hospital Monday night, Nov. 23, 1970, after being hospitalized for several weeks.

Tucker entered the hospital Nov. 9 suffering from congestive heart failure.

The former mayor, who served three consecutive terms in that office from 1953 to 1965, had only one lung. His other lung had been removed because of cancer.

Mrs. Tucker and other members of the former mayor's family were at his bedside when death occurred at 10:06 p.m., hospital officials reported.

Funeral arrangements were not announced immediately.

Tucker, a college professor turned politician—thought the "pro's" of politics continued to regard him as an amateur—helped instill a new spirit into a decaying St. Louis.

With his help, and that of top citizen groups whose aid he obtained, the face of downtown and near-downtown was charged.

The long-delayed Jefferson National Expansion Riverfront Memorial at last got under way, the Gateway Arch soaring overhead. The stadium complex stimulated new life downtown.

He persuaded experts to draft a new building code and it was pushed successfully through the Board of Aldermen without crippling special-interest amendments. It spurred an unprecedented building boom throughout the city.

Confidence in Tucker, whose integrity was never questioned, easily won two-thirds voter approval in 1955 of bond issues totaling $110,639,000, which set the stage for the new "Spirit of St. Louis."

Under the eyes of the Citizens Supervisory (Watchdog) Bond Issue Committee Tucker created—which took its job as seriously as Tucker took its duties—the city got value for its money.

From those bond issues arose the Planetarium, the city's three expressways, its flood wall protection, new street lighting, voting machines, rubbish incinerators and a City Art Museum auditorium, to name a few achievements.

Clearance of slums in the Kosciusko and Mill Creek Valley areas also resulted from those bond issues. Kosciusko, on the near South Side, turned out well.

But Mill Creek was later to help cause Tucker's defeat by Alfonso J. Cervantes. Some called Mill Creek Tucker's only big mistake. Negroes who lived there called it "Negro clearance."

There was massive community dislocation, with whole neighborhoods disrupted. People who had known each other, known whom to trust and whom not to trust, were moved out—scorning public housing for the most part—to West End areas where lack of money forced overcrowding.

New slums were created, some of which are being razed now. An increase in the crime rate in the West End came, along with the breakdown of neighborhood strength among the new residents who did not know their neighbors.

Years later, Tucker was to admit that "the human factor" had been overlooked in Mill Creek.

It was a factor Tucker did not often overlook.

Before the days of the militant civil rights push, Tucker took action in his usual quietly persuasive but firm manner.

He won passage of a city fair employment practices act in 1956. He also fought in the 1950's for a public accommodations ordinance, banning discrimination, did not get it until 1961, but by personal conferences persuaded some large downtown restaurants to cease discrimination.

He also won a fair housing ordinance.

And in early 1964, a year and a half before enactment of the federal anti-poverty war, Tucker started St. Louis' own effort, with the Human Development Corporation.

Tucker fought for, and got, ordinances setting minimum standards for dwelling and commercial buildings.

He began neighborhood rehabilitation programs which, in their day, produced better results than the city's recent ones have done with massive federal aid.

Part of Tucker's results came from his department heads. He appointed them for their ability.

Early in his years as mayor, Tucker pushed for, and got, fluoridation of the city's water supplies, resulting in stronger teeth for today's teen-agers as well as their younger brothers and sisters.

Tucker also won from the voters the required 60 per cent approval for a 1954 charter amendment giving St. Louis "home rule" on its earning tax. Such a tax had first been enacted in 1948, but it was done subject to continuing approval of the state legislature.

In 1954 the earnings tax was still only ½ of 1 per cent. In 1959 Tucker won passage of an amendment increasing it to 1 per cent. For a time the city was on a sound financial basis.

Despite his many achievements as mayor, Tucker was perhaps as proud of what he did to clean up St. Louis' smoke in the 1930s as of anything else he did.

He had left Washington University's engineering department, where he had been associate professor of mechanical engineering for 13 years, to become secretary to Mayor Bernard F. Dickman in 1934.

In that post he prepared the city's proposed smoke ordinance—first strong one in the nation. When the ordinance was passed, he became the city's first smoke commissioner—with full authority from Dickmann to do what was needed to make it work.

The results made St. Louis the focal point for other big-city representatives who wanted to find out how to eliminate smoke.

Under Dickmann, Tucker also served as director of public safety and, on the side, as secretary of the Citizens' Survey Committee which recommended efficiency measures for city government.

Tucker helped write the city's civil Service amendment in those days too. When the late William Dee Becker succeeded Dickmann as mayor, Tucker served again as smoke commissioner.

In 1941 he returned to Washington University, to head its mechanical engineering department, a post he held until 1953. However, in 1949–50, he was chairman of the board of freeholders which drew up a new charter (defeated by the politicians), and in 1951 and 1952 he also served as the city's civil defense director, by appointment of the late Mayor Joseph M. Darst.

With Darst not running for a second term because of ill health, Tucker entered the race for mayor. He had, in the Democratic primary, the support of only 1½ of the 28 Democratic ward organizations. He won the primary narrowly, but won the general election by a landslide.

One of the first major acts of his first administration was securing passage of a $1.5 million bond issue making the Plaza Apartments possible.

Tucker won his second term in a record landslide, but his bid for a third term was nearly squashed in the primary when, after a dull campaign by both candidates, he beat Democratic challenger Mark Holloran by only 1,200 votes.

Mill Valley—called Hiroshima Flats by Holloran—was largely responsible.

Tucker became the second mayor in St. Louis' history to win three terms, but he lost his effort to become the city's first four-term mayor.

In 12 years, a good many toes had been stepped on. Homer G. Phillips Hospital had become an issue in the black community. In vain did Tucker's Negro supporters plead that he had justified black support. Most of the ward leaders deserted Tucker—whom they'd never really worked well with—for Cervantes. The latter won by 14,000 votes.

The following fall Tucker returned to Washington University as its professor of urban affairs, a post he held until his death.

Many honors had come his way. He was president of the United States Conference of Mayors in 1965, a member of the President's Advisory Commission on Intergovernmental Relations, president of the American Municipal Association in 1960.

He received the St. Louis Award for outstanding public service in 1956, the only mayor to be so honored. He received the St. Louis Newspaper Guild's Page One Award, and a plaque from the St. Louis Chapter of the Missouri Society of Professional Engineers. He was also a fellow of the American Society of Mechanical Engineers.

In October Gov. Hearnes had named Tucker as honorary chairman of a new task force on higher education in Missouri.

Born in St. Louis on Dec. 4, 1896, Tucker had lived since 1908 in the Tucker family home at the same south St. Louis address, 6451 Vermont Ave.

He received his A.B. degree from St. Louis University in 1917 and his B.S. in mechanical engineering from Washington University in 1920. (Both universities awarded him honorary doctor of law degrees while he was mayor.)

[From the St. Louis Post-Dispatch, Nov. 24, 1970]

FORMER MAYOR TUCKER DIES

Raymond R. Tucker, the former Mayor or St. Louis who led the start of the city's downtown building renewal, died last night at Barnes Hospital. He was born in St. Louis on Dec. 4, 1896.

Mr. Tucker entered the hospital Nov. 9 after experiencing breathing difficulties and was placed in an intensive care unit. The cause of his death could not be learned.

The former Mayor died at 10:05 p.m. At his bedside when he died were his wife, Mrs. Edythe Leiber Tucker; their daughter, Mrs. Joan Marie Doxsee, and her husband, Leigh A. Doxsee Jr.

Completion of funeral arrangements were delayed until the arrival today of Mr. and Mrs. Tucker's son, John, from his home at Greenwich, Conn. Surviving also is the former Mayor's brother, Dr. William J. Tucker, a physician at Ashland, Wis.

LUNG REMOVED

Mr. Tucker first suffered serious health problems from respiratory difficulties in 1961 when he developed a malignancy of one lung. He underwent removal of the lung. A hospital spokesman said today Mr. Tucker had developed a malignancy in the remaining lung.

Mr. Tucker was politician, engineer, educator and civil servant. He was the city's first smoke commissioner and didected civil defense for St. Louis while a member of the Washington University faculty.

He returned to Washington University in 1965 as professor of urban affairs after an unsuccessful campaign for a fourth four-year term as mayor.

Alfonso J. Cervantes, the present mayor, defeated Mr. Tucker in his final political campaign.

After his return to the Washington University staff in 1965, Mr. Tucker taught classes in architecture, law, political science and sociology.

FAREWELL SPEECH

In the former Mayor's farewell address to the Board of Aldermen on March 26, 1965, after his defeat in the March 9 primary election, he told the aldermen: "We have together worked out the biggest program of capital improvements in the history of our city, with benefits to every section of the community."

He praised the aldermen for their cooperation and did not mention the sometimes bitter opposition to some of his programs. Mr. Tucker noted that in his 12 years as mayor laws on civil rights and air pollution control had been approved. Rebuilding downtown St. Louis had begun.

In recent years, he and his family had lived quietly, away from the center stage where he had been for most of his adult life.

ENTERED PUBLIC LIFE IN 1934

Mr. Tucker had extensive experience in affairs of municipal government before he became Mayor in 1953.

His introduction to public life was in 1934 when he left Washington University, where he was associate professor of mechanical engineering, to serve as secretary to Mayor Bernard F. Dickmann.

Three years later he took over direction of the smoke elimination campaign. The assignment as the city's first commissioner of smoke regulation was "the toughest" of his career, he said in later years. It was a job of public education as well as law enforcement, and Mr. Tucker convinced businessmen and householders that elimination was not just an ideal, but a practical possibility.

He filled other posts under Dickmann. He served as director of public safety. He was a member of the commission that wrote and won adoption of the civil service amendment. He was secretary of a citizen's committee that made an intensive study of the city's finances and recommended steps to improve efficiency of the municipal government.

When the late Mayor William Dee Becker succeeded Dickmann, Mr. Tucker served another period as smoke commissioner. In 1941 he returned to Washington University to head the department of mechanical engineering, but while teaching he maintained an active interest in civic affairs. In 1949 he became chairman of a board of freeholders elected to draw up a new city charter. The charter was not adopted.

When development of a civil defense agency for St. Louis bogged down in 1951, the late Mayor Joseph M. Darst asked Mr. Tucker to take on the assignment. For two years Mr. Tucker served as director of civil defense while carrying on his work at the university.

DECIDES TO RUN FOR MAYOR

In 1953, physicians advised Mayor Darst to retire and the Mayor asked Mr. Tucker to run as his successor. It was not easy to give up teaching and engineering, and it took some time for Mr. Tucker to make up his mind. The delay had the effect of precipitating a bitter primary election fight among leaders of the Democratic party.

When Darst announced that he would not run again, the politicians got busy at once, recognizing the importance of getting a strong candidate to head the city ticket. By the time Mr. Tucker decided to run, most of the Democratic leaders were committed to Mark Eagleton, a former president of the Board of Police Commissioners.

With more than three-fourths of the ward leaders lined up behind Eagleton, Mr. Tucker turned to citizen's groups for support. Civic, business, neighborhood and women's organizations rang doorbells for Mr. Tucker, while the old-line politicians instructed their precinct workers to get out every possible vote for Eagleton.

Almost 107,000 votes were cast in the primary. Mr. Tucker received 54,200 votes and won the nomination by a margin of less than 1,700.

In the election three weeks later, there was a landslide for Mr. Tucker, who received 144,000 votes and won by a record majority of 62,000.

MAKES DIRECT APPEALS

As Mayor, Mr. Tucker appealed directly to the citizenry for support in his efforts to solve problems that had plagued St. Louis for years.

Citizen assistance was asked in getting the Legislature to reauthorize the municipal earnings tax. Business and banking leaders called on associates throughout Missouri to cooperate as the new Mayor went all over the state to enlist the support of legislators. When the Legislature met, the necessary enabling act was passed.

The project for development of the Jefferson National Expansion Memorial had been stalled for many years when Mayor Tucker led citizen groups to Washington and got the Federal Government to reactivate the project.

Smarting under the defeat they had suffered at Mayor Tucker's hands in the 1953 primary, Democratic leaders long boycotted the Mayor's office. This enabled the Mayor to fill administrative jobs with officials who had no obligation to ward leaders.

Liaison between the executive and the legislative branches of the city government suffered as a result of this situation. Aldermen, highly responsible to ward committeemen, permitted important civic measures to gather dust in committee. Some of these measures ultimately were enacted, but only after prolonged delays and the mobilization of citizen pressure.

The aldermen enacted numerous "spot zoning" ordinances and authorized erection of many unneeded stop signs. When the Mayor vetoed these measures, the aldermen consistently overrode the vetoes, often without any discussion of the objections from the Mayor's office.

Mayor Tucker stood this for a time, but finally began fighting. Personally addressing the Board of Aldermen, he bluntly accused members of creating "blight by ordinance" and of "formalizing our own decay."

The strained relationship between the administrative and legislative branches continued to hamper the administration's program. The Mayor urged election of a board of freeholders to modernize the city charter, but the aldermen stalled month after month. Only when the Mayor set out to bypass the aldermen and organized a citizens' group to circulate petitions for a referendum on the election did the board finally pass an enabling ordinance.

CHARTER REVISION FAILED

After a year's work, the freeholders presented to the voters a new charter proposal calling for reorganization of municipal departments and the city's legislative body. Threatened with loss of jobs and considerable patronage, politicians conducted an intensive campaign of opposition and defeated the charter proposal.

Mayor Tucker then moved to modernize the governmental structure as much as possible by ordinance. The aldermen enacted bills streamlining some of the city departments. A series of charter amendments followed.

RELATIONS IMPROVE

During his second term as Mayor, the relationship between Mr. Tucker and the aldermen underwent a quiet but far-reaching change. A liaison was established with aldermanic leaders who were consulted on important problems, especially those relating to

appropriation and tax measures. The executive and legislative branches finally began to function as a team.

Most members of the Democratic City Central Committee acknowledged Mayor Tucker's popularity and supported him in the 1957 municipal elections. On this occasion, Mr. Tucker's campaign committee made political history after the campaign by returning to donors about 11 percent of their individual gifts, or a total of $7300.

PROGRESS GAINS ATTENTION

Progress in St. Louis under the Tucker administration sky rocketed. Industrial development, urban redevelopment, neighborhood renewal and municipal reconstruction were emphasized by Mr. Tucker. Projects advanced included redevelopment of the Plaza area, clearance of the Mill Creek slum for redevelopment, rehabilitation programs on a number of old neighborhoods, plans for a downtown sports stadium and rehabilitation of the downtown riverfront.

NARROW ESCAPE IN PRIMARY

Mayor Tucker was re-elected for a third term by a substantial majority, but had a narrow escape in the primary, when he won renomination by a margin of only abut 1200 votes. The close vote in the primary was attributed to overconfidence on the part of his supporters and to an unexpectedly large turnout of persons with grievances against the city administration.

His career of public service brought him many honors, including Doctor of Laws degrees from St. Louis and Washington Universities and the presidency of the American Municipal Association.

In 1956 he was presented with the St. Louis Award for "going far beyond the usual obligations of his office" in making this a better city by rallying citizens to public causes. This was the first time that a mayor had been selected for the award. Mayor Tucker turned the $1000 prize over to St. Louis and Washington Universities, which used the money for awards in government essay contests.

Mr. Tucker was born in St. Louis, the son of the late William J. and Ellen Roche Tucker. His father was a heating contractor and former city smoke inspector.

After attending public and parochial schools, the son obtained his B.A. degree from St. Louis University in 1917 and his B.S. in mechanical engineering at Washington University in 1920.

He worked for a time as a safety engineer with Aluminum Ore Co., then became an associate professor at Washington University in 1921. Two years later he re-entered the business world and was associated with an oil company and an oil burner firm. In 1927 he returned to his professorship.

In 1928 he married Miss Edythe Leiber. The Mayor lived at 6451 Vermont avenue in the modest house that has been the Tucker family home since 1908.

THE FALLS CREEK PROJECT

Mr. MANSFIELD. Mr. President, on November 19, 1969, the distinguished Senator from Wisconsin, (Mr. NELSON), introduced the Environmental Education Act of 1970. It was with high hopes for progressive accomplishment that I joined with a great many of my fellow Senators in cosponsoring the proposed legislation. I think it important at this time to briefly review the legislative history on this act.

On August 3, 1970, the House passed these provisions by a vote of 289 to 28, and on September 21, 1970, the Senate delivered a unanimous vote in favor, 64 to 0. The final congressional passage resulted by unanimous voice vote of both Houses.

The mounting concern and accelerated rate of environmental degradation in this Nation prompted me to join in this legislation, genuinely believing that this measure would provide a substantial mechanism in governmental attempts at finding solutions to the problems we face, affecting pollution, our quality of life and the environment. I have in the past and continue to believe that an absolutely essential tool in our approach to these problems lies in the educational processes.

In recent hearings before the Subcommittee on Deficiencies and Supplementals of the Senate Appropriations Committee relative to funding vital for the implementation of the Environmental Education Act, the administration's representative responded to questions regarding an amendment proposed by the distinguished Senator from Wisconsin which would have added $5 million to the fiscal 1971 supplemental appropriation. In that testimony and concurred with in a recent letter from the Secretary of Health, Education, and Welfare, the administration pointed out that the $5 million amendment was not an administrative proposal and recommended that it not be considered as a supplemental appropriation. Rather than recognizing what I believe to be both an essential and clear congressional mandate providing assistance for all concerned in the area of environmental education, the administration rather has chosen to identify some $2 million in existing Office of Education appropriations to apply toward a program for the survey and dissemination of reports on current information to be provided for elementary and secondary schools, to establish environmental demonstration projects with emphasis on the development and expanded use of pertinent curricular material, to support graduate training and fellowships for teachers in environmental education and, last but not least, to aid the cooperation for public broadcasting in developing a television series on environmental problems. The Secretary of Health, Education, and Welfare has further indicated that this same approach will be applied for fiscal year 1972.

At a period of time when a substantial portion of the populace is and has identified environmental degradation as one of the major problems confronting the Nation, when substantial testimony before senatorial committees has attested to the fact that only a substantially increased and concerted program will bring us abreast of our mounting environmental problems, we find the administration willing to approve only $2 million in expenditures.

The public outcry for an awakening to our environmental problems has in most instances been strongly supported by the individual and group efforts of concerned citizens at the grassroots level. This last summer, my office and the offices of the other members of the Montana delegation were visited by two fine young men from Montana who were encouraged and enthusiastic with the prospect of congressional recognition of the environmental problems now facing the Nation. Their visit to Washington was prompted by the desire to participate in a most constructive and worthwhile manner in the provisions provided for in the Environmental Education Act of 1970. I have recently received a copy of an exceptionally fine letter from the Falls Creek project, of Condon, Mont., written as a result of these young men's visit to Washington. I think it important that the content of this letter be brought to the attention of Senators as an adequate demonstration of the type of programs which might be accomplished through the appropriate funding of the Environmental Education Act. I think it eminently appropriate at this time to ask Senators and the administration: At what time are we going to move to be truly responsive to the demands of the national good? For far too long, to paraphrase the distinguished Senator from Maine (Mr. MUSKIE), environmental rhetoric has taken us in one direction and inaction in another.

Mr. President, I ask unanimous consent that the letter from the Falls Creek project of November 19 be printed in the RECORD.

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

FALLS CREEK PROJECT,
November 19, 1970.

Mr. ELLIOTT RICHARDSON,
Secretary, Department of Health, Education, and Welfare, Washington, D.C.

DEAR MR. RICHARDSON: Not knowing the format or time schedules for the proposal of grants under the Environmental Education Act, now Pub. law 91-516, we feel a need to submit an application for a grant.

The Falls Creek Environmental Education Foundation, Inc. is a tax exempt, non-profit foundation providing funds for educational and research programs in environmental studies. It provides funds for the Falls Creek Project, an environmental awareness program designed for: 1) building an ecological conscience, 2) providing challenges for self-examination and discovery, 3) acquiring skills and tools with which to build life alternatives and create social change, and 4) involving people in the process of formulating a human community with an orientation toward action which can be translated into the participant's home environments.

The Falls Creek Foundation is directed by seven board members: Meridan Bennett, author and ex-Peace Corps Director; Dr. C. C. Gordon, Professor of Botany and environmental research biologist; Dr. Joseph Hassett; Director of Urban Environmental Education, Wave Hill Center of Environmental Studies, New York City; Dr. James Congdon, Attorney, Missoula, Montana; Edward Slusher, Regional Foresters Staff, N.S.F.S.; Jonathan Foote, AIA architect and partner in Environmental Design Group, New Haven, Conn.; and Jake Kittle, owner of VR Cattle Company, Glenrock, Wyoming.

LOCATION

The Falls Creek Project is directed and coordinated from the Swan Valley—approximately eighty-five miles northeast of Missoula, Montana. It is thirty miles northeast of Seeley Lake, and five miles northeast of Condon. It lies approximately four miles, by trail, from the western boundary of the Bob Marshall Wilderness and five miles east of the Mission Primitive Area.

FACILITIES

Approximately 300 acres, composed of marshes, small lakes, streams, timber and meadows, comprise the Project site. Nearby wilderness, rural and urban environments provide the major study areas for ecological investigations. The main building complex includes three log structures: a lodge, serving as a dining room, administrative office and directors' residence; a large cabin, providing dormitory space, a separate discussion room, a photographic laboratory, equipment repair shop and washing facilities; and a cabin housing the environmental sciences laboratory and library. The library contains a broad selection of periodicals, books and specific scientific papers dealing with investigational techniques and studies on environmental problems. The lab contains field research equipment, i.e. animal traps, bird banding equipment, bacteriological and ion water analysis equipment, etc. One other cabin provides staff housing and a limited space for consultant and visitor sleeping quarters.

STAFF

The staff includes: Director, Geoffrey G. Foote, B.A. (Biological Sciences) Middlebury College, Middlebury, Vt.; M.A. (Botany) University of Montana, Missoula; Teaching Certificate, secondary level: Todd Schlapfer, B.S. (Resource Conservation) University of Montana; Teaching Certificate, secondary level: Meridan Bennett, B.S. (Geology) Yale University, New Haven; post graduate studies in range management, Montana State College, Bozeman: Kathie Foote, the director's wife, will be responsible for nutritional teaching, planning and library organization. She has been involved in translating these subjects to an ecological curriculum for two years.

The staff's range of experience is broad. Mr. Foote worked as a research biologist for the Delta Waterfowl Research Station on ducks and geese, the Montana Fish and Game Department on elk and deer, for the University of Montana on plant ecology and elk and range relationships and taught for the Missoula Public Schools, and the Student Conservation Association. His graduate work was supported by an N.S.F. research grant to Dr. J. R. Habeck. He also worked as a teacher's assistant in an N.S.F. teachers field ecology program at the University of Montana Biological Station. He has done independent ecological consultant work in land planning and has directed the Falls Creek Project for the past two years.

Mr. Schlapfer recently graduated from the University of Montana after following a self-designed curriculum in resource management. He has lived in many different areas of the country, including the wilderness and the city. He has organized and participated in the development of new ideas and curricula for alternative life styles and environmental education. For the past year he has served as associate director of the Project.

Mr. Bennett, one of the early Peace Corps overseas project directors, is an author (Agents of Change) and writer on various subjects related to social change. He is an evaluation and management consultant whose clients range from drug addiction prevention programs to universities and private schools.

A full-time secretary is employed by the Foundation. The secretary also assists in administrative work.

A media specialist, with photographic, art and writing skills and a maintenance man are budgeted, but not yet chosen.

The visiting consultants provide an important aspect of learning for participants. They will be present at the Project for short periods. They include: an environmental research biologist, an urban planner, an architect, a natural resource specialist, a lobbyist, an activist in environmental and social change, an industrialist, a writer, poet or film producer, an environmental lawyer and a governmental resource manager.

THE PILOT PROJECT—1970

We mounted two basic environmental awareness programs in the summer of 1970 as our first effort to implement the Falls Creek Project. Each program involved fifteen students, all between the ages of 15 and 19. Students were selected so as to obtain maximum diversity of background. They came from the following states: Montana (3 students), Wyoming (4), California (6), Texas (1), South Dakota (1), Washington (1), Oregon (1), New York (7), Connecticut (1), Colorado (2), and New Mexico (2). Ten were from minority groups (Indian, Black, Puerto Rican).

Their learning experiences ranged from habitat studies of animals such as elk in the Bob Marshall Wilderness to the study of ecological relationships in rural areas showing varying degrees of human alteration, to the same in industrial areas and the inner-city. In each of these areas, tools of perception ranging from pollution-testing equipment to public opinion surveys were used. The emphasis was on self-evaluation to determine what skills were lacking, then the use of the full range of teaching resources (the staff, the library, the equipment and the skills of the participants themselves) to help participants meet the objectives of the project, cited earlier.

Our success in the pilot project lies in our having been able to turn kids on to their ability to understand today's environmental problems. Since returning home a significant percentage of them have become involved in new and more mature ways of solving their problems in their home environment.

The problems that resulted from the first summer's efforts have induced us to plan the following changes:

(1) We will seek participants with stronger natural science backgrounds.

(2) We will get teachers into the awareness program as participants for greater sharing of ecology-related skills, and to speed the process of implanting living-learning methods in the public schools.

(3) We will extend the length of the session to eight weeks.

(4) We are finding ways to increase curriculum content in ecology, pollution studies and field research.

OTHER PROGRAMS PLANNED FOR 1971

Growth project

This is an action learning experience intended to reinforce the potential that former participants have identified in themselves during the Environmental Awareness program the year before. Certain experiences will be arranged by participants, staff, and directors together to provide action learning primarily to understand and solve environmental problems. The length of time will be determined jointly by the participants and whatever agency or group they may be working with. An important aspect will be selecting the project from among the options available. For instance, a student might discover environmental issues in his own community upon which he could base his growth project. The issues could embrace the field of law, land-use planning, biology, social problems, education—the scope is limitless. Any student completing the Basic Awareness Program will be eligible. In fact, his participation in this phase will be actively sought in an attempt to expand the Fall Creek idea into other regions. The beginning date of this project is to be decided by each participant.

Wildlife-human ecology program, spring 1971

This is a series of three-day workshops illustrating the critical nature of the environmental crisis. These intensive programs are designed to be incorporated into public and private school curricula and involve teachers, students, parents, and other community members. Work has already begun with teachers, students and community people from Whitefish, Montana for three workshops planned for April.

The primary emphasis will be on involvement and action. The same basic emphasis on self-awareness and ecological concepts will be developed as in the proceding programs, with particular attention directed at the Rocky Mountain region. There will be three groups of fifteen people involved. It would be co-educational, with ages ten and up.

Continuity and general follow-up

The most significant part of any of these programs is what happens afterwards. Phone calls, exchange of information, staff and ex-participants gathering together regularly, etc., are important follow-up steps; steps we can't afford to sacrifice. This fall, for instance, there have been visits, plenty of phone calls and mail. This is a signal for us to allocate special time and money for supporting former participants. Since our recruitment is based upon induction—that is, pre-training next year's students by involvement with this years'—follow-up will actually become staff participation in the process.

FINANCIAL STATUS—1971

The financial support for the pilot project came completely from private sources. Last year, excluding the land and buildings, capital and operating funds amounted to approximately $50,000. All of the capital funds, the buildings and land were donated by three individuals. Eighty-five percent of all of the operating funds was donated for scholarships by twenty-eight people, and fifteen percent were obtained from tuition payments. For this reason, participants in the first pilot project were chosen for their qualifications, not on their ability to pay. Next year we will alter the program to meet the growing demand for involving teachers and students together in environmental learning experiences. The skills that develop out of these experiences can then be imparted to the participants' own schools. Our purpose is to stir local involvement in environmental issues and also to increase the effect of the Falls Creek Project on public education. We expect, as a result of this involvement, to begin receiving public funds. In fact, this step has already begun, for this spring some local public funds will support environmental workshops at the Project for teachers and potential drop-outs.

Our operational needs for the educational programs from January through December 1971, total $50,600.00. We are asking for this amount.

We are most anxious to submit a proposal on the basis of this letter. For that reason we would appreciate hearing from you at your earliest convenience.

Sincerely,

TODD SCHLAPFER,
Falls Creek Project,
Associate Director.

SECOND INTERNATIONAL CLEAN AIR CONGRESS MEETS IN WASHINGTON; SENATOR RANDOLPH PROVIDES THOUGHTFUL ADDRESS

Mr. BOGGS. Mr. President, today marks the final sessions of the Second International Clean Air Congress, which has been meeting this week in Washington. During that time, delegates from more than 40 countries have explored the technical, economic, social, and political problems associated with air pollution control throughout the world.

On Wednesday, the distinguished Senator from West Virginia, the chairman of the Committee on Public Works (Mr. RANDOLPH), was scheduled to address the Clean Air Congress banquet. That evening, however, the Senate was in session until after midnight considering emergency legislation relating to a nationwide railroad strike. Senator RANDOLPH was, therefore, unable to attend the banquet. At Senator RANDOLPH's request, the address that he had prepared was delivered by Dr. John T. Middleton, Commissioner of the National Air Pollution Control Administration, now a part of the Environmental Protection Agency.

Richard D. Grundy, professional staff member of the Senate Public Works Committee, was active in the Clean Air Congress planning.

Mr. President, the message that Senator RANDOLPH had prepared for the delegates was a most thoughtful one. It analyzed several important aspects of the challenge we face in control of international environmental pollution. Because of its importance, I ask unanimous consent that Chairman RANDOLPH's excellent address be printed in the RECORD.

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

WORLDWIDE COMMITMENT IS NEEDED TO END CONTAMINATION OF THE ENVIRONMENT

(By Senator JENNINGS RANDOLPH)

It is a distinct pleasure for me to meet with you tonight to discuss one of the most important problems facing mankind—environmental pollution.

I am honored to share this platform with some of the distinguished individuals whose thought and work are helping to make this Second International Clean Air Congress a productive event. Particular thanks are due to John S. Lagarias, general chairman of the Congress, for his gracious introduction.

Particular notice for their contributions to this meeting should be given to Dr. Christopher E. Barthel Jr., president of the International Union of Air Pollution Prevention Associations, an international leader in environmental pollution control; Arnold Arch, secretary of the union; Joseph W. Mullan, deputy chairman of the Congress; J. K. Jamieson, chairman of the board of Standard Oil Co. of New Jersey and your luncheon speaker tomorrow; and my friend Dr. John T. Middleton, whose agency hosted the reception at the State Department last night and whose lovely wife, Diana, is doing such a superlative job on the women's program of this Congress.

It is pleasant being with Reverend Delmer Van Horn, pastor of the Washington Seventh Day Baptist Church, and his wife, Rowena, who was a West Virginia Randolph before her marriage to my minister who gave our invocation.

You understand the widespread and intense concern being expressed in the United States over the rising levels of pollution that threaten the quality of life.

President Richard Nixon placed the problem in perspective in his environment message last February 10 when he said:

"The task of cleaning up our environment calls for a total mobilization by all of us. It involves governments at every level; it requires the help of every citizen. It cannot be a matter of sitting back and blaming someone else."

In America the new awareness of environmental contamination has raised major political, technological, social and economic questions. They are difficult to resolve, and those of us who must grapple with them are readjusting our thinking to accommodate new realities.

I am encouraged by the response of the American people to the need for action. That they realize the seriousness of the threat to the environment was demonstrated in our elections last month when environment-related issues were given substantial voter support.

While other financial questions on the ballots were being rejected in large numbers, many proposals to pay for environmental enhancement were approved. The people of Florida, for instance, agreed to put the full faith and credit of the State behind local anti-pollution bond issues, and voters in Maine approved a large State bond issue for environmental purposes.

There were many other such instances that demonstrate the willingness of the people to pay the cost of ending pollution.

Our involvement is so acute that we may sometimes tend to believe that only the United States is bothered with pollution and its effects.

It is true that the size of our country and the advanced state of its technology and industrial capacity make environmental controls a paramount matter of significant dimensions.

But we are not alone in facing the crisis of the environment. It is worldwide, and this Congress with representatives of many nations is evidence that the problems and concern are universal throughout our planet.

In the United States we have learned that pollution is not an isolated phenomenon that can only be controlled locally. The sources of pollution are everywhere, and its consequences are even further dispersed to the point of being almost universal. Therefore pollution control is not a provincial problem. We have explored the concept of regional control, and this, too, has its limitations.

It is now obvious that controls must be instituted on a nationwide basis if they are to be effective.

But in our shrinking world, pollution must be viewed in an even broader context, for whatever national pollution problems each of us may have, they have an impact on every other living person. The earth is a living organism with the mechanisms to transport deadly pollutants from one place to another with astonishing speed and efficiency.

When the astronauts of the Apollo 8 mission returned to earth, Earl Ubell asked them on CBS for their impressions of their journey through space. These three daring and valiant men answered that, in essence, they had been awed by the beauty of the earth as compared with the bleakness of space and the grayness of the moon.

They spoke of the uniqueness of the earth among the other planets. As seen from space by these men, the earth was a place of unparalleled, almost incredible, beauty. The surface of the earth was to them alive with color.

There is no other place in God's seemingly limitless universe where life pulsates as it does on earth.

But when the Apollo 13 astronauts returned home, one of them gave a different answer to essentially the same question. From the vastness of space he saw the earth as scarred and marred, mutilated by the thoughtless excesses of its human inhabitants.

The experience with DDT is a dramatic and disturbing example of the transport of contaminants through the global environment. This chemical marvel so very beneficial in the control of diseases such as malaria is now found to be so pervasive that it threatens many forms of biological life and the substructure of ecology on which man relies. Its long life, as well as that of its by-products, now is found in the depths of the ocean and from the Arctic to the Antarctic icecaps. The problem of DDT has become so serious that its use is being severely restricted and even prohibited.

It has been suggested that it is in the interest of global environmental preservation that DDT be banned and the more technologically advanced nations subsidize the more costly alternatives, in effect foreign environmental aid.

In the United States we have learned that the Great Lakes cannot serve as a repository for wastes. We have also awakened to the fact that the oceans cannot be considered as an international dumping ground. These practices have provided many examples of killed animals and plant life in some parts of the seas and resulted in contaminants being spread over large areas.

Much of the opposition to the development of a supersonic transport plane is based on the possibility that such an aircraft might introduce particulates in the upper atmosphere which might increase the cloud cover and effect global weather patterns.

Expert opinion on development of the SST is, however, divided, as evidenced by the recent endorsement of the Administration's SST program by 34 leading scientists.

These are just a few examples of how the application of technology can have widespread impact.

In this application, government and industry are not by themselves responsible for pollution since they are in fact acting to meet social needs. In meeting these needs there is a requirement for worldwide international cooperation in the fields of pollution control and abatement, in order that industrial and economic goals will not override the considerations of a decent environment.

The definition of the term "ecology" is itself a strong argument for multiple involvement. This popular—if sometimes misunderstood—word refers to the close relationship of every living thing to every other and to the single community which all life occupies. It thus makes no sense to view environmental considerations on less than a worldwide scale.

Many of the environmental questions are accentuated by the population explosion. The mere existence of more people creates greater demands, many of which can be met only by expanded technology and industry.

Accompanying this development, there is an increasing demand on development of land and natural resources, hastening their depletion and adding to growing air and water pollution and the mountains of waste with which we must contend.

If we do not learn how to meet the challenges these realities present, the eventual results are easily predicted: deteriorating health, more social instability, lower standards of living and the overall weakening of civilization.

Since our earth is a unit, many of these consequences must be rectified on a unified international basis. At the same time, we must recognize the very real national differences in problems, priorities and abilities to respond.

Just as some nations contribute more heavily to pollution, so must some nations bear a greater share of the cost of alleviating the worldwide situation.

Despite the diversity of nations, there are a number of actions that can be effectively taken now at the international level.

First, before any problem can be successfully attacked, its nature and extent must be known. There is a need for a coordinated worldwide system to monitor pollution in the total environment. We know from past experience with nuclear fallout that radioactive wastes are transported widely and rapidly through the environment. However, we do not have comparable information on chemical pollutants, and there is a demand

for more extensive, continuous data on which to base an international control effort.

For example, such a system would be invaluable in adding to our knowledge of the worldwide increase in carbon dioxide resulting from the burning of fossil fuels. There are many theoretical implications of higher concentrations of carbon dioxide, but they cannot be verified unless there is more information of the kind that can be obtained only by global monitoring. Scientists need to know to what extent and where carbon dioxide concentrations are increasing, the interaction of carbon dioxide with the oceans and its effect on weather and climate.

Another environmental question that lends itself to international study is that of large scale fluctuations in the particulate content of the atmosphere. There is a need to know the rate of increase, areas covered, size and composition of particulates and—again—their effect, as well as ways of removing them from the air.

In both of these areas, effective progress can be made only with the aid of a worldwide environmental monitoring system.

It is apparent, too, that such a system is practical only if there is agreement as to standardized methods of collecting and reporting data.

While these types of activities can contribute immeasurably to the accumulation of information needed to attack the pollution problem, each nation must decide for itself how far it wants to go in committing its manpower and its resources to maintain a desirable environment.

These are difficult decisions that must be based on national goals and priorities and take into account factors other than financial abilities.

That the technical and monetary requirements of preserving or restoring environmental quality might be beyond the ability of some, particularly smaller, nations must be accepted. This is so, when we consider that pollution abatement techniques are not inexpensive, especially when they must be installed and operated on a large scale. They are costly.

It would therefore seem incumbent on anybody seeking an international approach to pollution control to give very serious consideration to subsidization of environmental enhancement programs with both technology and funds by those nations with the greatest assets. This, after all, would be a new form of foreign aid, one that could benefit all mankind without regard to political differences.

Questions of this type must be resolved by international gatherings like the United Nations Conference on the Human Environment planned for 1972 in Sweden, Maurice F. Strong, secretary-general of the conference, discussed with you on Monday how such meetings can focus public and governmental attention on the need for cooperative action as well as provide the mechanisms and guidelines for such efforts.

In recent months we have received increasing evidence that the earth's seas must stop being used as garbage dumps. Intentional and unintentional discharge of often deadly wastes in the oceans is dangerous to the marine environment of the entire world.

Only last week our Senate Subcommittee on Air and Water Pollution conducted an emergency hearing to inquire into the action of our own government in dumping large quantities of waste oil in the Atlantic Ocean.

Government must not only encourage environmental enhancement, it must set the example for others to follow. Thus, we were alarmed and dismayed when we learned that one of our U.S. Naval bases had been practicing a particular odious form of ocean dumping, particularly in light of the National Environmental Policy Act of 1969. This statute requires that each federal agency conducting an activity which will have a deleterious impact on the environment must prepare a report evaluating the potential effects of its activity and circulate it to federal, state and local agencies.

To bring greater governmental effort and international cooperation in the effort to control ocean pollution, yesterday I introduced legislation in the Senate proposing an international conference on ocean dumping.

Such a gathering could be an invaluable preliminary meeting in anticipation of the United Nations conference in 1972.

I do not believe we can afford to delay unnecessarily in mobilizing the world's talent and resources in support of the chance for a healthy, happy life for all peoples.

Without action on an international level, efforts by individual nations must of necessity be less productive. Nations are the creations of men, but the natural environment transcends political boundaries just as do the substances and actions that threaten it.

Attempts in this century alone have shown the difficulty of multi-national political cooperation. Diverse histories, ideologies, economic systems and even climates all contribute to the differences in men that make life exciting and political agreement difficult to achieve. But the nature of the environmental threat requires cooperation and is such that cooperation can be achieved regardless of divergent viewpoints on other topics.

Fume-filled air, dirty water and mountains of garbage are just as dangerous to capitalist as to socialist, to white as to black, to rich as to poor.

I do not suggest that the degree of cooperation and understanding necessary will be easy to achieve, just as the technology to eliminate pollution will not suddenly appear with the signing of some documents of cooperation.

I have long felt that the most formidable barrier to a clean environment is the mind of man. We tend to become fixed in our thinking. We reject the sharp departures from the old, comfortable ways which are needed to reduce the likelihood of man becoming his own executioner.

Thomas Jefferson stated the challenge this way in 1824:

"As new discoveries are made, new truths discovered, and manners and opinions change with the change of circumstances, institutions must advance also, and keep pace with the times."

Foremost among the efforts we must make is a change of attitude, a willingness to question old concepts and reorder personal and national priorities.

Is, for instance, biggest always best? Must progress be equated with the destruction of nature? Should the production of "things" take priority over meeting human needs? Can science solve every problem?

These are just a few of the questions we must raise, and they relate not only to pollution problems but to all facets of life, once again demonstrating the inseparability of all we do and the world we occupy.

I refuse to accept any suggestion that the task before us cannot be accomplished. The energy and creativity of people working in the context of established governmental structures can be mobilized to produce and maintain a clean, healthful environment.

It is encouraging to me when a noted scientist expresses this same confidence in our people and our system. Dr. Rene Dubos has said: "I think we will find the way, because we always find political solutions when goals are sufficiently well-defined to permit creative and intelligent use of science and technology."

Athelstan Spilhaus, president of the American Association for the Advancement of Science, has proposed a new "industrial revolution," to provide for the recovery and reuse of materials rather than their discard.

His first step involves what I have discussed as a change of attitudes, a revision of our thinking so that we no longer consider ourselves consumers, but merely users of things on a temporary basis.

A major answer to many of our vexing pollution problems will be found when we stop casting aside potentially useful substances, whether in the air, in the water or as solid wastes. As Spilhaus declares, "waste is simply some useful substance we do not yet have the wit to use."

In the final analysis, the success of man's battle against pollution will be determined by his will to break away from old habits, to reject what Abraham Lincoln called the dogmas of the past and come realistically to grips with the fact that the environmental crisis is one of life and death.

Man created environmental pollution, and only man can end it.

To this commitment let us pledge anew our words, but more importantly, let us pledge our deeds.

AN APOLOGY IS IN ORDER, MR. HOOVER

Mr. MONTOYA. Mr. President, in recent months, the Director of the Federal Bureau of Investigation, Mr. Hoover, has been quite free with his opinions of public figures and political groupings within our society. This week's issue of Time magazine, however, carries a quote by him that I find more than a little astonishing. Here is the direct quote from page 16 of that publication.

> You never have to bother about a President being shot by Puerto Ricans or Mexicans. They don't shoot very straight; But if they come at you with a knife, beware.

Mr. President, there are over 8 million Spanish-speaking citizens of the United States. I take immense pride in being one of them. These Americans are second to none in their devotion to our principles and national goals. It is hard to accept the harsh reality of this slur upon them and all they stand for. Mr. Hoover should render a public apology to these citizens for the quote heretofore mentioned. It should be swiftly forthcoming and without qualifications.

Mr. Hoover has occupied a unique place in the minds of many Americans. To millions of people, he embodies American justice and fair play. All the more reason to deplore and resent such a slur.

Spanish-speaking Americans have suffered much because of stereotyping. Advertising campaigns depict them as slovenly, lazy, indolent, violence-prone revolutionaries. They cavort across our television screens, holding up trains, sleeping, avoiding work and responsibility.

Mass media campaigns, such as the Frito Bandito, have sought to extend the reach of such false images. Even now, Cesar Chavez languishes in a California jail because he dares to demand justice for those who toil in the fields to feed America.

Where is justice? Where is decency? How will America understand these good people when public figures make such statements? Yet these nonviolent people

have yet to flash a knife or depart from their peaceful search for justice.

The sons of these people are good enough to wear the uniform of our country in every war. Good enough to die for America. I know, for already too many have come home to my home State of New Mexico to be laid to rest. That statement was an injustice to them as well.

For too long too many ignorant people have perpetuated the stereotyped image of an ethnic or religious minority in our land. Such beliefs have yielded up a bitter harvest of internal struggle and bitterness that even now divides our Nation. It is for outstanding public figures such as Mr. Hoover to educate people toward maturity, not to repeat and give respectability to such statements.

For years Mr. Hoover has stood in the public eye for religious belief, clean living and healthy thought. He has departed from that path with this statement.

Mr. President, of late the Director has found great fault with the late Senator Robert Kennedy, the late civil rights leader Dr. Martin Luther King, Jr., and former Attorney General Ramsey Clark. I believe such public tirades and political opinions are unbecoming Mr. Hoover. While he delivers the public apology to America's Mexican American community, he would do well to ponder the wisdom of such continued outbursts.

NORTH VIETNAMESE OFFERED FURTHER POW DEAL

Mr. SCHWEIKER. Mr. President, at his news conference yesterday President Nixon further refined his proposal for a prisoner-of-war exchange. The Nixon plan had already been presented by Ambassador Bruce to the Paris negotiations.

Under this proposal American and allied prisoners would be exchanged for all of the North Vietnamese prisoners now being held by allied forces in the south. This would involve some 810 American and allied prisoners and over 8,000 North Vietnamese, or an exchange ratio of approximately 10 to 1.

Even with this advantage to be gained, the North Vietnamese have refused to bend from their adamant position that prisoner exchange will be the last item considered in any peace settlement. We must recognize the North Vietnamese disregard for their own people and their willingness to use them as pawns in a much larger game, whereas we Americans have a very high regard for individual humans and are willing to make large concessions for their protection and well-being.

It is noteworthy, however, that the administration is continuing at every level its major efforts to restore American prisoners to their homes and families. We can be encouraged by this.

AGENDA FOR THE NEW MAN AT THE U.S. OFFICE OF EDUCATION

Mr. PELL. Mr. President, the soon-to-be-published January–February issue of Change magazine will contain a most interesting article entitled "Agenda for the New Man at the U.S. Office of Education," written by Samuel Halperin. Mr. Halperin is the director of the educational staff seminar, an inservice staff development program of the George Washington University, and was until 1969, Deputy Assistant Secretary of HEW for Legislation. Prior to that, he was Assistant U.S. Commissioner of Education for Legislation and Director of the Office of Legislation and Congressional Relations.

This article, while ostensibly advice to the new Commissioner of Education, actually is a general statement of the critical problems facing the Office of Education, with respect to its internal operation and the educational problems it will have to face next year. Mr. Halperin's "agenda" is especially noteworthy as an excellent summation of some of the issues which the Subcommittee on Education and the Senate will be grappling with next year.

I ask unanimous consent that Mr. Halperin's article be printed in the RECORD.

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

AGENDA FOR THE NEW MAN AT THE U.S. OFFICE OF EDUCATION

(By Samuel Halperin)

The Nixon Administration hopes the new Commissioner of Education, Sidney Marland, will be a "creative manager"—a man who can mesh the Office of Education's abundant legislative authorities and its $4 billion-plus budget into "an effective strategy for reforming American education." What is wanted, say HEW insiders, is a plan whereby OE, with funds at about the current level for the next several years, will spark the discovery of what is best in the nation's schools. Then, through a vigorous campaign of research, development, demonstration, incentives, and dissemination, OE would seek to "leverage" those practices into schools and colleges. Thereby, OE would become much more than a money-dispensing machine and, instead, lead with the ideas that can make a difference in the education of America's young people.

All of this flows from the theme of Mr. Nixon's recent message on education: "American education is in urgent need of reform." Reform, in turn, requires a federal stress on experimentation, evaluation, research and demonstration, aiding state and local governments in exercising decentralized decision making by the elimination or redirection of narrow categorical grants and outmoded programs, less erratic funding, the lessening of much present federal discretion, and special aid for urgent rational needs, for example, school desegregation.

As in the Johnson Administration, improved education for the disadvantaged remains a top priority of the Nixon education policy team. While the improvement of elementary and secondary education holds highest concern in the thinking of HEW policy makers, there is no discernible intention to ignore problems of higher education. Here, clearest priority is accorded to expanding educational opportunity for lower-income youths to enter college through expanded and reconstructed student financial aid programs. At the same time, one hears less about expanding federal support programs-fellowships, library improvement, and construction—and more about "improving the delivery of federal assistance" through "creative new financing mechanisms," still very much unspecified. (In the elementary-secondary field, Mr. Nixon has appointed a President's Commission on School Finance to examine long-range funding fiscal needs and possible funding solutions.)

Against this background, the choice of Dr. Marland as Commissioner of Education seems particularly appropriate, because he is known to believe that basic reform of the educational systems must go hand-in-hand with any large new influx of federal funds. An experienced public school administrator, Dr. Marland has the reputation of being able to weld disparate social forces into new educational combinations. A pioneer in such innovations as team teaching, early childhood education, compensatory education, magnet high schools, community colleges, and modern technical education, Dr. Marland, former Superintendent of Schools in Pittsburgh, is also a vigorous champion of the special needs of the great cities.

As the new Commissioner takes up the reins of office, it may be useful to survey some of the agenda items and problem areas he will confront. Only by successful attention to all or most of these problem areas can the new Commissioner develop and implement the "strategy for educational reform" desired by the Administration.

RELATIONSHIPS

The most successful commissioners of recent times, Francis Keppel and Harold Howe, sensed the importance of building strong alliances within the Office of the Secretary of HEW and at other critical power points in the Administration: the Office of Management and Budget, the White House staff, and other education-related federal agencies. In recent times, however, communications and relations of mutual confidence between OE and HEW have grown perilously threadbare. While the Washington cocktail circuit buzzed with gossip of discord, educational decision making passed unceremoniously from the Office of Education to other decision makers, most notably in the Secretary's office of program planning and evaluation and to task groups convened by the White House.

The new Commissioner and his top staff will have to work around the clock building relationships of mutual confidence with the new Secretary of HEW, Elliot Richardson, and with various assistant secretaries of HEW who can decisively affect the outcomes of OE's budget, legislation, and program evaluation. The Commissioner will also have to use the momentum of his "honeymoon" period to convince his colleagues in the Office of Management and Budget and on the Domestic Council that the new leadership at OE possesses the intellectual and administrative vigor to effectively advance the goals of the Administration. Without such high-level confidence in him, little that Dr. Marland desires can come to pass.

Specifically, the Commissioner must come to terms with two potentially far-reaching proposals sent to Capitol Hill by his predecessors, Secretary Robert Finch and Commissioner Allen. If enacted, these proposals would establish (1) within HEW, but reporting to the Secretary and, therefore, organizationally independent of the Office of Education, a National Institute of Education; and (2) outside of HEW, a new National Foundation for Higher Education.

The National Institute of Education, spawned by widespread Executive Branch disillusionment with the record of OE in research, development and demonstration—as well as by a genuine desire to upgrade the federal investment in such key areas—is intended as a kind of educational National Institute of Health. Under the plan, NIE would harbor some of the nation's leading educational researchers who would perform high-priority R&D in-house and who would also direct and fund most of the activities now centered in OE's badly decimated National Center for Educational Research and Development. Paid at higher salary levels

than now possible under the Civil Service structure, and freed of much "bureaucratic red tape," NIE officialdom would, its advocates assert, have an esprit de corps capable of attracting a quality of educational talent which could make significant reforms in the American educational system.

Similarly, the National Foundation for Higher Education would fund "excellence, innovation, and reform" in higher education; "strengthen post-secondary educational institutions or courses of instruction that play a uniquely valuable role in American higher education or that are faced with special difficulties"; and house "an organization concerned with the development of national policy in higher education." As an independent agency within the federal government the NFHE would operate some of the programs now administered by OE's Bureau of Higher Education and would develop new ones in a manner analogous to those of the National Science Foundation and the National Foundation on the Arts and Humanities.

Regardless of the merits of the NIE and NFHE proposals (in this observer's opinion they are substantial), there is little doubt that in their present form they could relegate OE to even more profound organizational insignificance than it presently enjoys. With most "innovative programs" mounted by either the NIE or NFHE, OE officials fear that the agency's main function would be that of routine check writing to the states and institutions of higher learning. "Real leadership," in the sense that most management analysts talk of it, would reside elsewhere and the "run-of-the-mill" support programs administered by OE could scarcely expect much support from the Office of Management and Budget or the White House.

To be sure, there are some who see "the new OE" as giving vigorous leadership in identifying educational gaps, developing model solutions, providing technical assistance, and conducting pilot demonstrations. But, as of now, the ambiguity of OE's functions in the context of the NIE and NHFE proposals demands attention. Thus, the new Commissioner must almost immediately clarify with Secretary Richardson—who is also not entirely bound by the proposals of his predecessor—and with the White House the degree of flexibility which will be accorded to him in speaking about and modifying the proposals on Capitol Hill.

One thing seems clear: the educational community expects Dr. Marland to act forcefully for the unity of education and its elevation (through greater status and greater budgets) within the Administration. To the extent that NIE and NFHE are perceived as fragmenting education through the separation of elementary-secondary education from higher learning and through the separation of innovative programs from the support programs of OE—to that extent the proposed new agencies will be widely resisted.

In short, the new Commissioner will have to decide what he wants to be Commissioner over and how he can promote the innovative goals of the Administration without further weakening both the organizational base and the already battered morale of OE.

TOP LEADERSHIP

The tenure of OE commissioners has been notoriously short—less than two years each in the last decade. With every change of the man at the top, of course, ripples of uncertainty run through the agency and morale plummets.

The current personnel-morale equation at OE, however, goes much beyond this "normal" dislocation attending the change of commissionerships. For probably never in its history has OE been so bereft of policy and administrative leadership throughout the various layers of the agency. The Deputy Commissionership, traditionally regarded as the "inside man" who attends to essential administrative functions, has not had a permanent appointee for fully twenty-four months.

The magnitude of the Commissioner's top leadership problem can be gauged by noting that, in addition to the Deputy Commissioner, his personal Executive Assistant, and several special assistants, he will be able to make appointments (subject to political clearance and the assignment of a higher personnel ceiling to OE) to the following major posts (assuming full staffing of the present organizational structure): Deputy Commissioner for Planning, Research and Evaluation; Director, National Center for Educational Research and Development; three Deputy Commissioners (for Higher and International Education, School Systems, and Instructional Resources); Associate Commissioner for Elementary and Secondary Education; and at least forty-two significant posts at the division, branch or comparable levels.

Some observers believe that Dr. Marland will have great difficulty in attracting able educators and other talented professionals to serve in an Administration whose credibility as a constructive friend of education is, to say the least, severely strained. Undoubtedly, the inability to promise potential appointees discretion over large new fiscal outlays will deter many otherwise eligible persons. Likewise, complaints circulating in the field about particularly heavy-handed political interference in the hiring of even junior and middle management personnel will not ease the recruitment problem.

Yet, it is hard to believe that Dr. Marland's persuasive powers—coupled with fairly attractive salaries ($22,800 to $35,000) and a tight job market—cannot fill these vacancies.

Thus, the immediate personnel task of the new Commissioner is inescapable. For, while visions of "creative management" at OE may dance in the heads of White House aides, it is difficult to anticipate much forward movement until the OE shop has first been staffed to meet the challenge.

R. & D. STRATEGY

"Prestige," says Dean Acheson, "is the shadow of power." With a current budget of $4.43 billion, nine times that of a decade ago, an observer might easily conclude that OE possesses substantial power and attendant prestige.

In fact, the nature of most of the laws administered by OE—and, more important, the way OE has chosen to administer them—leaves the agency with real discretionary spending authority over less than 10 percent of its total budget. Most OE programs involve formula grants to the states and relatively routine payments to colleges and universities. As management review teams appointed in the Nixon Administration discovered, OE program specialists rarely challenge the state plans and higher education proposals which come before them for "review." Lower OE echelons generally apply their efforts to ensuring that federal forms have been duly completed. Moreover, higher echelons at OE seldom find cause to reverse their subordinates' preliminary approvals of state plans and other spending proposals. As in most established bureaucracies, such accommodating practices lead to the development of close agency-clientele relationships in which the approval of clientele spending requests in a swift and smooth manner is the administrator's best guarantee that "the field" will solidly support his requests for larger spending.

Thus, the bulk of OE's funds flow to the field year after year with little in the way of substantive program review or what are sometimes termed "new program thrusts of the Commissioner." To be sure, efforts of a new man to "set priorities" within existing programs or to insist upon "effective results" in the spending of federal money, have frequently been resisted by potent portions of the educational community and by much of the Congress—which reacts swiftly and unmercifully to constituents' complaints of "heavy-handed federal control of education."

Over the years, then, the bulk of OE's personnel have been devoted to "getting the money out" with as little controversy as possible. When Presidents, HEW Secretaries, or Commissioners desire "new thrusts" and "new leadership," the tendency, rather than to "turn existing programs around," has been to seek new legislation mandating the desired innovation. "It is far easier to pass a new law," says the conventional wisdom on Capitol Hill and at the White House, "than it is to change a bureaucrat's method of operations."

The other major option open to policy makers has been to return again and again to the few genuinely discretionary authorities possessed by the Office, particularly the Cooperative Research Act and other research, development, demonstration, teacher training, and evaluation programs. Spread throughout the Office, these approximately dozen discretionary programs have no critical mass. The largest discretionary budget area—$90 million under the Cooperative Research Act—must be allocated among eleven policy and research centers, fifteen regional educational laboratories, a new program of experimental schools, major support for the National Assessment Program of the Education Commission of the States, and at least nine other major program areas. Yet, such "free" authorities are the basic ones available to any Administration for its new initiatives, such as "the right to read;" the District of Columbia Anacostia model school system; the President's Commission on School Finance; White House Conferences on education, children, or what-have-you; children's TV workshop-Sesame Street; the Commission on Instructional Technology; and on and on.

New leaders are unlikely to hold ardently to the discretionary priorities of their predecessors while, at the same time, they require funds to do their "own thing" in education. In the insightful words of former OE research chief James Gallagher, old commitments, "their political glamor worn off," have their places taken "by new, bright, and shiny programs that are polished by hope and unsullied by experience. . . . The plans designed in past years become the victims of persons who have no sense of history or respect for programs begun before their entrance upon the scene, but who are eager to pursue their own pet projects 'to make their own mark' in Washington."

The antidote for such research anemia can only be found in vigorous new leadership, specifically through the development of a convincing research strategy and the recruitment of skilled researchers and administrators.

Personnel—Closely related to OE's relative lack of discretionary funds, and the continuity and blueprints to apply them with vigor and wisdom, is a serious lack of personnel to ensure program effectiveness. While not entirely comparable, it is interesting to note that OE program funds expanded about ninefold in the past decade while the number of full-time OE personnel increased only from 1,061 in 1960 to 3,036 in 1968 and has since fallen to 2,669.

Some indication of the severity of the problem can be glimpsed from the fact that President Nixon's current budget for OE requested no funds or reduced funds for twenty-four existing programs. Plans were made for many present personnel, plus a requested eighty-eight new employees, to be allocated to high-priority Nixon programs. But the Congress, while authorizing several new programs requested by the President, refused to cut funds for *any* of the twenty-four "lower priority" programs, nor did it grant even one of the requested eighty-eight

new employees! Indeed, despite the numerous "vacancy" positions which checker its organization chart, OE's authorized personnel ceiling on July 1 permitted the hiring of only seventeen additional persons.

Thus, Dr. Marland must secure the middle management personnel to assure the Administration that OE can function at a level of quality worthy of increased confidence and, hence, increased funds and responsibility. While his own forceful personality and the leadership of associates he will recruit to other key positions may succeed in getting more work from OE's 2,700 employees, it is doubtful whether the present number of personnel, performing their tasks as *presently* constituted, can ever raise OE's performance to such a level of confidence.

REORGANIZATION

OE's personnel plight leads some HEW management analysts to "think the unthinkable"—a massive reorganization of OE. After at least four major revampings in the past seven years, and the creation and abolition of literally scores of bureaus and lesser units, most OE veterans are horror-stricken by the thought. Contemplating the dislocation of offices, telephones and established relationships, few employees would welcome such a move—and many would counsel against it.

Yet, the case for reorganization may be compelling to the new Commissioner. Briefly stated it is that: (1) A concerted attack upon a complicated educational problem cannot be mounted under the present structure of semi-feudal fiefdoms. Discretionary programs now spread around OE must be centralized so that a coordinated battle plan can be mapped.

(2) There is no reasonable prospect of OE's obtaining the needed personnel to give leadership to American education. Most of the educational community, it is held, opposes an active stance by OE in establishing national priorities, or in giving technical assistance to local educational units, or in closer monitoring of educational results in the field, or in whatever manner one defines "educational leadership."

(3) Under the circumstances, argue the advocates of reorganization, the only way OE can lead is by a massive redeployment of the present staff. "Reorganization," in this context, means not so much a juggling of organizational units as a major streamlining of staff functions. Rather than spending so much time perfunctorily reviewing state plans and college grant requests, staff paper work would be shorn to a minimum.

OE staff resources would then be freed for "change-inducing" or "exemplary" activities—discovering through extensive field operations what seems to be "working" in American education; setting up more effective dissemination mechanisms to show the highly decentralized system how other educators have solved similar problems; using discretionary funds to "leverage" change; providing technical assistance to help schoolmen get better results with their nonfederal, as well as federal, funds; and generally acting as gadfly and promoter of promising educational practices. Convincing the Congress and the educators that this is the proper role for OE will require herculean political efforts. Attracting the kind of personnel to OE, or retraining existing personnel, who could carry out such difficult roles in a sensitive and effective manner is also no small task for Dr. Marland's leadership.

LEGISLATION

With almost a hundred education laws enacted in the last five years and authorizations to appropriate $13 billion—three times as much money as OE is now spending—it is no wonder that almost everyone in Washington downgrades the importance of additional education legislation. Nevertheless, political imperatives make it certain that Dr. Marland will spend much of his time in legislative development and in presentations on Capitol Hill.

First, President Nixon has proposed a $1.5-billion "Emergency School Aid Act" to assist public school districts with the extra expense of desegregation. Although the Congress appropriated an initial $75 million for this purpose, congressmen of every political persuasion have numerous questions which must be answered before they vote larger expenditures. OE playea a small role in the development of the Nixon proposal, but it is clear that the Congress will want to have the educational judgments of the new commissioner before very long. Moreover, any successful effort to enact the legislation will almost inevitably involve the new leader in that delicate (and time-consuming) balance of educational wisdom and political sensitivity which is the hallmark of every successful commissioner.

Other legislation also demands attention: the Higher Education and Education Professions Development Acts technically expire next June 30. The Nixon proposals for a National Institute of Education and a National Foundation for Higher Education may get a new lease on life now that there is a new Secretary of HEW and a new Commissioner of Education. Certainly, it is not likely that the Congress would seriously consider these far-reaching proposals, drafted by their predecessors, without considerable exposure to the views of the new men in town.

POLITICS

Some who pride themselves on political realism assert that no Commissioner can succeed in the highly charged political atmosphere of Washington. For, while "internal success" within the Administration—measured by the size and composition of budgets, program directions, legislative content, and quality of management—depends upon the ties of trust and confidence sketched above "external success" depends upon getting along with a host of educational constituencies, each demanding more for its own cause, and a Congress controlled by the other political party. To be sure, the new Commissioner must be a "team player" within the Administration if he is to make any gains for education within HEW and the White House. Yet, the quantity of his relations with the education lobbies and the Democratic-controlled Congress will largely determine what he can do with the initiatives and programs which the Administration permits him to champion.

In the soon-upon-us reelection climate of 1972, does the new man at OE have a chance? While the going will inevitably be rough, difficulties may be eased by according Dr. Marland greater flexibility to bargain than was granted to his predecessor. The key to defusing the political tinderbox may well be to allow the Commissioner and his top associates to work more closely with the Congress than has recently been the case. Recognizing that much of the Congress is wedded to the preservation of existing educational programs and, at the same time, views itself as genuinely committed to strengthening the educational system, the Commissioner (and the Secretary) must be permitted to seek the best accommodation possible with the Congress in furtherance of certain basic principles and objectives of the White House. Instead of a ban on "traffic with the enemy," administrators like Commissioner Marland badly need the opportunity to negotiate for as much of the Administration's program as possible. Without such freedom, we shall see more of the recent situation when two House education subcommittees went to work on key legislation—Emergency School Aid and Higher Education Acts—after first setting aside (not necessarily on the merits) the draft bills submitted by the Administration. In other words, if the White House desires to achieve its principal objectives it will have to permit its appointees to face the lion in its den.

All in all, the weight of problems facing the new Commissioner of Education is such as to discourage all but fools and courageous men. Yet, the challenge is great, for OE's potential to be a creative force in the improvement of American education is undeniable. Fortunately, there are still courageous men around who do not flinch from such challenges.

FAITH IN THE ECONOMY AND AMERICA

Mr. GRIFFIN. Mr. President, on behalf of the distinguished Senator from Texas (Mr. TOWER), who is necessarily absent, I ask unanimous consent that a statement by him entitled "Faith in the Economy and America" be printed in the RECORD.

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

FAITH IN THE ECONOMY AND AMERICA

STATEMENT OF SENATOR TOWER

Mr. President, we here often become so embroiled in the vast overview of important national issues of the day that we sometimes forget that our generalizations—while necessary and useful in defining problem areas and forming judgments—are never a complete statement of all aspects of the issue at hand.

For example, the economy has been one of the great issues and, today, in the face of production cut-backs and labor problems and strikes in many important industries, we are even more hard-pressed to define priorities, formulate policies and implement programs to rectify these problems while maintaining the lid on inflation.

However, it is indeed heartening to see that those great individual American qualities of character—imagination, initiative and hard work—can still achieve their mark of success.

I am proud to call to your attention the accomplishments of my fellow Texan, Mr. Cecil Ussery, who, in February of this year, formed a new company, imbued it with imagination, staffed it with business professionals and has seen it grow in this short period of time into a national operation requiring an increase of staff five times over.

Mr. Ussery, chairman of Ussery Industries Inc., has expressed his confidence in the American economy repeatedly and publicly. Only recently the first of a series of billboard advertisements was erected on Dallas' busy Stemmons Expressway by Ussery Industries, Inc., claiming "We believe in our economy: We're hiring not firing." He has also acted on this confidence and been rewarded.

At this time, I would like to express my own confidence, now bolstered by Mr. Ussery and his company, in our economy.

Moreover, I would like to express my confidence in our fellow Americans who daily meet head-on the problems of our current economy, but who have refused to become harbingers of doom.

No, instead, they have—by returning to the basic fundamentals of American greatness—demonstrated once again that the individual, through his own initiative and efforts, can still achieve success for himself and others associated with him.

The *Fort Worth Star-Telegram* recently highlighted Ussery Industries, Inc., in an article reflecting this encouraging optimism of the company and its employees.

Mr. President, I would like to share this article with my distinguished colleagues so that we may all remember that there are hundreds of other stories like this one now

developing every day in this great Nation of ours.

FAITH IN ECONOMY PROFESSED

DALLAS.—Undaunted by layoffs and work stoppages, a Dallas industrialist today attested to the world his faith in the American economy.

The first of a series of billboard advertisements was erected on Dallas' busy Stemmons Expressway by Ussery Industries, Inc., claiming "We believe in our economy: We're hiring, not firing."

Cecil Ussery, chairman of the vending machine manufacturer, said his business has never been better.

"We're in the midst of a nationwide expansion program in major market areas from coast to coast," he said. "We foresee a continuous upturn and we want people to share our optimism."

Since its inception last February the company has multiplied its internal staff by five times and has selected some 3,500 distributors."

SOVIET UNION ACCUSES UNITED STATES OF BEING GENOCIDAL AT THE UNITED NATIONS

Mr. PROXMIRE. Mr. President, yesterday at the United Nations the Soviet Union accused the United States of believing in genocide. In the speech given by the Soviet delegate to the United Nations, Yury M. Rybakov, one of the main supporting arguments used for this accusation was our failure to ratify the United Nations Genocide Convention. According to today's Washington Post, Mr. Rybakov said:

> In the eyes of the United States, genocide reflects the spirit of the 70's—that is why the U.S. refused to sign the Genocide Convention.

Obviously, all of us recognize this statement as a complete misrepresentation of the facts, including our proud heritage in regards to basic human rights of all men. However, I hasten to point out that this is not necessarily the case with the other peoples of the world, who could be misled by our lack of action on this human rights convention.

I have been speaking in this body for almost 4 years on this subject. During that time, one of the main arguments that I have used in urging our ratification of this convention was that our enemies could and did use our inaction on this convention as propaganda against us.

It has happened again. We have given the Soviets an unnecessary weapon to use against us.

All is not lost, as we in the Senate now have the golden opportunity to rectify this sad situation. We have been given this chance by the Committee on Foreign Relations which reported the Genocide Convention to the floor of the Senate by an overwhelming margin. We should now follow their action and remove one weapon from the Soviet's propaganda machine.

"THE CITY MUST BE THE TEACHER OF MAN"—ADDRESS BY WILLIAM D. RUCKELSHAUS

Mr. BAKER. Mr. President, yesterday in Atlanta, William D. Ruckelshaus, Administrator of the new Environmental Protection Agency, made his first major public statement in his new capacity. It is a very important statement, not only for its specific contents but also for the insight that it affords into the approach that Mr. Ruckelshaus will take in the execution of his new responsibilities.

Those who, for whatever reason, have had their doubts about the commitment of this Government to cleaning up the environment will find little in this speech to support that view. Those who, for whatever reason, have hoped that effective action could somehow be forestalled or delayed will find little comfort in Mr. Ruckelshaus's statement of December 10.

During his recent confirmation hearings before the Committee on Public Works, Mr. Ruckelshaus assured the committee that he would seek to be fair but that he would not hesitate to take firm action where necessary, even if he were certain to meet with stiff opposition.

His announcement yesterday of tough new water pollution enforcement actions in three major American cities has brought that kind of tough opposition. The mayor of one city, which has been dumping unconscionable amounts of municipal wastes into Lake Erie, promptly denounced the action as a "cheap political shot." Mr. Ruckelshaus responded to this irrational criticism by calmly noting that he had not expected the mayor to "be elated" at the announcement. The new Administrator is not a man to be easily ruffled, an essential characteristic for such a job.

Mr. President, I commend this speech to the Senate and ask unanimous consent that it be printed in the RECORD.

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

THE CITY MUST BE THE TEACHER OF MAN

It is both fitting and fortunate that in my first week as Administrator of the Environmental Protection Agency I have this opportunity to meet with the annual Congress of Cities. The mayors, city managers, and municipal administrators of this country are in the frontline of the effort to reclaim the environment. For it is the city dweller who bears the heaviest burden of the damage that centuries of neglect have done to the environment.

It is the city dweller who suffers most from the sickening yellow smog that too often irritates our eyes and lungs and blots out the breathtaking skylines we used to see.

It is the city dweller in the last decade who has consistently experienced summertime water shortages; who has witnessed beach after beach declared unsafe for recreational purposes; who has detected a strange new taste in his drinking water as we struggle harder and harder to maintain water quality in the light of diminishing clean water resources.

It is the city dweller who gazes most often on the ugly waste we don't yet know how to dispose of efficiently; and who sees and smells in the rivers that flow through his town the failure to develop ways we can dispose of solid effluents cleanly.

You are in the frontlines, too, because the services you provide your citizens are so closely related to environmental problems. For example, how you dispose of the trash you collect, or the traffic congestion regulations you enforce, can vitally affect the quality of air your citizens breathe. Like all of the aspects of the environmental problem, the issues you face as city administrators everyday are all interrelated. You cannot deal with one problem without considering the effect on another.

The Environmental Protection Agency shares with you an appreciation for the interrelated nature of the problems we must face together. EPA is only a week old. But already it is clear that it is a new departure, a fresh start in meeting the challenge to reclaim the environment—to restore the delicate balance which supports life on this planet. In fact, it is a new, integrated approach to the environmental crisis.

EPA will not deal narrowly with one segment of the problem, ignoring others. It will be a coordinated attack on some of the most persistent manifestations of a deteriorating environment. We know that there is little sense in removing impurities from the air only to pour them back into our rivers and streams. Our charter will be to look broadly at environmental conditions, to keep in mind the whole problem as we deal with each of its parts.

Beyond restoring the quality of the air and water of this nation, we shall be concerned as well with the use of pesticides which threaten both man and animal. We shall be concerned with the disposal of solid wastes which blight our countryside, contaminate both air and water, and befoul our oceans. We shall be concerned, too, with the hazard to human health and water ecology which the increased production of radiation from man-made sources represents.

In the creation of the Environmental Protection Agency the United States has gathered together in a single agency the responsibility for research, standard-setting, monitoring, and enforcement with regard to all of these threats to man and nature. We shall exercise those responsibilities as an independent agency, an agency that has no obligation to promote commerce or agriculture, but rather the awesome obligation to protect and improve our environment.

Besides what we may do technically, our larger mandate is to exercise leadership. To inform and guide as well as serve the people of this nation. None of the issues with which we must deal are so simple as to be reduced to the "pollute or not to pollute" question. There is no one source which we can control that will undo the damage that all of us—individuals, industry, and government at all levels—have done to the environment. Our country is awakened. We must channel this new found awareness to constructive action for a better and cleaner America.

It will be our job in the Environmental Protection Agency to be an advocate for the environment wherever decisions about our common future are made—whether it be in the councils of government, in the boardrooms of industry, or the living rooms of our citizens. That must also become the job of us all. Only the effort of everyone of us will insure that the world our children inherit will be cleaner and healthier than the one we know now.

The responsibilities which are entrusted to this new agency I must meet head-on today. A gross pollution problem exists in Atlanta, Georgia and clearly something must be done about it—and done about it now.

The Chattahoochee River flows clean and clear above Atlanta. But when it reaches this great city 32 million gallons of untreated effluents are dumped into it daily, along with another 40 million gallons with only primary treatment. Beneath the city of Atlanta the Chattahoochee River, an interstate stream, flows into Alabama. It is virtually an open sewer.

This is not alone a judgment of the Federal government. The citizens of this city know it is true, and the State of Georgia itself has reported that the extensive pollution of the river from the Atlanta metropolitan area renders the river unsatisfactory for most

water uses for at least 40 miles below the city.

This massive discharge of pollutants by the city of Atlanta is in violation of State water standards. Both the State and Federal governments have made it clear to Atlanta that more sewage treatment facilities must be added. Initially a deadline of July 1971 was established to correct the problem. Since then an 18 month extension was granted until December 1972.

It is evident now—after the second stage of the Federal, State, local enforcement conference—that Atlanta is falling behind schedule again. Under present regulations we have made maximum federal financial assistance available to the city. A recent proposal, however, to increase the sewer rate to complete the funding of the project has been defeated—raising the specter of even further delays.

Such a condition demands action by all of us at all levels of government. At the Federal level we will adopt the only course presently available to us under Federal law. Today the Environmental Protection Agency is servicing a 180-day notice on the city of Atlanta to halt violation of the federally approved water quality standards of the State of Georgia. City officials have already been so notified. By this process corrective steps must be taken within 180 days from the date of the served notice or the EPA Administrator can ask the Justice Department to file court action against the city.

We do not take this action lightly or vindictively. Every effort has been made to resolve this problem more amicably. But the situation that exists now demands action, and we shall act with the only tool available to us. Sometime it is only by pressure from without that needed but painful actions can be taken within.

Neither do we take this action to single out this great Southern city. I am as well announcing today that 180 day notices are also being served on the cities of Detroit and Cleveland to halt violation of water quality standards in the Lake Erie Basin.

No one disputes the damage that has been done to Lake Erie. Some contend that the lake is dead. But massive corrective action and hard, prompt enforcement proceedings can save the lake. This is just what we intend to do.

Last summer six Lake Erie Federal-State enforcement conference workshops were held to determine which municipalities and industries around the lake were in compliance with pollution abatement schedules. From those workshops emerged some distressing information.

Detroit is the largest of the sources of municipal waste effluent flowing into Lake Erie. She is also behind schedule in the implementation of primary and secondary treatment facilities for sewage.

Cleveland as well is behind the implementation schedule with regard to primary and secondary treatment facilities. The combined sewer system of the City of Cleveland is a major contributor of pollutants into Lake Erie, pouring raw and partially treated sewage from 700 points of overflow into the lake and area streams.

By serving these 180 days notices we are not saying that the Chattahoochee River or Lake Erie can be restored tomorrow. What we are saying is that we have not done enough, fast enough—at any level of government—to meet the needs that exist and to implement the corrective action necessary. It is not our intent to vindicate our policies in the courtroom. It is our hope, rather, to act as a catalyst—to encourage all of us in Washington, in the State Houses, and in the City Halls of this country to address ourselves to the hard decisions which must be made if the environment is to be protected. Our goal is to cooperate with you—to develop a mutual trust, a mutual point of view, and mutual plans of action. The logjam of inertia must be broken somewhere, and we propose to do it at the Federal level.

We do not aspire to usurp your functions or responsibilities, but we do aspire to help you better provide essential services to your citizens while still protecting their right to a clean and healthy environment. A good example of this approach already exists.

EPA is now involved in a special project to improve environmental quality by closing open dumps and upgrading solid waste disposal practices across the country. The National League of Cities is one of 23 organizations supporting this project called "Mission 5000." The goal is to eliminate 5,000 open dumps by June 1972.

The role of the Federal Government in Project 5000, though important, is limited. EPA will render technical assistance, including provision of recommended standards and model legislation. Special training courses in solid waste management will be offered for operators, supervisors, and public officials.

Actual implementation of Mission 5000—the closing of dumps, however—must be accomplished at the local level. And, therefore, your role as city officials is a critical one. Nor do I shrink from recognition of the near penniless state of many of our great metropolitan centers. Environmental protection is not free. The citizens of our country must understand this and all of us must be honest about the cost. This Administration has recommended a system of revenue sharing with the Federal, State and local governments which would more equitably distribute the tax dollar. This plan should be adopted. But whatever the means, the cost of environmental preservation must be borne.

A thousand years ago Plutarch asserted that "the city is the teacher of man." We know now that the city *must* be the teacher of man. Nearly 80% of our people live in and around our cities. It is in our cities also that environmental problems are most aggravated. And it is in the cities where we must pioneer the way to a future in which man lives in harmony with nature.

All of us have a responsibility to face that challenge. To devise strategies to control environmental hazards now, and more importantly, to develop long-term plans to eliminate them in the course of a healthy and balanced growth in the future. Without your inspired leadership no meaningful plan can be developed, no successful strategy devised.

The Environmental Protection Agency was established to coordinate a broad Federal attack on the pollution of our air, water, and land. But we shall not live up to our own expectations if we do not work closely with you who administer the cities where foul air and water are not abstract scientific problems, but the ugly facts of daily life.

The actions I have taken today and similar actions I will take in the future may shock some. They may anger others. In my opinion it is far better that we shock and anger today than that our children inherit an unlivable world tomorrow.

AMERICAN ASSOCIATION OF MUSEUMS

Mr. PELL. Mr. President, recently the Washington Evening Star published an article about the American Association of Museums. The piece succinctly points out the changing attitude and role of the American Association of Museums, a change which has occurred over the past 2 years. Besides an increased awareness by museum officials of the need for greater Federal involvement, this change also must be attributed to the dynamic leadership of Kyran McGrath, who is the executive director of the association.

I ask unanimous consent that the article be printed in the RECORD.

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

NEW SITE FOR THE AAM: HOW TO KILL A CULTURE "PAIN"

(By Gus Constantine)

When the American Association of Museums vacated its somber, arcane-looking headquarters on Massachusetts Avenue this year for a "home" in one of upper Georgetown's new, ultramodern office buildings, the move signaled far more than a change of address.

In fact, it reflected a decision by America's museums, which the association speaks for, to do something about the "growing pains" they have experienced in a period of unparalleled growth.

"This rapid expansion, by any yardstick you choose to measure it, has scared the hell out of museum officials," Kyran McGrath, director of the association reports.

"It means that the leisurely pace of the past has given way to continuous demands by the public for more exhibit space, more frequent changing of exhibits, more educational programs.

"And all those things cost money—more money than the traditional private sources can provide," he emphasizes.

So the AAM has launched a multipronged drive in the nation's capital to ensure that those in influential positions on cultural matters understand the museums' needs and their point of view.

For example, AAM representatives "audit" congressional hearings to keep its more than 5,000 museum members informed. At times it is asked to testify on behalf of the museums, opening up more channels of communication between museums and the government.

To promote the image of the nation's museums, it has put into effect an accreditation program. In imitation of similar programs for colleges and universities, museum accreditation is intended to grant a "seal of approval" to museums establishing and maintaining professional standards in their activities.

Not lost sight of in the program is the fact that accreditation can be an invaluable tool for those who must make decisions on contributions, grants or contracts.

ANOTHER PROJECT

On the research front, the association has revised its "bible," the "Museums Directory of the United States and Canada."

In doing the spadework for this reference work, the association discovered that in the five years since it last edition, the number of museums ballooned from about 5,000 to over 6,700.

Still another project which the AAM has undertaken is to keep itself and member museums posted on how the Internal Revenue Service is handling the tax reform law passed in 1969.

That law, which was designed to get at foundations being used as shelters for personal income, in effect created a new obstacle for museums. They must show that they are funded by a "broad segment of the public" before a foundation making a grant can do so and still receive a tax exemption.

"This has made a lot of foundations overly cautious with their grants," McGrath reported.

He said he thought the problem could be cleared up by IRS simply by sending a letter to museums "confirming their public support status."

Two years ago, when McGrath became director of the association, his experience in the museum field was little more than that of an ordinary visitor.

His forte was law and politics, "accredited" in the former with a law degree from Georgetown and learning the latter in stints as legal assistant to former Sen. Paul Douglas, D-Ill., and as chief Washington lobbyist for the state of Illinois.

Youthful in appearance despite a retreating hairline—he is only 35 years old—McGrath has plunged energetically into remaking the image of museums and improving liaison between government officials and the museum community. He is convinced the government must expand its support of museums if they are to keep pace with rising demands.

"Look, that's where the deep pocket is, that's where the help must come from," he says.

THE "BELMONT REPORT"

A measure of American museums' prosperity—and at the same time the source of their problems—was taken in 1968 when a report to President Johnson, the "Belmont Report," found that museum attendance skyrocketed from 50 million visits 30 years before to almost 300,000. "Now it's probably around 560 million," McGrath says.

The growth in attendance caught many museums ill-prepared for their new-found popularity. Antiquated buildings, inadequate lighting fixtures, sub-par humidity control were common characteristics of a "plant" inherited from the days when a museum was thought of as simply a place to hang things and keep track of them.

Nor was the problem simply a case of more people. Schools, colleges and individuals began to press the museums for expanded educational services. This meant more guided tours for classes, more educational materials to be prepared for the schools and more courses offered in cooperation with the schools on museum premises.

Tersely, the Belmont Report summed up the problem as follows:

"The basic reason why museums cannot meet today's demands is that they cannot afford it."

The report called for sharply increased federal aid and also urged that the government recognize museums as educational institutions. The latter would open up additional sources of funding, with the money presumably coming from the Office of Education.

This month, museums won a legislative victory on this point when the Environmental Education Act went into effect. The act, which authorizes federal help to educational institutions offering programs on the environment, specifically lists museums and libraries as such educational institutions.

"That's a precedent," McGrath said.

The act also signaled in clearest terms that the AAM "message" emanating from its new quarters at 2233 Wisconsin Ave. is beginning to get through where it counts.

RELOCATION PAYMENTS TO VICTIMS OF MAJOR DISASTERS

Mr. GRIFFIN. Mr. President, on behalf of the distinguished Senator from Texas (Mr. TOWER), who is necessarily absent, I ask unanimous consent to have printed in the RECORD a statement by him relating to relocation payments to be made to owners and tenants who are forced by a major disaster to vacate homes or businesses which are subsequently included in urban renewal

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

RELOCATION PAYMENTS TO VICTIMS OF MAJOR DISASTERS

I am particularly pleased that S. 3619, the Disaster Assistance Act of 1970, now in conference, contains a provision, based on an amendment which I proposed, that will permit needed relocation payments to be made to owners and tenants who are forced by a major disaster to vacate homes or businesses which are subsequently included in an urban renewal project. At present, these people may be denied the payments simply because they are unable to return to their homes or places of business before they are condemned or acquired. Section 254 of the Senate version of the bill is designed to preserve their entitlement to the various kinds of relocation payments that can be made under section 114 of the Housing Act of 1949 notwithstanding this temporary situation resulting from the disaster. Identical language is carried in section 4 of the House version. I believe the proposal legislation will not only provide some much needed assistance but also contribute to the more equitable treatment of many people affected by renewal projects.

A MESSAGE FOR APOCALYPTISTS—ADDRESS BY HARLAN CLEVELAND

Mr. PELL. Mr. President, Harlan Cleveland served our Nation as both an educator and as a diplomat for many years in posts of great responsibility. His record was one of distinction. Many people after retiring from a brilliant career would use the time to read, write their memoirs, or, in Harlan Cleveland's case, do a lot of sailing. However, Mr. Cleveland is an activist and upon retirement from the Foreign Service returned to his first career—that of an educator—and today he is president of the University of Hawaii.

It is interesting to note that as president of the university, he is more than the chief administrative officer of that school, for a unique and farsighted structure also makes him chief officer of all public higher education in his State with a broad responsibility for the other facets of post secondary education.

Recently Harlan Cleveland spoke before the International City Management Association at a meeting in San Diego, Calif. His speech discussed the many problems facing our Nation. Through a wry wit and incisive insight, he, in a very few words, capsulized the situation and touched upon what must be done to meet it. The following paragraph is particularly interesting:

Our problem, in short, is not how to ensure rapid change. It is how man can take control of the changes he himself institutes—how to avoid concentrating on change where it's easy (in science and technology) and neglecting change where it's hard—in the social institutions to control and channel and give ethical content to the new technologies. It is shocking to remember that the Manhattan Project, which produced the atom bomb during World War II, did not employ on its staff a single person responsible for thinking hard about the policy implications of the Project's success; yet we are still neglecting the social fallout of science, in most of the fields where change is most rapid and most predictable.

Does that not sum up our problems in a nutshell? Many of our legislative battles here on the Senate floor are drawn on the same lines. If I may paraphrase Mr. Cleveland, it is easy to fund science and technology, while neglecting funding where it is needed in the social institutions to control, channel and give ethical content to the new technologies.

Mr. Cleveland draws from his insights the lesson that what is needed today are true public executives who will coalesce all the existing factions, but do it with an insight covering all disciplines. Indeed, he discusses in his statement the need for mid-career education for executive leadership. We seek to educate our Nation up to the age of 21, but from that point on experience is the accepted teacher. Why should we not offer to our leaders the opportunity to return to college with Federal support, for a broadening educational experience?

I heartily concur in Harlan Cleveland's call for true public administrators—thinkers, innovators, problem solvers—but also human beings who will understand and take note of the personal drives involved.

I commend this speech to the Senate and ask unanimous consent that it be printed in the RECORD.

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

A MESSAGE FOR APOCALYPTISTS

(By Harlan Cleveland)

Potential saviours of the modern city, good afternoon.

Off and on during the day, I have been debating with some of you whether city managers or university presidents have selected the world's most precarious form of employment. I don't know which it is, but maybe that is why I, who have never managed a city, feel so much at home, and so warmly welcome, in your midst.

We are first cousins anyway, since ICMA shares with the American Society for Public Administration some of the same aims and many of the same members. Two city managers sit on the current ASPA Council—Doug Stark of Petersburg, Alaska and John Matzer of Skokie, Illinois. Two of your alumni—Bob Coop and Kent Mathewson—are working with me on our ASPA Task Force on Goals, which bids fair to revolutionize our honorable but already ancient Society. And we have chosen well, we think, in appointing John Garvey, who has such close ties with state and local government, as ASPA's new Executive Director.

Since I come to you from a university, you are almost bound to inquire apprehensively, "How are things on the campus?" So, I will start by reading you a letter sent to her parents last Spring by a girl at an American college:

DEAR MOM AND DAD: I'm sorry to be so long in writing again, but all my writing paper was lost the night the dormitory was burned down by the demonstrators. I'm out of the hospital now, and the doctor says my eyesight should be back to normal sooner or later.

The wonderful boy, Bill, who rescued me from the fire kindly offered to share his little apartment with me until the dorm is rebuilt. He comes from a good family, so you won't be too surprised when I tell you we are going to get married. In fact, you have always wanted a grandchild, so you will be glad to know that you will be grandparents next month.

Please disregard the above practice in English composition. There was no fire, I haven't been in the hospital, I'm not pregnant, and I don't even have a boyfriend. But I did get a "D" in French and an "F" in Chemistry, and I wanted to be sure you received this news in proper perspective.

Love,

MARY.

How are you and I, as public executives, going to put our performance into proper perspective?

"Dear Mr. and Mrs. City-dweller [we could say]: Without our unremitting and tireless efforts you would by now be stalled in a hopeless traffic jam, up to your necks in solid waste, baffled by the complexity of it all, snarling at each other like beasts and preying on each other like vultures. As it is, you are only mired in traffic for three or four hours a day; you are only waist deep in sludge, and the way you treat each other is sometimes almost human—though not of course in election years. Be thankful for small favors."

I'm serious. The crisis is real, and the apocalypse is now a practical option for mankind. The world, the Nation, and most of its communities are dirty, dangerous and disheartened. And who is responsible for doing something about this state of affairs? We the public executives, we whose profession it is to bring people together in organizations to make things happen in the public interest, we are more responsible than anybody. There aren't nearly enough of us, and not enough of us feel personally responsible for the situation as a whole. Yet we are expected to know what to do about the crisis of our time, and to be doing it.

And as the doctors of urbanitis in a land of city folk, you especially are expected to know how to lead us out of the wilderness. Do we know what to do about the crisis of our time, and *are* we doing it?

I will not apologize for speaking of our collective condition in apocalyptic language. We can hardly prescribe for the crisis of our time until we admit to ourselves how very deep is the *malaise*, how profound the malady, which now, all of a sudden, troubles us all. The trouble is called complexity, and it was clearly formulated by a serious and perceptive humorist almost half a century ago. The memorable sentence appeared in an E. B. White story in *The New Yorker* in 1927: "I predict a bright future for complexity in the United States of America," says one character, and then he goes on to ask the question which is bugging us all in the 1970s:

". . . Have you ever considered how complicated things can get, what with one thing always leading to another?"

America's most readable philosophers have long been its humorists. In capsule words and cartoon pictures, they often capture a public mood even before it is a public mood—forecasting, the best of them accurately, what is *about* to make us all frightened or frustrated, bored or belligerent. The two best humorists of the generation past, E. B. White and James Thurber, were both obsessed with the social complexity which now obsesses us all—but no longer seems quite so laughable—today. White was little afraid of it, treated it with gingerly restraint as if it might bite if roughly handled. Thurber reveled in complexity, wading into it like a small boy into a large puddle.

Thurber, for example, narrated an appalling profusion of accidents resulting from a general impression in the family that the bed had fallen on Father, which it had not. It was more unnecessary trouble than any reader would likely experience, at least in a single evening—but not so much more that the reader missed the implied prediction: if one thing always leads to another, as philosophers say and experience confirms, there is no limit to how complicated things can get. In grotesque but almost believable detail, Thurber was answering White's apprehensive query long before Americans in general had learned to blame their individual frustrations on complexity's accelerating rate of growth.

As Americans zeroed in on complexity as the villain of their lives and labors, the practitioners of comedy helped find the words to complain about it—for what people laugh at is always a serviceable index to what troubles them most deeply. Resistance to parental rule revived that pungent line from a Damon Runyan story: "'Shut up,' my father explained." Worries about conformity gave new currency to Peter Ustinov's claim that one of his teachers wrote on his report card, "Peter shows great originality, which must be curbed at all costs." Small talk in a Great Society was never better parodied than in that Simon and Garfunkel lyric about "the dangling conversation and the superficial sighs." And the Vietnam-induced yen to withdraw from an untidy and dangerous world, enabled Bob Hope to score with that two-word Commencement speech at Georgetown University, "Don't go," was his advice.

The personal reactions to social complexity seemed to fall in two moulds—sardonic acceptance and belligerent rejection.

Belligerent rejection is obviously more fun, and increasingly in evidence in the more "developed" societies. Our reaction to complexity is to vent a generalized anger on the nearest symbol of what bugs us.

Angry students blame the draft and Vietnam war on the college of their choice. Angry parents blame the schools for not keeping their children under better control than they did at home. The sudden converts to ecology blame the public executives for pollution—while throwing beer cans away in the city park and dumping their waste in the nearest stream.

Urban congestion accounts for so much frustration that piquant examples of belligerent reactions are now daily newspaper fare. "Officer," says a woman arrested for going the other way on a one-way street, "has it occurred to you that that arrow may be pointing the wrong way?" She is speaking for all of us, and not only about traffic. The limiting case was recorded in Rome, which routinely has the world's worst traffic congestion. Two drivers almost collided, then emerged from their cars to argue in the presence of a growing audience. One with exaggerated politeness asked the other to go ahead. The other, adopting a similar stance of mock courtesy, said, "No, no, after you!" For five minutes they disputed, this Alphonse and this Gaston, which of them would persuade the other to pass. Finally one of the men went back to his car, reached into the glove compartment, extracted a revolver, and shot his adversary—for *not* going first.

It is in fact a world where belligerent rejection of complications over which nobody seems to have control shades over into direct action; the people in whose name the action is taken often get hurt, and sometimes killed. Small wonder that an applicant for Federal employment, faced with the standard question, "Do you favor the overthrow of the Government by force, subversion or violence?" thought that it was multiple-choice.

Now that the complications seem closer and more menacing they are increasingly hard to accept, even with a sardonic twist to the acceptance. Instead of Thurber we now have Norman Mailer. He too revels in complexity, and writes compellingly about it. But in Mailer's case, it is not so much the society he observes around him that produces his frustrations, but rather the other way around: his frustrations produce the observations he reports as the world around him. And with a sure sense of his market, he is not nearly as funny as Thurber. Too many people are no longer in a mood to regard complexity as comic.

In the industrialized, "modernized," "developed" nations of the Atlantic community, and notably in the United States of America, there is certainly a pervasive sense of crisis, a vague but deeply felt conviction that the real object of our frustration is not traffic jams or nuclear weapons or even worn-out wars, but something irreversible that is bigger than man and permanently beyond his control.

Each generation sees itself at a crucial moment in time, but I think it is now arguable that we are entering one of the really great transitions in mankind's history. Behind us is a spectacular success in achieving power over our environment. By seeking facts and harnessing energy and studying evolution and bending metal and organizing people, man produced consciously directed change. He now is beginning—just beginning—to face the consequences of the changes he has willed, and of which he forgot to calculate the secondary and tertiary effects.

The object of this mastery was freedom to handle physical nature, to build for himself an environment that was the product of his own will, even to change himself. And this was presumed to lead naturally to more freedom for more and more people.

It did—up to a point. In the United States of America, a higher proportion of the population makes a wider range of personal choices (where to live, what to do, what to get excited about) than at any previous time, or in any other society. It is no mean accomplishment, and we can give two cheers for it as we brush past.

But the trouble is, man's extraordinary capacity to organize has produced a new situation, in which more mastery of his environment does not necessarily produce more freedom for more people. "The very qualities that enabled [Man] to raise himself so radically above his fellow-animals carry within them the threat of a new and even more fateful bondage." So says philosopher Herbert Rosinski. "Right on," say I.

Experience is no longer a reliable guide to future actions. One of those nuggets of ancient Chinese wisdom, codified by a Peking rewrite man as the Thoughts of Mao Tse-tung, is still wise: "Experience," says Mao, "is the comb which Nature gives us after we are bald."

This moral baldness we are all beginning to feel, then, is somehow related to the gap between our control of physical "progress" and our loss of control over the disturbing human consequences of that progress.

Quite suddenly, truths about our society all come wrapped in paradoxical packages. Man was bright enough to invent the internal combustion engine, burn off garbage in the open air, and build sewers to get waste out of his own home; but one thing led to another just as E. B. White predicted, and a baffling condition of air and water pollution results. Organized medicine succeeds in lengthening life and reducing infant mortality—and manufacturing a "population problem." Agricultural Science creates the capacity to give every man, woman and child a decent diet, and generates a crisis over our evident failure to do what we now have the capacity to do. The science and mathematics of meteorology improve weather forecasting, which everybody likes. But they also will make it possible to change the world's weather at human command—and we have not even begun to think about the ethical consequences of using *that* power. Modern phychology sweeps away the myths that misled but comforted our forbears—but still gropes for something modern to put in their place. Modern public administration learns how to organize large numbers of people in loose organizations that work well in performing highly complex operations—and generates a revolt against bigness and bureaucracy.

Our problem, in short, is not how to ensure rapid change. It is how man can take control of the changes he himself institutes—how to avoid concentrating on change where it's easy (in science and technology) and neglecting change where it's hard—in the social institutions to control and channel and give ethical content to the new technologies. It is shocking to remember that

the Manhattan Project, which produced the atom bomb during World War II, did not employ on its staff a single person responsible for thinking hard about the policy implications of the Project's success; yet we are still neglecting the social fallout of science, in most of the fields where change is most rapid and most predictable.

Predictable disaster requires a Messiah—to build an ark, to lead us out of the wilderness, to revise our aspirations and revive our faith—in ourselves and in each other. But modern complexity is such that no single new leader will do—our requirement is for multiple Messiahs, to give ethical purpose to a neutral science and technology whose unsatisfactory God seems to be rapid and accelerating change.

In a society based on large-scale organization, the saviours will mostly be public executives, for it is they who bring people together in organizations to make things happen in the public interest.

It used to be that somebody else defined the public interest—the administrator was a non-lethal gun for hire, but the direction of change was set by some boss or bishop, or by groups of political generals or generalist politicians. Alexander Pope summed up the manager's creed, an ethic of manipulation, in one line of poetry: "What e'er is best administer'd, is best."

But nowadays the public executive sets his own direction and makes his own policy. In doing so he has to deal with gloomy experts and greedy interests, silent majorities and shrieking minorities, and with other public executives who also claim the public interest as their touchstone. But the more complicated things get, what with one thing always leading to another, the more true it becomes that if the public executive doesn't know in what direction to push his fraction of the public's business, there is nobody who knows better than he—or she.

It is time to revise Paul Appleby's famous definition of policy as "the decisions made at your level and higher." Policy is now mostly the decisions you make by negotiation with your executive peers. And increasingly the policy you make includes your own legislative mandate; during 20 years in the Federal Government, I seldom operated under a law that wasn't, in its essentials, written in the Executive Branch.

Because one thing always leads to another, those of us who presume to bring people together in organizations to make something happen in the public interest spend most of our time consulting, trying to share the awesome burden of ultimate responsibility with as many interested peers as possible.

It is all too easy to use committees and councils as instruments of decision-avoidance. I think it was Ibsen who had one of his characters say, "When the Devil decided that nothing should be done, he decided to create the first Committee." One of the best bits of administrative doggerel in the literature, that poem in Punch about the Royal Commission on Kissing, makes a similar point:

The necessity for action was clear to everyone,

But the view was very general that nothing could be done,

And the Government courageously decided that the Crown

Should appoint a score of gentlemen to track the trouble down—

Which always takes a long, long time.

Throughout our society, the committee is an instrument of seduction: appointing "a score of gentlemen to track the trouble down" feels like action, but nothing really happens until some one or two or at most three people sit down late at night and write something thoughtful that carries the subject beyond the conventional wisdom.

And the person most likely to do *that* is, the executive who will be stuck with carrying the committee's mandate into action.

In sum:

The more complicated things get, the more collective is the process of bringing people together in organizations to make something happen in the public interest.

The more collective the process of making decisions, the more personal responsibility falls on the public executives who have to think them out before they can carry them out.

There is, therefore, a growing requirement for, and a growing shortage of, executive leaders who can (in Appleby's timeless phrase) "make a mesh of things." In the nation that has grown great on specialization, expertness has run amuck. The bottleneck in our society is here: we know every specialized thing about our environment except how to prevent ourselves from ruining it. We know everything about international relations except how to keep them peaceful. We know everything about the city—its energy and its economics, its sociology and its sludge—everything except how to put all our expert and detailed knowledge together to make the city beautiful, efficient, quiet, safe, and clean.

If there are more and more decisions to be made, if the decisions to be made are more and more complex, if more and more people get involved in each decision, *it follows that the rate at which general decision-makers are produced had better be greater than any other growth rate in our society.* And this, of course, is where the universities come in; the need is for more and more educated people, more *broadly* educated than ever before. It is certainly the business of the International City Management Association, as it is of the American Society for Public Administration, to place a high priority on Federal and State support for mid-career education for executive leadership.

Our professional organizations can do something else, too. They can stop walking away from public policy issues—the "sense-of-direction" issues involving poverty, racial tensions, environment, defense, health, education and the rest. I do not mean that ICMA, or ASPA, should waste their time passing the same tired, obvious resolutions that every other association is passing these days—exhorting an end to the war in Vietnam and a new ordering of national priorities. If we don't have a better idea than the responsible executives how to end the war abroad or ensure peace at home, then let us avoid shooting off our amateur mouths like everyone else. For we are the professionals in bringing change about.

The old aphorism still applies: where we stand depends on where we sit. As public executives we should know what it's like to sit back where the buck stops; we should be better able to judge the means as well as the goals of public policy. Most of the other voices that are raised, on Vietnam or the Mideast or pollution or poverty or public safety, are amateurs describing a desirable end—scientists advocating some political ideal, mechanics discussing the city beautiful, nurses telling us what to do in Southeast Asia. But we are the public executives, who should set a higher standard: we should always be willing to play the "let's pretend" game of executive responsibility, and couch our exhortations in practical and programmatic terms. Otherwise we will merely add to the pollution of the public debate, and the public debate is poisonous enough already.

We who presume to the demanding profession of public executive could easily feel sorry for ourselves. Just when the earth is revealed as polluted and in mortal peril, we seem to have inherited the earth—not because we're meek but, because we're not. We have to decide what to do next from day to day. We have too many gloomy precedents and not enough unwarranted optimism, too much information about the past and only the most primitive tools for controlling the future. We are operating in an environment of growing moral complexity. Codes and counsel from others are likely to be so general as to be useless or so specific as to be unworkable; it is increasingly hard to find criteria for action more valid than those we have worked out for ourselves through study and experience—and through consulting with each other. And when we step forward to do something about the causes of the people's anger and frustration, we become their target as well.

It's a forbidding atmosphere in which to reach for personal leadership on issues that touch the public interest—as more and more issues do. Yet if we can get used to the heat in the kitchen, the chance to work at destiny's business far outweighs the burdens of the bucks that stop at our desks.

For freedom is choice, and if any one is free in modern society it is the public executive.

CONCLUSION OF MORNING BUSINESS

Mr. MANSFIELD. Is there further morning business?

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

U.S. PARTICIPATION IN CERTAIN INTERNATIONAL FINANCIAL INSTITUTIONS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be laid before the Senate.

The PRESIDING OFFICER. The bill will be stated by title.

The assistant legislative clerk read as follows:

A bill (H.R. 18306) to authorize U.S. participation in increases in the resources of certain international financial institutions, to provide for an annual audit of the Exchange Stabilization Fund by the General Accounting Office and for other purposes.

The PRESIDING OFFICER. Without objection, the Senate will proceed to its consideration.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. FULBRIGHT. Mr. President, what is the pending business?

The PRESIDING OFFICER. The question is on agreeing to the committee amendment in the nature of a substitute, as amended, to H.R. 18306.

Mr. FULBRIGHT. Mr. President, I move that the bill (H.R. 18306) be recommitted to the Committee on Foreign Relations.

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

Mr. COOPER. Mr. President, I move to lay that motion on the table.

Mr. FULBRIGHT. Mr. President, will the Senator withhold that motion a moment?

The PRESIDING OFFICER. Does the Senator from Kentucky withdraw his motion to lay on the table?

Mr. COOPER. Yes.

Mr. FULBRIGHT. Mr. President, after listening to this debate, while, of course, I respect the right of the Senator from Tennessee to express his views about it, and I have no quarrel with the Senator whatever, in view of the extended debate on this matter, and the lateness of the hours, it seems to me, since the administration is deeply interested in this matter, that it is entitled to have some kind of indication on the part of the Senate as to its attitude toward this very important bill.

So, Mr. President, I have made the motion. I ask unanimous consent that I may suggest the absence of a quorum without losing my right to the floor.

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

Mr. FULBRIGHT. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. FULBRIGHT. I have moved to recommit the bill. I yield now to the Senator from Pennsylvania, for the purpose of making a motion.

Mr. SCOTT. Mr. President, I appreciate the Senator's courtesy. At this time, I move to lay on the table the motion to recommit.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table.

Mr. SCOTT. I ask for the yeas and nays.

The PRESIDING OFFICER. There is not a sufficient second.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

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

The yeas and nays were ordered.

The PRESIDING OFFICER. The clerk will call the roll.

Mr. AIKEN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. AIKEN. Will the Chair state the question?

The PRESIDING OFFICER (Mr. EAGLETON). The question is on agreeing to the motion of the Senator from Pennsylvania (Mr. SCOTT) to lay on the table the motion to recommit of the Senator from Arkansas (Mr. FULBRIGHT).

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

The assistant legislative clerk called the roll.

Mr. KENNEDY. I announce that the Senator from Indiana (Mr. BAYH), the Senator from Virginia (Mr. BYRD), the Senator from Connecticut (Mr. DODD), the Senator from Mississippi (Mr. EASTLAND), the Senator from Oklahoma (Mr. HARRIS), the Senator from South Carolina (Mr. HOLLINGS), the Senator from Iowa (Mr. HUGHES), the Senator from Minnesota (Mr. MCCARTHY), the Senator from South Dakota (Mr. MCGOVERN), the Senator from Montana (Mr. METCALF), the Senator from Connecticut (Mr. RIBICOFF), the Senator from Georgia (Mr. RUSSELL), the Senator from Alabama (Mr. SPARKMAN), the Senator from Illinois (Mr. STEVENSON), the Senator from New Jersey (Mr. WILLIAMS), and the Senator from Texas (Mr. YARBOROUGH) are necessarily absent.

I further announce that, if present and voting, the Senator from Illinois (Mr. STEVENSON), and the Senator from Connecticut (Mr. RIBICOFF) would each vote "yea."

Mr. GRIFFFIN. I announce that the Senator from New Hampshire (Mr. COTTON), the Senators from New York (Mr. GOODELL and Mr. JAVITS), the Senator from Florida (Mr. GURNEY), the Senator from Wyoming (Mr. HANSEN), the Senator from Kansas (Mr. PEARSON), and the Senator from Texas (Mr. TOWER) are necessarily absent.

The Senator from Oregon (Mr. HATFIELD) and the Senator from South Carolina (Mr. THURMOND) are absent on official business.

The Senator from South Dakota (Mr. MUNDT) is absent because of illness.

The Senator from Utah (Mr. BENNETT) is detained on official business.

Also, the Senator from Kansas (Mr. DOLE), the Senator from Colorado (Mr. DOMINICK), the Senator from Hawaii (Mr. FONG), the Senator from California (Mr. MURPHY), the Senator from Illinois (Mr. PERCY), and the Senator from Vermont (Mr. PROUTY) are necessarily absent.

If present and voting, the Senator from Colorado (Mr. DOMINICK), the Senator from South Dakota (Mr. MUNDT), the Senator from Texas (Mr. TOWER) and the Senator from Illinois (Mr. PERCY), the Senator from California (Mr. MURPHY), the Senator from Kansas (Mr. PEARSON), the Senator from New York (Mr. GOODELL), and the Senator from South Carolina (Mr. THURMOND) would each vote "yea."

The result was announced—yeas 47, nays 20, as follows:

[No. 426 Leg.]

YEAS—47

Aiken	Cooper	Inouye
Allott	Cranston	Jackson
Anderson	Curtis	Jordan, Idaho
Baker	Fannin	Kennedy
Bellmon	Fulbright	Long
Boggs	Goldwater	Mansfield
Brooke	Gravel	Mathias
Case	Griffin	McClellan
Church	Hart	McGee
Cook	Hruska	Miller
Mondale	Pastore	Smith
Montoya	Pell	Stennis
Moss	Proxmire	Stevens
Muskie	Saxbe	Tydings
Nelson	Schweiker	Young, N. Dak.
Packwood	Scott	

NAYS—20

Allen	Ervin	Randolph
Bible	Gore	Spong
Burdick	Hartke	Symington
Byrd, W. Va.	Holland	Talmadge
Cannon	Jordan, N.C.	Williams, Del.
Eagleton	Magnuson	Young, Ohio
Ellender	McIntyre	

NOT VOTING—33

Bayh	Hansen	Pearson
Bennett	Harris	Percy
Byrd, Va.	Hatfield	Prouty
Cotton	Hollings	Ribicoff
Dodd	Hughes	Russell
Dole	Javits	Sparkman
Dominick	McCarthy	Stevenson
Eastland	McGovern	Thurmond
Fong	Metcalf	Tower
Goodell	Mundt	Williams, N.J.
Gurney	Murphy	Yarborough

So the motion to table the motion to recommit was agreed to.

The PRESIDING OFFICER (Mr. GRAVEL). The question recurs on the committee amendment as amended.

The Senator from Arkansas (Mr. FULBRIGHT) is recognized.

Mr. FULBRIGHT. Mr. President, as I understand it, the vote was 47-to-20 to table; is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. FULBRIGHT. I take that to mean this is a fair indication of the sentiment of the Senate. In other words, roughly 2-to-1, the Senate is in favor of discussing the bill on its merits. That is not completely demonstrated, because there may be other reasons for the votes, but it is a strong indication of support by the Senate as to the merits of the bill.

Possibly some amendments could be considered but generally I am not in favor of amendments and I do not believe a majority are.

We are faced with a difficult situation; namely, we are approaching the end of this session of Congress. But this bill, as I have said before, is a most important one, and that is why I thought it was worthwhile to get a test vote of the sentiment of the Senate. Even if not enacted in this session, the bill will be resubmitted after the first of the year, and the Senate will have another opportunity, under more favorable circumstances, to deal with it.

I would hope that the distinguished senior Senator from Tennessee (Mr. GORE) would allow the Senate to proceed to a vote on the merits of the bill. He has made his objections to it clear, and I understand them and I respect his attitude.

There are many people that do not, under present conditions, feel that we can afford to engage in these activities. I am not one of them, but I would implore the Senator from Tennessee to allow us to get to a vote on the bill itself, if he would be willing to do so, in view of the clearly expressed, I believe opinion of the Senate.

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

Mr. FULBRIGHT. I yield.

Mr. SYMINGTON. With all due respect to the distinguished Senator, this bill

contains a great deal of the American taxpayers' money for what are called soft loans. They are not really loans. This money often goes out on the basis of 50 years, no interest, and no repayment on the principal for 10 years.

The distinguished senior Senator from Tennessee and the former Senator from Oregon found, for example, one country to whom we were giving hundreds of millions of dollars, with no interest required and no repayment on principal for years. Then that country lent that money back to private businesses in its own country at 15-percent interest.

If there is sincerity in the Senate from the standpoint of the importance of looking at our increasingly serious financial situation as part of true national security, as well as our physical situation, in my opinion this bill either should be voted down or the soft loan windows eliminated.

Mr. FULBRIGHT. First, I think the Senator from Missouri is mistaken about this bill. What he says about the soft loan window would be applicable to IDA, which is not involved in this. The loans in this bill are not on the same terms which the Senator described as those of the International Development Association, which is a subsidiary of the International Development Bank and is a special organization for very soft loans.

There is a window in the Inter-American Bank which makes loans, not on standard banking terms. They are not hard loans but are repayable in the currency loaned. They bear interest rates. They are repayable in reasonably short terms of years.

I really submit that the Senator is not correct in describing the Inter-American Bank part of the bill in the terms that he did. It is a question of degree. But they are not give-aways. They are loans, repayable in the currency which is borrowed. If they borrow in dollars, they are repayable in dollars. If they borrow in cruzeiros, they are repayable in cruzeiros.

Thus, I believe the Senator from Missouri has overstated the case. The Inter-American Development Bank does have an operation which is intermediate, I should say——

Mr. SYMINGTON. How about the Asian Development Bank?

Mr. FULBRIGHT. The Asian Development Bank has a very small amount, I may say, in that category.

Mr. SYMINGTON. Practically nothing—$100 million.

Mr. FULBRIGHT. It is a new organization. The Senator makes his case, and I respect his views on it.

Mr. SYMINGTON. Will the Senator yield?

Mr. FULBRIGHT. I will yield in a moment. Mr. President, I am as concerned as anyone about the state of our economy. We are doing a great many things with the taxpayers' money.

The Senator from Missouri was at the meeting this morning at which we were discussing how we were going to give money away—actually give away a lot more than is involved here budgetarily in cash to Cambodia.

The pending bill would require $34.61 million expeditures in 1971, $68 million in 1972, and $155 million in 1973.

On hard lending, it is the giving of a subscription to the capital of the bank which they use as a guarantee when they borrow money. Most of this does not create any immediate outlay of cash.

It seems to me, as I have mentioned, that over the long term of years, there will be, of course, an increase in payments. The point is that if we are going to help the less developed countries, this is the best mechanism for us to use. If one is against anything in the development field, it is quite logical to vote against the bill.

I am not making an effort to persuade the Senator from Tennessee and the Senator from Missouri to vote for the bill. All I am asking the Senator from Missouri and the Senator from Tennessee is to allow the Senate to vote on the bill.

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

Mr. FULBRIGHT. I yield.

Mr. SYMINGTON. Mr. President, when the Asian Bank was started, I went out with our outstanding representative, at his invitation. For the first time we achieved an agreement whereby another country put in as much as we did. We put in $200 million, the Japanese put in $200 million. Three hundred million dollars more came from Asia, and $300 million more from Europe.

Years later the senior Senator from Tennessee (Mr. GORE) asked how much of that money had been lent. The answer was none.

I said I would support this legislation if they would keep soft loan windows out of it. That was agreed to. We set it up in Manila. There was no soft loan window in the Asian Development Bank. Several years later, however, when the bill came up with a soft loan window in it, the Senator from Tennessee asked how much of that $1 billion had been loaned out.

Much to the surprise of everyone, not one cent had been. They were just waiting for another U.S. soft loan window.

A few weeks later they came up and said there had been a loan out of the $1 billion. We asked how much, and the answer was $5 million.

All they were doing was sitting around, wating for old Uncle Sam to put in a soft loan window.

I feel strongly about this. It is a matter of great importance as we watch the growing problems incident to our financial structure.

Mr. FULBRIGHT. Mr. President, I am glad the Senator was in it from the beginning. He ought to take credit in the fact that only 10 percent of their hard capital may be transferred for the purpose of soft loans.

The delay in getting the Asian Bank underway is perfectly obvious. It was because of the war. It is quite clear that it will never be very effective with the war continuing. But it has been created. It is in being. The Japanese are quite interested. As I have said, we are a minority stockholder. We have only one-fifth.

I do not expect it to do much until the war is over. But everyone anticipates that when the war is over there will be serious problems of redevelopment.

I am certain that we are going to do something because we caused most of the destruction. I am quite sure that the American people will feel that we ought to do something substantial in the way of reconstruction. There would be no better vehicle with which to undertake the long-term reconstruction projects than the Asian Bank.

What this does really is to keep the Asian Bank alive and keep it functioning, looking to the future. It can do relatively little now.

Let me make the record clear that in this bill there is $1.1 billion authorized for soft lending.

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

Mr. FULBRIGHT. I will yield in a minute.

There is $1.1 billion authorized in the bill that can be used for the so-called soft loans. These soft loans are not as soft as the IDA which the Senator described; $1 billion is in the Inter-American Bank in Latin America where we have for many years felt that we had a special responsibility. Those loans, as I have already described, are repayable in the currency loaned.

There is $1.5 billion for the IMF. No one seriously questions the $1.5 billion for the IMF. I do not know of any criticism of it. It serves an indispensable function with respect to the international institutions: keeping the trade of all nations in some reasonable relationship in their currencies and facilitating international trade.

It has been a successful operation. We have a great stake in it. I am very fearful that if this bill is not enacted, we will lose $130 million in special drawing rights, which I would regret.

The other, the $1.1 billion, is for hard loans. It is on the hardest of terms, as in the International Bank. No one complains about that.

How anyone can say that the International Bank has been a failure or has not been a great success in view of its record is hard for me to imagine. I do not think they can.

Mr. President, I yield now to the Senator from Tennessee.

Mr. GORE. Mr. President, I call attention to a statement the distinguished Senator made which, in my view, is in error. He said that all this bill does with respect to the Asian Development Bank is to keep it alive.

Mr. FULBRIGHT. The Senator is correct.

Mr. GORE. I respectfully suggest that is not the case. This initiates a soft loan window for the Asian Development Bank.

Mr. FULBRIGHT. There is a soft loan window. The charter provides 10 percent.

Mr. GORE. The United States has not heretofore contributed to a soft loan window. This enlarges U.S. participation by providing U.S. funds for a soft loan window.

This is the beginning of a giveaway to the Asian politicians. Make no mistake about that. The United States puts up the money.

We have 17.5 percent control, which

is practically none. The loans are made to Asian politicians. The repayments to the bank are in such currencies as may be received back.

There is a revolving fund if the bank is repaid at all, with payment guaranteed only by the governments involved.

The political clique in power, as the record shows throughout Latin America, is involved. The record shows that the political elite receive the loans, and what happens to the project the Senate will not know.

We are asked here to start on a new program. None of this money is ever to be repaid in any form to the United States. The hand of the United States is to be hidden. The people are not even to know that it is U.S. money that they are receiving.

How this engenders friendship, I do not know.

How is it that soft loan windows are used to buy armaments for Pakistan and India? There are a lot of things involved here.

Mr. FULBRIGHT. Mr. President, if the Senator would permit me, I do not know of any case where they use this to buy armaments.

Mr. SYMINGTON. Mr. President, will the Senator yield on that point?

Mr. FULBRIGHT. Mr. President, I will yield in a moment. The Asian Bank has loaned as of the end of October, roughly $170 million in hard loans and approximately $30 million in soft loans. It is money out of the 10 percent and funds contributed by Japan and five other countries.

As I say, we play a part in it and eventually, I assume, we will play a part in the reconstruction of Southeast Asia. We have spent $150 billion destroying it; I assume we will spend something to get them back on their feet.

The Senator, being a politician, should not use the word and say we will give it away to politicians as if there is something wrong with politicians. There are politicians in these governments and sometimes these loans are not successful. I can cite instances where a number of our bilateral programs have gone astray, and not always with politicians. Businessmen have been involved in some of those misguided projects, as much as anything else.

But let me illustrate with respect to soft loans. I will place a table in the RECORD which has been prepared by the staff with respect to soft loans by the Inter-American Development Bank. The table shows that in agriculture, in irrigation and allied activities, the amount loaned by the FSO was $680 million; in water and sewerage, a matter which concerns all of us here, the amount was $230 million, education was $108 million, housing $135 million, transportation $353 million, electric power, principally rural electrification—because our own REA has been down there teaching them to develop—is $191 million, preinvestment is $67 million, and industry, in soft loans, is $149 million, for a total of over $1,900,000,000.

Mr. President, I ask unanimous consent that the memorandum and table to which I have referred may be printed in the RECORD.

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

SOFT LOANS BY THE INTER-AMERICAN DEVELOPMENT BANK

The concessional lending of the Inter-American Development Bank (IDB) is carried out through the Fund for Special Operations (FSO) in contrast with the normal terms and conditions under which loans are made from the Ordinary Capital. Basically, the FSO loans are patterned after those which had heretofore been made from the Social Progress Trust Fund (SPTF), and are principally for the financing of social development projects in the member countries. These loans are for the most part made to public or semi-public intermediate institutions for relending under Bank supervision to the ultimate beneficiaries, who are principally from the lower income sectors of the member countries. The projects thus financed are primarily for low cost housing, water and sewerage, agricultural credits to small farmers and education. Where loans are made in the electric power, transportation and communication fields, it is principally to benefit rural areas and artisan industries.

The overall breakdown of the loans made through October 31 are as follows:

[In millions]

Sector	FSO	SPTF
Agriculture	$680.5	$82.1
Water and sewerage	230.3	159.9
Education	108.1	31.4
Housing	135.7	215.1
Transportation (farm to market roads)	353.5	5.6
Electric power (principally rural electrification)	191.6	
Preinvestment	67.4	1.2
Industry	149.3	
Total	1,916.4	495.3

A review of the loans made in the last 4 months would seem to bear out the Bank's contention of the basic social purpose of the loan fund:

1. $2 million to the Pan American Health and Education Foundation for publication and distribution of modern medical textbooks in Spanish and Portuguese.

2. $17.5 million to bring water for irrigation to small farmers in the Province of Hidalgo, Mexico.

3. $23 million for irrigation and agricultural development in Peru, principally in the area of small and medium-scale irrigation projects.

4. $3.8 million to help expand electric power distribution in Costa Rica.

5. $7.6 million for sewage in Guayaquil, Ecuador.

6. $6.2 million agricultural credits to small farmers in Jamaica.

7. $35 million for reconstruction of earthquake region of Peru.

8. $4.5 million for the technical university of Uruguay.

Several Senators addressed the Chair.

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

Mr. FULBRIGHT. I yield to the Senator from Missouri, just for a moment.

Mr. SYMINGTON. One thing that turned me against this soft loan idea was that when it was defended years ago it was defended on the ground most of the money was going to be used in Central America and South America. When we finally found out where the money was going, one loan was made to South America, Venezuela; and over 60 percent of all soft loans had gone to Pakistan and India.

Mr. FULBRIGHT. The Senator is talking about IDA, which is not this program.

Mr. SYMINGTON. It is the whole idea of soft loans. The Asian Bank is in there.

Mr. FULBRIGHT. This does not involve IDA. Why bring that in?

Mr. SYMINGTON. Because it is typical of the way this soft loan business is run. We should not go ahead and make such loans with the taxpayers' money.

Mr. FULBRIGHT. I respect the Senator's ideas.

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

Mr. FULBRIGHT. I yield to the distinguished Senator from Vermont.

Mr. AIKEN. There are two or three things we should not overlook. First, nearly, all, if not all of the surplus and reserves of the World Bank are invested in U.S. securities amounting to a little over $1 billion at this time.

Also I might point out a news item which appeared on December 3, 1970, in the New York Times, which stated in part:

> Officials of the World Bank estimated today that it would cost $185 million to reconstruct the area of East Pakistan that was devastated by a cyclone and tidal wave on November 12 and 13.

I do not know how much that would cost the United States if we undertook to help on a bilateral basis but doing it through the World Bank will undoubtedly cost less.

Mr. FULBRIGHT. Does not that story also state that the bank is undertaking to get as many countries as possible to do it?

Mr. AIKEN. The article states that the World Bank is drawing up a comprehensive plan for reconstruction, as opposed to relief, for recovery from the storm, which killed at least 176,000 people and possibly as many as 500,000 in the cyclone which struck East Pakistan last month.

Mr. FULBRIGHT. Further along the article states, I believe, that the Bank is undertaking to solicit and get participation by many countries to carry out the plan.

Mr. AIKEN. It states:

> The reconstruction plan was intended to dovetail with the current three-year, $1.6 billion flood control and economic development program financed by a consortium that comprises the Bank and 11 nations, including the United States.

Mr. FULBRIGHT. That is correct.

Mr. AIKEN. It is safe to say the people of the United States will go out to help the people of almost any other country afflicted by disaster. The question is, Is it better to do it through a multilateral organization or bilaterally? Also, I might say we do expect the war in Indochina will come to an end.

Mr. FULBRIGHT. We hope so.

Mr. AIKEN. On Cambodia I cannot say too much at this time. One question is whether international banking agencies or the United States is going to continue to finance postwar reconstruction of Cambodia.

The United States has played a part in what has happened to Cambodia. Again the question is whether Cambodia is

going to deal through a bank in which we are one partner, or does Cambodia expect us to take care of them for the foreseeable future all by ourselves?

From the witnesses we have heard during the last 2 days we have virtually had acknowledged the responsibility of the United States for looking after the future of Cambodia. It seems to me it would be better for other Asian countries and the international banks, including the Asian Bank, to take care of the future needs of Cambodia than to expect us to do it alone.

Mr. FULBRIGHT. I agree with the Senator. He has stated the matter well.

Mr. AIKEN. I am satisfied that as far as possible we should help on a multilateral basis.

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

Mr. FULBRIGHT. I yield to the Senator from Michigan.

Mr. GRIFFIN. I thank the distinguished Senator from Arkansas for yielding. I happen to agree very strongly with his position on this issue. I believe that this legislation, while it may not be perfect, moves in the right direction. It is a vehicle for participation by other nations in providing needed foreign assistance in various parts of the world.

But, aside from the merits, it is disturbing to me that we do not seem to be able to get to a vote on this bill. I suggest that it does not reflect well on the Senate as an institution that we seem to be stymied and unable to move to a vote, up or down.

Representing this side of the aisle, I should like to inquire of the distinguished Senator from Tennessee if there is some possibility that we might be able to get to a vote on the merits of this bill sometime this afternoon.

Mr. FULBRIGHT. Mr. President, may I have the attention of the Senator from Tennessee. An inquiry has been made. The Senator from Michigan would like to know, and I would, too, if the Senator from Tennessee would agree to a vote sometime this afternoon. Would it be possible for us to get an agreement?

Mr. GRIFFIN. Of course. It is understandable that some are opposed to this bill or may object to particular portions of it. That is not a unique or different situation. But after spending 3 or 4 days on this bill we ought to be able to proceed to vote. I wonder if it might be possible to reach an agreement to vote this afternoon at 3 o'clock or 4 o'clock, or at whatever hour the Senator from Tennessee would consider appropriate.

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

Mr. FULBRIGHT. I yield.

Mr. GORE. I will be glad later on in the day to address the Senate on the subject by offering a series of amendments which I have been preparing. This is a very important bill. I am surprised that so many Senators attempt to minimize the importance of it. Even the distinguished chairman of the committee seems to regard this as a small matter. It is a matter of $3.6 billion. Make no mistake about it, that is the cost to the American taxpayers.

It is no excuse and no defense to say that all of it will not be paid out this fiscal year. That is true of any bill we pass here, even an appropriation bill. We appropriate $1 million for the construction of a dam. The $1 million is not paid out immediately. It is paid out as construction of the dam proceeds.

The bill involves $3.6 billion. Of that amount, $100 million is for soft loans for the Asian Development Bank and $1 billion is for soft loans for the Inter-American Development Bank. Make no mistake about it, when this bill is passed, we are not just passing an authorization bill in the ordinary sense. We are authorizing by law the representative of the U.S. Government serving on these bank boards to commit the United States to $1 billion for soft loans for the Inter-American Development Bank and $100 million of soft loans for the Asian Development Bank.

Senators may be able to dismiss that as minutia, but so long as my voice is in the Senate, it will not be treated as minutia. This is an unsound principle.

Mr. FULBRIGHT. Mr. President——

Mr. GORE. Mr. President, I have the floor.

Mr. FULBRIGHT. I want to correct that. Nothing I said indicated that I considered that this was minutia. I started my remarks when I introduced the subject by saying it was important. I would not be here asking the Senate to pass the bill if I thought it was insignificant and unimportant. I said before, and I say again, it is one of the most important bills before the Senate. It is extremely important. How the Senator could distort my statement by saying I said it was unimportant and simply minutia I cannot understand. I certainly said nothing that would permit the Senator to characterize my statement as saying that the bill is unimportant. It is important. That is why we want to get a vote on it. If it were not important, it would die.

The only reason we had a vote is that we think it is important. It is important to the whole world. It is important to our country. It is important to our own financial position and our trade, as the largest trading nation in the world. There is no nation to which the IMF and the International Bank are more important than to this country, because, more than any other nation, we are dependent upon the economic health of the rest of the world.

So I plead to the Senator to allow us to vote. It is quite all right that he does not agree with the merits. He is very impressed with our own domestic difficulties. I am, too, but I think there are a lot of better ways to save money than this way. I can name many of them, especially in the field of military expenditures in a war and so on, that are 10 times more than this amount. I can think of many other ways to save money. This is a poor way to economize.

I think the Senator ought to agree to a vote, because it is so important. If it were unimportant and minutia, I would not ask the Senate to go to a vote on it.

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

Mr. FULBRIGHT. I promised to yield to the Senator from Michigan, first. Then I will yield to the Senator.

Mr. GRIFFIN. I thank the Senator.

Mr. President, we are all aware of the schedule announced earlier by the majority leader. On Monday we expect to take up the supplemental appropriation bill, and then go on to consider the omnibus bill reported by the Finance Committee. Surely, we ought to try to get a vote on the pending bill today.

Mr. President, taking into account the fact that the distinguished Senator from Tennessee has some amendments, and leaving adequate time for consideration of such amendments, I ask unanimous consent that there be a final vote on passage of the bill at 5 o'clock.

The PRESIDING OFFICER. Is there objection?

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

Mr. BYRD of West Virginia. Mr. President, reserving the right to object, I am sure the Senator would want to include waiver of rule XII, which requires the Presiding Officer to call what we refer to as a live quorum.

Mr. GRIFFIN. The Senator is correct.

Mr. GORE. Mr. President, reserving the right to object, I have not only one amendment, I have several amendments, and I am prepared to proceed to speak upon the first amendment I proposed whenever my distinguished colleagues have finished. I have not had yet an opportunity to complete my original argument on the bill. However, I would forgo completion of the argument against the bill as a whole and, at such time as convenient, proceed with the offering of an amendment; but I object to any time limitation at this itme.

Mr. FULBRIGHT. Mr. President——

Mr. GRIFFIN. Mr. President, will the Senator yield further?

Mr. FULBRIGHT. I yield.

Mr. GRIFFIN. The Senator from Tennessee has indicated that he has some amendments. If he would inform the Senator from Michigan how many amendments he has and what he would consider to be a reasonable time to be allotted for consideration of the several amendments, the Senator from Michigan would be more than pleased to incorporate provision for time on each of those amendments in the unanimous-consent request. Would it be possible for the Senator from Tennessee to indicate his response to that suggestion?

Mr. GORE. The Senator from Tennessee is not prepared to give any further advice, except he is prepared to proceed with the process of trying to amend the bill. What I am most vigorously opposed to is soft loans. Our communities all over the United States are begging for repayable loans, at regular interest rates. In fact, there is a backlog of thousands of applications pending now for community facilities, for which appropriated funds are not available; and here we are considering $1.1 billion to be loaned, or given away insofar as we are concerned, and loaned by the International Banks on a soft loan basis of from 1 to 4 percent interest.

The money which we must borrow will cost the American taxpayers 7½ percent. The interest alone on this amount of money is $700,000 per day, and we have neither the principal nor the interest;

we have to borrow not only the $3.6 billion but the $700,000 each day to pay the interest. I want to strike out the soft loans either for one bank or the other, or all.

Reference has been made to the vote we just had as a test vote. I do not think it was a test at all. One Senator after another said he did not know what he was voting on. I do not consider it a test of the sentiment on soft loans. I expect to have a test, but I reserve my right to have a vote when I think it is to the best advantage of my contention.

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

Mr. FULBRIGHT. I yield.

Mr. MILLER. I wish to ask a question or two. The first question is, this is merely an authorization bill, and I understood the Senator from Tennessee to say that this would in effect authorize the American representatives on these international banks to commit the United States to a certain amount of capital or money for banking purposes; but does not the United States representative on these international banks make that commitment always subject to an appropriation by the Congress?

Mr. FULBRIGHT. This bill itself authorizes the money. The executive director does not allocate our part to the bank. We do that through legislation. His function in the bank is that of a director of any bank who is in consultation with the other directors on policy and on specific loans whenever they are important enough they require the attention of the board of directors. He is an executive officer. It is not up to him to take this money, if we authorize it and make it available. This would be part of the institution's capital or callable capital. Much of this stands as a guarantee to be called in case of a default.

The International Bank is the best example. Unless the International Bank had such a default on its own loans that it exhausted most of its resources, which are very large, and it has a large accumulated reserve, there would never be a call on us to pay anything on that type of financing.

Mr. MILLER. How could it be called if the money has not been appropriated by the Appropriations Committee and passed by Congress?

Mr. FULBRIGHT. I think what the Senator means is, if we pass this authorization, that the Appropriations Committee, in the past, always has proceeded to appropriate it. That is what he means; I am sure he does not mean it is really appropriated.

Mr. MILLER. I was not sure what was meant, but I thought I had heard it said that if we passed the appropriation bill, then our representative on one of these banks would be able to commit us to one of these banks.

Mr. FULBRIGHT. No; that is not true.

Mr. MILLER. But he could say, "Here is the amount of money, but incidentally we have to get an appropriation act by Congress"?

Mr. FULBRIGHT. No; the Senator must have misunderstood. If the Senator from Tennessee said that, I am quite sure he did not mean it.

Mr. MILLER. I wanted to make that clear, because my understanding has been exactly as the Senator from Arkansas has just stated it.

I would like the Senator from Arkansas to tell us, is it correct that the $100 million being authorized under the Asian Development Bank is for the purpose of soft loans?

Mr. FULBRIGHT. That is correct.

Mr. MILLER. The reason I ask is because it has been pointed out that Asian Development Bank has $1 billion—half of that has been paid into it—and I believe the Senator from Arkansas pointed out that some $100 million-odd has been loaned.

Mr. FULBRIGHT. One hundred and seventy on the hard basis, 30 on the soft.

Mr. MILLER. That is right. So there is plenty of money in the Bank, but there is not plenty of money for soft loan purposes?

Mr. FULBRIGHT. That is true.

Mr. MILLER. Here is the last question. If I understood——

Mr. GORE. Mr. President——

Mr. FULBRIGHT. Let the Senator finish.

Mr. GORE. I wanted to comment before he leaves this question.

Mr. FULBRIGHT. Very well. I yield to the Senator from Tennessee to comment on that point.

Mr. GORE. Here is what the present law provides:

SEC. 2. The President is hereby authorized to accept membership for the United States in the Asian Development Bank (hereinafter referred to as the "Bank") provided for by the agreement establishing the Bank (hereinafter referred to as the "agreement") deposited in the archives of the United Nations.

SEC. 3. (a) The President, by and with the advice and consent of the Senate, shall appoint a Governor of the Bank, an alternate for the Governor, and a Director of the Bank.

(b) No person shall be entitled to receive any salary or other compensation from the United States for services as a Governor or Alternate Governor. The Director may, in the discretion of the President, receive such compensation, allowances, and other benefits as, together with those received by him from the Bank, will equal those authorized for a Chief of Mission, class 2, within the meaning of the Foreign Service Act of 1946, as amended.

SEC. 4. (a) The policies and operations of the representatives of the United States on the Bank shall be coordinated with other United States policies in such manner as the President shall direct.

(b) An annual report with respect to United States participation in the Bank shall be submitted to the Congress by such agency or officer as the President shall designate.

SEC. 5. Unless the Congress by law authorizes such action, neither the President nor any person or agency shall, on behalf of the United States, (a) subscribe to additional shares of stock of the Bank; (b) vote for or agree to any amendment of the agreement which increases the obligations of the United States, or which would change the purpose or functions of the Bank; or (c) make a loan or provide other financing to the Bank, except that funds for technical assistance not to exceed $1,000,000 in any one year may be provided to the Bank by a United States agency created pursuant to an Act of Congress which is authorized by law to provide funds to international organizations.

Now, that is the law. Here is how the law would be amended by this proposal. It is on page 11:

The Asian Development Bank Act (22 U.S.C. 285–285h) is amended by adding at the end thereof the following new sections:

"SEC. 12. (a) Subject to the provisions of this Act, the United States Governor of the Bank is authorized to enter into an agreement with the Bank providing for a United States contribution of $100,000,000 to the Bank in three annual installments of $25,000,000, $35,000,000, and $40,000,000, beginning in fiscal year 1970. This contribution is referred to hereinafter in this Act as the 'United States Special Resources'.

"(b) The United States Special Resources shall be made available to the Bank pursuant to the provisions of this Act and article 19 of the Articles of Agreement of the Bank, and in a manner consistent with the Bank's Special Funds Rules and Regulations.

I say to my distinguished friend from Iowa and to the distinguished chairman of the committee that this is a commitment. You cannot read it any other way. It is not a simple authorization of appropriations. If this bill becomes law, we have already, by law, entered into this agreement. We have by law established and confirmed the U.S. representative on the Bank, and this amendment thereto authorizes him to enter into an agreement "providing for a U.S. contribution of $100 million."

Now, here is an agreement not only approved by the President and his appointee Governor, the representative of the United States on the Bank, but by this act authorized by the U.S. Congress. This is a solemn agreement, a commitment, for $100 million; and history shows that the Appropriations Committee has never one time questioned the validity of this kind of commitment. Of course this is a commitment; you cannot read it any other way.

Mr. FULBRIGHT. Nobody is saying it is not a commitment. We are saying the money still has to be appropriated, that is all. Of course it is a commitment in that sense.

The whole purpose of passing the act is to commit us to join in this endeavor. This word "commitment" is very illusory, and very slippery. But it still has to be appropriated.

Mr. MILLER. Technically, this is correct. But I am interested in the practical effect, which I think the Senator from Tennessee has been talking about, and my question is, is the practical effect of this that the U.S. representative or the U.S. Governor of the Bank enters into such an agreement, but is it not stated by him that of course it is subject to the money being appropriated by Congress, and if Congress does not appropriate it, it is too bad?

Mr. GORE. Mr. President, will the Senator yield there?

Mr. FULBRIGHT. Does the Senator think the President, who appoints this man, is going to have him do it without the money? The Secretary of the Treasury really would be the one who is in charge of our participation, you might say, as a practical matter.

Mr. MILLER. I cannot imagine that happening, but——

Mr. FULBRIGHT. Well, no; but in all the bills we pass around here, we authorize them.

Mr. MILLER. If I may say this to my friend from Arkansas, maybe it would be better, so that our foreign friends do not get a misimpression of what we do here in Congress, if these authorization bills stated, in black and white, that the U.S. Governor of the Bank is authorized, subject to appropriations by the Congress of the United States, to enter into an agreement.

Mr. FULBRIGHT. I wonder if the Senator would allow me to conclude my inquiry as to the position of the Senator from Tennessee on allowing a vote. If there is not going to be a vote permitted in this session, there will be plenty of time to straighten these questions out.

Mr. MILLER. Would the Senator——

Mr. GORE. Will the Senator yield, first?

Mr. FULBRIGHT. Yes. I want to ask the Senator from Tennessee a question, and then he can continue to explain his views to the Senator from Iowa.

Am I to understand that the Senator is unwilling to enter into any unanimous-consent agreement for a vote upon this bill?

Mr. GORE. I am unwilling at the moment. If the Senator will permit me, I can clarify that.

Mr. FULBRIGHT. I will yield the floor, if that is the position of the Senator.

Mr. GORE. Well, if the Senator will be kind enough to yield——

Mr. FULBRIGHT. Yes, I yield.

Mr. GORE. Here is a provision of the bill that we propose to write into law. It shall be the law of the land that "the U.S. Special Resources shall be made available to the bank."

That is an act of appropriation in itself, by law. This $100 million "shall be made available to the bank pursuant to the provisions of this Act." That is not pro forma. That is a solemn provision of the law. I do not know why we shadowbox over this. This is providing $100 million for soft loans, for the soft loan windows of the Asian Development Bank, and $1 billion for the Inter-American Development Bank. This, mind you, only 2 years after the Inter-American Development Bank received $900 million, only about half of which it has yet used.

Mr. FULBRIGHT. I yield the floor.

Mr. MILLER. Would the Senator from Arkansas permit me to ask the third question I was going to ask him?

Mr. FULBRIGHT. Yes. I will do that or yield the floor.

Mr. MILLER. In the chapter relating to the Inter-American Development Bank, we propose to authorize $1 billion for soft loans. The Senator from Arkansas a few moments ago pointed out that this would be paid out over a long period of time, that the immediate budgetary impact would not be very great. I cannot recall the precise figures he gave us, but my recollection is that over the next 3-year period, they would be something a little in excess of $200 million.

Mr. FULBRIGHT. That is correct. It is in the report.

Mr. MILLER. If that is so, this question comes up, and I have been asked this: Why must we at this time authorize $1 billion? Why could we not authorize $200 million or $300 million or $400 million? Why must it be $1 billion?

I know there has been a negotiation—I believe at Punta del Este—involving the United States and our Latin-American friends, in which I guess it was arrived at that the United States would put up $1 billion for soft loans and the other countries would put up $0.5 billion of soft loans. But surely such a negotiation would be subject to approval by Congress.

Mr. FULBRIGHT. That is correct. It is.

Mr. MILLER. I am wondering why the billion dollars is essential.

Mr. FULBRIGHT. It is very difficult for me to answer that kind of question. The extension of this program was negotiated by the executive branch. Of course, this is their judgment as to the needs of the Inter-American Bank. Why it was $1 billion rather than $1.05 billion or $900 million, I cannot tell the Senator. This is the way it was submitted by the executive branch.

It has been customary to supply these funds, to authorize them in advance. They will not use them until they are needed. The funds are drawn down as they are needed.

The Senator from Tennessee is quite correct in saying that for 3 years we have authorized $900 million—$300 million a year for the last 3 years. This is simply picking it up and carrying it on, because that bank is very active.

I might say another thing about that bank. A new president has been appointed. He comes with the highest recommendations. He has been finance minister of Mexico. He is Senor Ortiz Mena, and I am told that he was a very successful finance minister of Mexico for a number of years. Not that that has anything to do with the Senator's question, except to show that I think the administration and everyone with whom I have spoken has very great confidence in Mr. Mena and believes that this bank has made progress and will continue to make it.

I know of no way to say that $1 billion is exactly the amount and that no other amount would be acceptable, other than that the administration, which has the duty of negotiating with the other countries as to what their contribution is going to be, arrived at this amount as a reasonable amount for the needs of the bank.

I could say the same about the other figures with respect to all the other banks. The figures are arrived at by a process of negotiation with other countries—what will you contribute? and so on—and they finally work it out as a kind of sharing proposition.

I may say that we still contribute by far the most—that is true—but the Latin-American countries gradually have increased their share.

Mr. MILLER. The Senator from Iowa understands that, and he understands that one of the pluses for the Inter-American Development Bank provision in the bill is that we have now moved to a point where, as I have stated, the United States would put up $1 billion and the Latin-American countries one-half a billion, which is a much greater proportion of their contributions than formerly.

Mr. FULBRIGHT. That is correct.

Mr. MILLER. Can the Senator from Arkansas tell us this: Is it not the case that when these negotiations are accomplished, such as the one at Punta del Este, to which I have referred, the agreement by the representative of the United States is always, without any question at all, subject to action by Congress?

Mr. FULBRIGHT. That is correct.

Mr. MILLER. So that if he negotiates something that calls for $1 billion, with the other countries putting up a half billion dollars, and Congress decides that, because of the fiscal position of our country, we cannot do that at this time, but that we can do, say, half of it, this is in the ball game, so to speak?

Mr. FULBRIGHT. That is correct.

Mr. MILLER. I thank the Senator from Arkansas.

Mr. FULBRIGHT. It might be very embarrassing to the administration; but, nevertheless, the Senator has stated it correctly. That is true as to nearly any other situation. I would be the last one to say to the Senator that I did not think we ought to have that authority. That is not only in this situation. I wish we had the same determination when it comes to treaties involving soldiers and security, as in the case of Spain. In that case, I was overridden. However, I certainly agree that Congress—the Senate, especially—at this time has the right either to amend or to reject this bill.

I am only saying that with what I know of it and my confidence in the administration and the Secretary of the Treasury, I think he has used good judgment in his negotiations. I know of no reason to suspect that he made any errors in the negotiation of our participation in the Bank. As the Senator has said, there has been a gradual increase in other participation.

I can say the same with regard to the International Bank. Our percentage of the International Bank is less than it used to be. The idea is that our percentage in that is less than our own bilateral program. This is what has always appealed to me, even about the soft loans that the Senator from Missouri talked about in the IDA. We pay only 40 percent instead of the 100 percent we pay in the foreign aid program, which passed this body 2 or 3 weeks ago. I think the conference has not yet been approved. All this is relative.

I want to say one other thing with regard to the Senator from Tennessee. He stated a moment ago that the Senators who voted a few moments ago on the motion to table did not know what they were voting about. I think this is an unnecessary remark that accuses 67 Senators of being ignorant of what they were voting on.

I told a number of them what they were voting on, so I know they were not all ignorant as to what the issue was. I knew what I was voting on. If the Senator from Tennessee did not know what he was voting on, he speaks for himself. To say that all those Senators did not know what they were doing is a remark that the Senate does not deserve.

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

Mr. FULBRIGHT. I must say that I think most of them know what they are voting on when they vote, even though they have not made a speech about it.

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

Mr. FULBRIGHT. I yield.

Mr. GORE. The Senator from Tennessee did not say all; he said one after another. As a matter of fact, I heard more than one say he did not know what he was voting on. It was a complicated motion to recommit and then to table.

Mr. FULBRIGHT. Does not the Senator think he should put the names in the RECORD, so as to clear the rest of us from the charge that we did not know what we were talking about? The Senator did not hear me say that I did not know what I was talking about.

Mr. GORE. I do not wish to personalize anyone.

Mr. FULBRIGHT. Out of regard for those who did know what they were voting on, I think the Senator from Tennessee ought to be more specific.

Mr. GORE. As a matter of fact, it was a contrived, reverse-English vote. It could not properly be interpreted as a vote on the merits of the bill. The author of the bill introduced a motion to recommit, the distinguished leader from across the aisle moved to table the motion, and then the author of the bill and the mover of the motion voted to table the motion to recommit. Is it any wonder that some Senators might be confused by this parliamentary tangle.

Mr. FULBRIGHT. Now, Mr. President, I want to set the record straight. In the first place, I am not the author. I introduced it as chairman of the committee——

Mr. GORE. The Senator is a reluctant dragon.

Mr. FULBRIGHT. I am glad to play that role. As I say, I introduced it as chairman of the committee, which is a routine function. The next thing is, I consulted with the Senator from Tennessee, not only today but also on several other occasions. I said to him first, that I would like to vote on the merits, unless he says he will not allow that, due to difficulties in the Senate. But I think the administration and the Senate are entitled, at least, to a test vote of the sentiment.

I went to the Senator from Tennessee before this recent move and I said to him that I am going to move to recommit and a motion will be made to table and that is the only way I can see to get a test vote. The Senator certainly knew all that, and I certainly knew what I was doing. He cannot, in this case at least, plead personal ignorance of what was going on, because I explained it to him before we ever made the motion to recommit. So the record is clear.

Mr. President, I yield the floor.

ORDER ON PENDING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the pending business be temporarily laid aside.

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

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Berry, one of its reading clerks, announced that the House had passed the following joint resolutions of the Senate, severally with amendments, in which it requested the concurrence of the Senate:

S.J. Res. 74. Joint resolution to provide for the designation of the first full calendar week in May of each year as "National Employ the Older Worker Week";

S.J. Res. 172. Joint resolution to authorize the President to issue annually a proclamation designating the first full calendar week in May of each year as "Clean Waters for America Week"; and

S.J. Res. 187. Joint resolution to authorize the President to designate the third Sunday in June of each year as Father's Day.

The message also announced that the House had passed the joint resolution (S.J. Res. 226) to authorize the President to proclaim the period from May 9, 1971, Mother's Day, through June 20, 1971, Father's Day, as the "National Multiple Sclerosis Society Annual Hope Chest Appeal Weeks," with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 212. An act to clarify the status and benefits of commissioned officers of the National Oceanic and Atmospheric Administration, and for other purposes;

H.R. 956. An act to rename a lock of the Cross-Florida Barge Canal the "Henry Holland Budkman lock";

H.R. 3107. An act to officially designate the Totten Trail Pumping Station;

H.R. 7334. An act to designate the lake formed by the waters impounded by the Libby Dam, Mont., as "Lake Koocanusa";

H.R. 8933. An act to provide that the lock and dam referred to as the "Jackson lock and dam" on the Tombigbee River, Ala., shall hereafter be known as the Coffeeville lock and dam;

H.R. 12564. An act to rename a pool of the Cross Florida Barge Canal "Lake Ocklawaha";

H.R. 13862. An act to authorize the naming of the reservoir to be created by the Little Goose lock and dam, Snake River, Wash., in honor of the late Dr. Enoch A. Bryan;

H.R. 14683. An act to designate as the John H. Overton Lock and Dam the lock and dam authorized to be constructed on the Red River near Alexandria, La.;

H.R. 18858. An act to change the name of the West Branch Dam and Reservoir, Mahoning River, Ohio, to the Michael J. Kirwan Dam and Reservoir;

H.R. 19855. An act to designate the lake formed by the waters impounded by the Butler Valley Dam, Calif., as "Blue Lake";

H.R. 19857. An act to name certain Federal buildings; and

H.R. 19890. An act to name a Federal building in Memphis, Tenn., for the late Clifford Davis.

ENROLLED BILLS SIGNED

The message also announced that the Speaker has affixed his signature to the following enrolled bills:

H.R. 2669. An act to amend section 213(a) of the War Claims Act of 1948 with respect to claims of certain nonprofit organizations and certain claims of individuals; and

H.R. 19846. An act to amend the act of August 24, 1966, relating to the care of certain animals used for purposes of research, experimentation, exhibition, or held for sale as pets.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred to the Committee on Public Works:

H.R. 956. An act to rename a lock of the Cross-Florida Barge Canal the "Henry Holland Budkman lock";

H.R. 3107. An act to officially designate the Totten Trail Pumping Station;

H.R. 7334. An act to designate the lake formed by the waters impounded by the Libby Dam, Mont., as "Lake Koocanusa";

H.R. 8933. An act to provide that the lock and dam referred to as the "Jackson lock and dam" on the Tombigbee River, Ala., shall hereafter be known as the Coffeeville lock and dam;

H.R. 12564. An act to rename a pool of the Cross Florida Barge Canal "Lake Ocklawaha";

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H.R. 19855. An act to designate the lake formed by the waters impounded by the Butler Valley Dam, Calif., as "Blue Lake";

H.R. 19857. An act to name certain Federal buildings; and

H.R. 19890. An act to name a Federal building in Memphis, Tenn., for the late Clifford Davis.

EXECUTIVE SESSION

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

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

The PRESIDING OFFICER (Mr. GRAVEL). The nomination on the executive calendar will be stated.

U.S. DISTRICT COURTS

The assistant legislative clerk read the nomination of Harry W. Wellford, of Tennessee, to be a U.S. district judge for the Western District of Tennessee.

The PRESIDING OFFICER. Without objection, the nomination is considered and confirmed.

Mr. MANSFIELD. Mr. President, I ask

unanimous consent that the President be immediately notified of the confirmation of this nomination.

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

LEGISLATIVE SESSION

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

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

ORDER FOR BILL TO BE HELD AT THE DESK

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that H.R. 212 which came over from the House today be held at the desk temporarily.

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

Mr. MILLER. May I ask the Senator what bill that is?

Mr. BYRD of West Virginia. Yes, indeed, I will be glad to inform the Senator. This is a bill to clarify the status of commissioned officers of the National Oceanic and Atmospheric Administration.

Mr. MILLER. I thank the Senator.

PROGRAM FOR MONDAY, DECEMBER 14, 1970

Mr. MANSFIELD. Mr. President, the Senate is on notice that the pending business now will be the supplemental appropriation bill; that we are coming in on Monday next at 11 a.m.; that there are two special orders for two Senators; that there will be a brief period for the transaction of routine morning business; and then the Senate will begin consideration of the appropriation bill.

ADJOURNMENT TO 11 A.M. MONDAY, DECEMBER 14, 1970

Mr. MANSFIELD. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 11 a.m. on Monday next.

The motion was agreed to; and (at 2 o'clock and 3 minutes p.m.) the Senate adjourned until Monday, December 14, 1970, at 11 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate December 11, 1970:

DISTRICT OF COLUMBIA PUBLIC SERVICE COMMISSION

Jeremiah Colwell Waterman, of the District of Columbia, to be a member of the Public Service Commission of the District of Columbia for a term of 3 years expiring June 30, 1973.

DEPARTMENT OF JUSTICE

Robert C. Mardian, of California, to be an Assistant Attorney General.

U.S. CIRCUIT COURTS

Donald R. Ross, of Nebraska, to be a U.S. circuit judge for the eighth circuit.

U.S. DISTRICT COURTS

Franklin T. Dupree, Jr., of North Carolina, to be a U.S. district judge for the eastern district of North Carolina.

Hubert I. Teitelbaum, of Pennsylvania, to be a U.S. district judge for the western district of Pennsylvania.

Harry W. Wellford, of Tennessee, to be a U.S. district judge for the western district of Tennessee.

EXTENSIONS OF REMARKS

ADDRESS BY SENATOR GOLDWATER TO THE 75TH ANNIVERSARY LUNCHEON OF THE NATIONAL ASSOCIATION OF MANUFACTURERS

HON. BARRY GOLDWATER

OF ARIZONA

IN THE SENATE OF THE UNITED STATES

Friday, December 11, 1970

Mr. GOLDWATER. Mr. President, it was my privilege and pleasure to have been invited to address the 75th anniversary luncheon of the National Association of Manufacturers. I ask unanimous consent that my remarks be placed in the Extensions of Remarks.

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

ADDRESS BY SENATOR BARRY GOLDWATER

Mr. Chairman and distinguished guests, I am highly honored to be with you today to help you celebrate the 75th Congress of American Industry and to discuss with you an especially pressing problem which confronts your members as directly as it does my colleagues in the United States Senate.

I wish to discuss with you today the problem of maintaining an adequate defense posture in a time of growing dangers both at home and abroad.

I am sure I do not have to explain to this group the nature of the liberal assault which has been made over the past two years against the portions of American industry which contribute so materially to the American defense establishment. You have all heart, I know, the tremendous hue and cry about the so-called Military Industrial Complex. The arguments against the American military system, and everyone in and out of industry who contributes to it, is well known. It was carefully timed by the critics of American defense to coincide with an understandable disenchantment and irritation on the part of the American public with the long, dirty, frustrating war in Indochina. Popular frustration over Vietnam gave much more currency and authority to the arguments of our defense critics than they deserved. And an additional factor was the prevalence of troublesome domestic problems, such as the rise in major crime on our streets, unrest on our college campuses and anarchist bombings in many parts of the country. There were those among the critics of the MIC who made a business of contending that withdraw of American troops from Southeast Asia coupled with enormous cutbacks in defense expenditures would solve our problems on the domestic front. The American people were told over and over and over by an army of liberal critics mobilized with special strength right after the election of a Republican President that the military services in Vietnam were using up the government funds that should have been going into such problems as urban renewal, new housing and the rebuilding of ghetto areas.

The upshot of all this agitation and criticism has brought about heavy reductions in defense funds at a time when the Soviet Union is going all out to build the mightiest military machine the world has ever known.

Let me emphasize that I am not here today for the sole purpose of defending the Defense Department and all segments of the Industrial Complex in this country which we once proudly described as the Arsenal of Democracy.

Rather, my purpose here today is to compliment and praise American industry generally for the important role it has performed, not only in providing the materials necessary for the defense of 204 million Americans, but also for its vast technological contributions which enabled this country to be the first nation in the world to land men on the moon.

Now let me go a step further. Having voiced my admiration for the past performances of American industry, I am now going to present American industry with what I believe may be the greatest challenge which it has ever confronted. In a nutshell, I believe that the job ahead—the task which must be performed in the mills and the factories, the drawing rooms and the board chambers of American industry—involves providing the United States with a superior and sophisticated defense system in a time of inflation and criticism and provide it at *less* cost. I notice that the theme of your anniversary celebration is "The Quest for Quality." This theme fits nicely into what I am saying here today. I am saying that we can and should have a valid, credible defense posture with more advanced weapons and at less cost.

This might seem like a big order. It is. And the job does not belong to industry alone. The planning, the long-range thinking, and the strategic analysis for such a defense system must be provided by the government. Perhaps this is the greater challenge—whether our officials and experts in the Pentagon and in the various branches of the armed services will be capable of drawing the overall blueprint for industry to follow. Even so, great and unprecedented contributions will be required from many of your association members. If you like, the problem as I see it is a quest for greater quality at less price. The fact is, we are rapidly approaching a position where it is no longer possible to equate an adequate defense posture with a stated level of defense spending. Money, of course, is an important factor, but we have not been using it correctly. We have not fully exploited the latest products of technology in the development of an effective defense at a reasonable cost. It is fundamental that cost effective security demands that defense policy, defense strategy and tactics make the best possible use of the latest devices produced by American know-how. And when a nation, for whatever reason—political, moral, intellectual, or what have you—fails to follow this principle, it eventually prices itself out of a valid security posture.

I must interject at this point in my remarks my personal observation that the attack on the Military Industrial Complex, the attack on the Military itself, the fact that we lost the SST in the Senate yesterday is all part of a pattern that I have addressed myself to before this organization and other