reason. There is no central record of what was classified by whom, when, or for what purpose.

It has been a matter of concern to me that the Congress, charged with raising and supporting our armed forces and for declaring war has increasingly been denied the very elemental information necessary to make these decisions. I find it difficult to understand why the representatives of the people, the Congress, accept this situation.

There is an attitude among some officers that the Congress cannot be trusted with classified information because of the penchant of some to tell all to the public. In the Pentagon's lexicon, they are "bad security risks." If this attitude prevails in the military and if Congress fails to assert itself, civilian control of the military will further erode. There are some simple, workable steps, compatible with our Constitution, which could reduce the amount of classified material and consequently make more information available to the public and to the Congress.

First, each paper, document, or article classified should bear the name and rank of the person making the classification.

Second, each person authorized to classify information should be so authorized in writing.

Third, it should be clearly established that it is the obligation of the Department of Defense to provide Congress with adequate and pertinent information regardless of classification, which the Congress needs to base its decisions to raise and support armed forces and to declare war. Each member of Congress by virtue of his position should be provided all such information in order to carry out his duties under the Constitution.

Fourth, establish a section of GAO, or an independent board with maximum security clearance, to examine on a continuing basis the security system in the Defense Department.

Fifth, require classification of documents be limited to those affecting national defense—rather than national security, a broader and more ambiguous concept.

Sixth, require the Secretary of Defense and his major subordinates to appear before Congress and respond to questions whenever a majority of the Congress so requests.

Seventh, require the President, as Commander in Chief, to appear before a joint session of Congress and respond to questions whenever a majority of Congress so requests.

In a 1969 memo to the Heads of Executive Departments and agencies, the President gets to the heart of the problem of free flow of information within our government; The President's memo states, "The policy of this Administration is to comply to the fullest extent possible with Congressional requests for information". No pretense is made of an effort to keep the legislative branch informed, but only to respond to the "fullest extent possible" to questions. The problem is that the people and the people's representatives in the Congress frequently don't know what questions to ask. Some of the burden for informing the Congress should be shifted to the Executive Branch of the Government.

MASSACHUSETTS WOMAN LAWYER HONORED

HON. LOUISE DAY HICKS

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 30, 1972

Mrs. HICKS of Massachusetts. Mr. Speaker, the Massachusetts Association of Women Lawyers recently elected Miss Doris R. Poté, an outstanding attorney, as its president for the year 1972–73. Miss Poté was graduated from Radcliffe College, cum laude, Suffolk University Law School, J.D., and Harvard Law School. She received one of the highest scores on the Massachusetts Bar exam. She serves her alma mater, Suffolk University Law School, as registrar, and at the same time is an assistant professor of law, teaching courses in consumer protection and urban law. Her activities and interests vary from the Boston Center for Blind Children, where she is legal counsel, to her position as trustee of Consumer Protection Affairs Foundation, Inc.

The members of the Massachusetts Association of Women Lawyers can certainly look forward to an exciting and memorable year under her leadership.

SENATE—*Wednesday, May 31, 1972*

The Senate met at 9:30 a.m. and was called to order by Hon. HAROLD E. HUGHES, a Senator from the State of Iowa.

PRAYER

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

O God, our Father, we thank Thee for every day Thou dost give us to live. We thank Thee for gloomy days and bright days, for days of striving and earnest contest, for days of pressure which drive us to prompt action, for days of reflection when life comes into clearer focus, for days of rest and quietness, for days of prayer when the curtain of sense and time are drawn back and we are in Thy presence, one with the Infinite and Eternal. Give us grace, wisdom, and strength for all the days and for every experience. Thanks be to Thee for this day to be lived to Thy glory and for our fellow man. Amen.

DESIGNATION OF THE ACTING PRESIDENT PRO TEMPORE

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

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., May 31, 1972.

To the Senate:

Being temporarily absent from the Senate on official duties, I appoint Hon. HAROLD E. HUGHES, a Senator from the State of Iowa, to perform the duties of the Chair during my absence.

ALLEN J. ELLENDER,
President pro tempore.

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

REPORT OF A COMMITTEE SUBMITTED DURING ADJOURNMENT

Under authority of the order of the Senate of May 30, 1972, Mr. MAGNUSON, from the Committee on Commerce, reported favorably, with amendments, on May 30, 1972, the bill (H.R. 13188) to authorize appropriations for the procurement of vessels and aircraft and construction of shore and offshore establishments, and to authorize the average annual active duty personnel strength for the Coast Guard, and submitted a report (No. 92–819) thereon, which was printed.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Tuesday, May 30, 1972, be dispensed with.

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

COMMITTEE MEETINGS DURING SENATE SESSION

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

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

Mr. SCOTT. Mr. President, I yield back my time.

TRANSACTION OF ROUTINE MORNING BUSINESS

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

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

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

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

COMMUNICATIONS FROM EXECUTIVE DEPARTMENTS, ETC.

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

REPORT ON OPERATIONS OF THE EXCHANGE STABILIZATION FUND

A letter from the Secretary of the Treasury, transmitting, pursuant to law, a report on the operations of the Exchange Stabilization Fund, for the fiscal year 1971 (with an accompanying report); to the Committee on Banking, Housing and Urban Affairs.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

REPORT OF DEPARTMENT OF DEFENSE EXCESS DEFENSE ARTICLES DELIVERIES

A letter from the Deputy Director, Defense Security Assistance Agency, transmitting, pursuant to law, a report on Department of Defense Excess Defense Articles Deliveries, for the third quarter of fiscal year 1972 (with an accompanying report); to the Committee on Foreign Relations.

REPORT OF COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report entitled "Audit of Payments From Special Bank Account to Lockheed Aircraft Corporation for the C-5 Aircraft Program During the Quarter Ended March 31, 1972", Department of Defense, dated May 30, 1972 (with an accompanying report); to the Committee on Government Operations.

REPORT ON COLORADO RIVER BASIN PROJECT

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, a report on the Colorado River Basin Project, for the year ended June 30, 1971 (with an accompanying report); to the Committee on Interior and Insular Affairs.

SUPPLEMENT TO 1972 NATIONAL HIGHWAY NEEDS REPORT

A letter from the Secretary of Transportation, transmitting, pursuant to law, the Supplement to the 1972 National Highway Needs Report (with an accompanying report); to the Committee on Public Works.

PETITIONS

Petitions were laid before the Senate and referred as indicated:

By the ACTING PRESIDENT pro tempore (Mr. HUGHES):

A concurrent resolution of the General Assembly of the State of Iowa; to the Committee on Agriculture and Forestry:

HOUSE CONCURRENT RESOLUTION 111

Whereas, we, the members of the Agriculture Committee of the Iowa House of Representatives, have a deep concern for the problems of the grain producers of our state in marketing grain and oil seeds, the market price of which is determined by established grade; and

Whereas, hundreds of Iowa grain producers are submitting grain and oil seeds to local markets, which grain and oil seeds average consistently higher in quality and grade than is provided for in the present grade-pricing system; and

Whereas, these producers of premium quality grain and oil seeds are usable to procure premium prices for their products under the present grade-price structure, now therefore

Be it resolved by the House, the Senate concurring, That the President of the United States, the Secretary of Agriculture of the United States, the Congress of the United States, and the Committees on Agriculture of the United States House of Representatives and Senate be directed to immediately institute a study of the present price-grading system for grains and oil seeds in the United States with the intent of establishing a new base for determining the market price of feed grains and oil seeds; and

"Be it further resolved, That copies of this Resolution be transmitted to the President of the United States, the Secretary of Agriculture of the United States, the Speaker of the United States House of Representatives, the President of the United States Senate, the Committees on Agriculture of the United States House of Representatives and Senate and to all members of the Iowa delegation to the Congress of the United States.

"We, William H. Harbor, Speaker of the House of Iowa, and Roger W. Jepsen, President of the Senate, hereby certify that the above and foregoing Resolution was adopted by the House of Representatives and the Senate of the Sixty-fourth General Assembly, Second Session.

"ROGER W. JEPSEN
"President of the Senate.
"WILLIAM H. HARBOR,
"Speaker of the House"

A concurrent resolution of the Legislature of the State of Louisiana; to the Committee on Foreign Relations:

"A CONCURRENT RESOLUTION TO EXPRESS TO THE PRESIDENT AND THE CONGRESS OF THE UNITED STATES THE SUPPORT OF THE LEGISLATURE OF LOUISIANA IN THE RECENT ACTIONS TAKEN BY THE PRESIDENT IN THE VIETNAM CONFLICT

"Whereas, wise men recognize that the holocaust of war is not a creation of the weapons used therein but rather arises out of the feelings and respect, or lack of it, of man one for another; and

"Whereas, between fifteen hundred and sixteen hundred fighting men of this nation are confined in Vietnam, an alien and foreign land very far from their families and loved ones; and

"Whereas, America's allies in this holocaust are waging a fierce battle with extreme bravery and dedication in their attempts to repulse the aggressive designs of its neighbor who wishes, by force of arms rather than peaceful means, to force its ideas and governmental forms upon other nations; and

"Whereas, without support both militarily and logistically, our allies would be unable to repel those who would impose their own will rather than allow the people of Vietnam to form their own will; and

"Whereas, our own troops of approximately sixty thousand men, as well as those of our allies, would be in a state of extreme and grave peril if the United States should pursue a policy of rapid withdrawal without reciprocal conciliatory moves on the part of the aggressor; and

"Whereas, the members of this Honorable Body recognize that the President of the United States has been more than reasonable in his willingness to talk at any time and at any place to those who would destroy, and that his words have only been answered with more guns, more fighting, and more deaths; and

"Whereas, it is the desire of all civilized men who find themselves engaged in war to cease the fighting, dying and suffering which results from war, but it is also their desire to achieve this purpose only if they can do so in an honorable and just manner which allows men to choose their own course, in a manner which will show that those who wish to subjugate will not be tolerated, and in such a manner as to bring hope of a permanent halt to the fighting and dying, so that we once again may enter into a true peace without threats of greater and wider wars.

"Therefore, be it resolved by the House of Representatives of the Legislature of Louisiana, the Senate thereof concurring, that the Legislature does hereby express its support of the President of the United States in his recent actions to terminate the Nation's participation in the Viet Nam Conflict but agrees with and supports his decision that the existing situation demanded the actions he has been forced to take in that area, and his efforts to achieve termination of this country's involvement with honor and with regard for the safety and welfare of our men and our allies.

"Be it further resolved that a copy of this Resolution be transmitted to the President of the United States, the members of the Louisiana Congressional delegation, the Governor of the State of Louisiana, the Lieutenant Governor of the State of Louisiana, the Department Commander of the Veterans of Foreign Wars, State of Louisiana and to the Department Commander of the American Legion, State of Louisiana."

Resolutions of the General Court of Massachusetts; to the Committee on Foreign Relations:

"RESOLUTIONS URGING THE GOVERNMENT OF NORTH VIETNAM TO WITHDRAW ALL TROOPS FROM SOUTH VIETNAM, LAOS AND CAMBODIA AND TO RELEASE FORTHWITH ALL AMERICAN PRISONERS OF WAR

"Whereas, The government of the United States is being urged to withdraw all its troops from South Vietnam; and

"Whereas, This calls for unilateral action by one of the parties to the conflict and this action should be bilateral and binding on all parties involved in this conflict; now, therefore, be it

"Resolved, That the General Court of Massachusetts urgently requests the government of North Vietnam to immediately withdraw all troops from South Vietnam, Laos and Cambodia and to release forthwith all American prisoners of war; and be it further

"Resolved, That the General Court of Massachusetts strongly urges the government of North Vietnam to accept without further delay the most recent peace proposals as set forth by the President of the United States; and be it further.

"Resolved, That copies of these resolutions be sent forthwith by the Secretary of the Commonwealth to the President of the Government of North Vietnam and to the Chief American Negotiator at the Paris Peace talks and to the President of the United States, the presiding officer of each branch of Congress and to each member thereof from the Commonwealth."

A joint resolution of the Legislature of the State of Colorado; to the Committee on the Judiciary:

"MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO ENACT LEGISLATION PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES WHICH WOULD ALLOW ONE HOUSE OF BICAMERAL STATE LEGISLATURES TO BE APPORTIONED OTHER THAN ON A POPULATION BASIS AND TO SUBMIT THE SAME FOR RATIFICATION BY THE STATES

"Whereas, The United States Supreme Court has ruled that membership in both houses of a bicameral state legislature must be apportioned only according to population; and

"Whereas, The practical application of said ruling has resulted in much confusion and delay as indicated by the fact that out of twenty-nine states which had completed reapportionment by December, 1971, one plan was vetoed, one plan was subject to review by a federal panel, and sixteen, six of which have been invalidated, were challenged in the courts; and

"Whereas, The delegates to the original constitutional convention in Philadelphia in 1787 proposed the federal plan of one house of Congress being apportioned on population and one house on representation of a state at large, and such plan was ratified by the states; and

"Whereas, The federal plan of legislative representation has been previously endorsed by its use in forty-nine state legislatures; and

"Whereas, In 1962, the citizens of Colorado voted overwhelmingly in favor of the federal plan concept for apportioning their General Assembly with such proposal receiving the approval of a majority of voters in every county of the state; and

"Whereas, For nearly two hundred years the people of the various states have had the freedom to apportion their state legislatures in the manner they felt best reflected the interests of the people, recognizing that a system of apportionment that might be appro-

priate for one state would not necessarily meet the needs of another state, but that each state should be free to make its own selection; now, therefore,

"Be It Resolved by the Senate of the Forty-eighth General Assembly of the State of Colorado, the House of Representatives concurring herein:

"That the Congress of the United States is hereby memorialized to enact legislation proposing an amendment to the Constitution of the United States which would allow one house of bicameral state legislatures to be apportioned other than on a population basis and to submit the same for ratification by the states.

"Be It Further Resolved, That copies of this Memorial be transmitted to the President of the United States, the President of the Senate of the Congress of the United States, the Speaker of the House of Representatives of the Congress of the United States, and the members of Congress from the State of Colorado."

A resolution adopted by the Board of Aldermen, city of Somerville, Mass., praying for an immediate and complete withdrawal of all Armed Forces from all of Southeast Asia; to the Committee on Foreign Relations.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. PASTORE, from the Committee on Appropriations, with amendments:

H.R. 15093. An act making appropriations for the Department of Housing and Urban Development; for space, science, veterans, and certain other independent executive agencies, boards, commissions, corporations, and offices for the fiscal year ending June 30, 1973, and for other purposes (S. Rept. No. 92–820).

By Mr. HOLLINGS (for Mr. MCCLELLAN), from the Committee on Appropriations, with amendments:

H.R. 14989. An act making appropriations for the Departments of State, Justice, and Commerce, the Judiciary, and related agencies for the fiscal year ending June 30, 1973, and for other purposes (Rept. No. 92–821).

By Mr. JACKSON, from the Committee on Interior and Insular Affairs, with amendments:

S. 722. A bill to declare that certain federally owned land is held by the United States in trust for the Stockbridge-Munsee community and to make such lands parts of the reservation involved (together with minority views) (Rept. No. 92–822).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. TOWER:

S. 3654. A bill to repeal certain provisions of law applicable to federally assisted housing. Referred to the Committee on Banking, Housing and Urban Affairs.

By Mr. EAGLETON:

S. 3655. A bill to require that presidential preference primaries and delegate selection conventions, caucuses, and elections be held during the month of July, and to restrict campaign advertising relating to the nomination of presidential candidates to a period of 3 weeks prior to any such primary, convention, caucus, or election. Referred to the Committee on Rules and Administration.

By Mr. STENNIS (for himself, Mr. EASTLAND, Mr. ALLEN, Mr. SPARKMAN, Mr. GURNEY, Mr. TALMADGE, Mr. GAMBRELL, Mr. JORDAN of North Carolina, and Mr. ERVIN):

S. 3656. A bill to amend the Soil Conservation and Domestic Allotment Act, as amended, to provide for a South Atlantic Basin environmental conservation program. Referred to the Committee on Agriculture and Forestry.

By Mr. MANSFIELD:

S. 3657. A bill to insure congressional review of tax preferences, and other items which narrow the income tax base, by providing now for the termination over a 3-year period of existing provisions of these types. Referred to the Committee on Finance.

By Mr. INOUYE:

S. 3658. A bill to amend title 5 of the United States Code in order to provide that certain benefits to which employees of the United States stationed in Alaska, Hawaii, Puerto Rico, the Canal Zone, or the territories or possessions of the United States are entitled may be terminated under certain conditions, and for other purposes. Referred to the Committee on Post Office and Civil Service.

By Mr. TOWER:

S.J. Res. 237. A joint resolution to authorize and request the President of the United States to issue a proclamation designating October 15, 1972, as "German Day." Referred to the Committee on the Judiciary.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. TOWER:

S. 3654. A bill to repeal certain provisions of law applicable to federally assisted housing. Referred to the Committee on Banking, Housing, and Urban Affairs.

Mr. TOWER. Mr. President, I am introducing today a bill to repeal those provisions of the National Housing Act and the U.S. Housing Act of 1937 which require prevailing wage determinations under the Davis-Bacon Act for FHA-insured housing and public housing programs. On January 19, 1972, in introducing S. 3036, a bill to repeal the Davis-Bacon Act and the Contract Work Hours Standards Act, I outlined in considerable detail the history of Davis-Bacon and the reasons why I feel its unfortunate evolution now demands its immediate repeal. In the interest of brevity, I shall not repeat what was expressed at that time, though the substance of that statement is expressly applicable to the legislation I introduce today.

Prevailing wage determinations by the Department of Labor under the Davis-Bacon Act for FHA-insured housing and public housing have too often resulted in required wage rates for such housing which are higher than those actually prevailing in the area. Inappropriately high wage determinations have proven particularly harmful in the case of rental housing subsidized under section 236 of the National Housing Act. Higher wages result in higher construction costs, and, therefore, market rents for subsidized projects which are higher than the rents for comparable units in conventionally financed projects. Families who are able to pay rents at or near the market level are, therefore, dissuaded from living in assisted projects and the goal of achieving a greater income mix in those projects is undermined.

The inaccuracy of prevailing wage determinations has been the subject of a series of reports to the Congress by the Comptroller General of the United States. The most recent of these reports concluded that inaccurate determinations increased construction costs for the projects studied from 5 to 15 percent—"Need for Improved Administration of the Davis-Bacon Act Noted Over a Decade of General Accounting Office Reviews, July 14, 1971." As noted in the report, some of the major causes of high prevailing wage determinations were the failure to distinguish between commercial and residential construction—commercial construction wage rates usually being higher; the excessive use of data from collective bargaining agreements in areas where they covered only a small portion of those employed in construction; and the use of data from areas other than the one in which the project was located, in spite of important differences in labor conditions.

As Congress directs the Federal Government into ever expanded housing programs, and as Federal subsidies for construction of these facilities progressively deepen, I feel it incumbent that every possible effort be expended toward reducing the unnecessary costs which burden the programs and ultimately the taxpayer. Certainly a prime example of such "unnecessary costs" are those necessitated by implementation of Davis-Bacon. As stated in chapter 2 of the aforementioned GAO report:

> The wage rates prescribed by the Department of Labor are principal factors considered by contractors in estimating labor costs and in arriving at the amounts of their contract bids; the bid amounts, in turn, determine the cost of federally financed projects. In the case of housing projects financed with private funds but supported by Federal mortgage insurance, an increase in project costs imposed on the sponsors and/or users of the housing units may result in added mortgage risks to the Government.
>
> Using the results of our previous reviews of specific wage determinations for 29 selected federally financed construction projects, we estimated that, of the construction costs of $88 million, about $9 million may have been paid in excess wages, which appeared to be attributable to improper determinations of minimum wage rates.
>
> Of the wage determinations made by the Department for the 29 projects, 28 were for federally financed and insured housing projects constructed at a total cost of about $72.8 million. Of these 28 projects, 16 were for low-rent public housing, eight were for military family housing, and four were for federally insured housing. For the 28 projects, we estimated that extra construction costs of approximately $7.4 million would be incurred. These extra costs were largely attributable to the Department's prescribing as minimum wage rates for construction of residential-type housing projects the higher wage rates paid by contractors for construction of commercial-type buildings rather than the lower rates paid by contractors for construction of private residential housing.

Mr. President, I am pleased that the Subcommittee on Housing and Urban Affairs has determined to hold hearings during the month of June concerning Davis-Bacon and its effect on Federal housing programs. As the subcommittee's ranking minority member, I envision several days of enlightened testimony from those who work daily within the confines of Davis-Bacon and best know the end result of its implementation.

Mr. President, I ask unanimous con-

sent that the text of my bill be inserted in the RECORD at this time.

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

S. 3654

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 212 of the National Housing Act is repealed.

Sec. 2. Paragraphs (2) and (3) of section 16 of the United States Housing Act of 1937 are repealed.

By Mr. EAGLETON:

S. 3655. A bill to require that presidential preference primaries and delegate selection conventions, caucuses, and elections be held during the month of July, and to restrict campaign advertising relating to the nomination of presidential candidates to a period of 3 weeks prior to any such primary, convention, caucus, or election. Referred to the Committee on Rules and Administration.

PRESIDENTIAL PRIMARIES

Mr. EAGLETON. Mr. President, we have now completed 17 of the 25 presidential preference primaries, including those in the District of Columbia and the Virgin Islands. Perhaps it could better be said that both the candidates and the voters have so far endured 17 primaries, because one of the rare subjects of mutual agreement these days is that the present multiplicity of primaries is an ordeal for everyone.

The system badly needs reform. It is in furtherance of this objective that I am today introducing a reform bill which I hope will promote discussion of the alternatives to the present primaries and also be a vehicle for action. Other bills, embodying two basically different approaches, have already been introduced—the national primary approach, as in Senate Joint Resolution 215, the Mansfield-Aiken measure, and the regional primary approach, as in the bill introduced by Senator PACKWOOD. Each of these suggestions seems to have as many critics as it does supporters.

My bill would bring about substantial reform in the presidential primary system by deceptively simple means. It essentially has two elements: First, it would require any presidential preference primary and convention, caucus, or election to select delegates to be held on a Tuesday in July; and, second, it would prohibit any campaign advertising more than 3 weeks prior to such primary, convention, caucus, or election.

I believe the enactment of this bill at least would guarantee that the next presidential election would be held under improved conditions, while discussion could continue on a more detailed and comprehensive primary reform measure.

NEED FOR REFORM

I do not think it is necessary to list all the ills of the present primary system. Change can be justified on the simple grounds that it is too expensive, too physically demanding, and too dangerous. Even if this were were not enough, there is a real question about whether the present system produces an adequate reflection of the public will. As Robert Bendiner stated in a New York Times Magazine article on February 17, 1972:

Presidential primaries are bewilderingly varied in rules, techniques and significance and have in their totality no more relevance to the will of the people than the choice of a President by a combination of poker, chess and roulette.

Some primaries are closed, the vote available only to those who have established their affiliation with a party. Others are open, permitting crossover votes. In some primaries there is only a popularity or beauty contest among the presidential candidates while others are binding on delegates. The selection of delegates may be connected to the presidential preference vote or it may be separated. Either way, the selection of delegates may be binding or it may be only advisory.

Some primaries, such as Oregon, have all the presidential candidates on the ballot including, often, some noncandidates. Some States have only a portion of the candidates. The candidates themselves may or may not campaign in a primary whether or not they are on the ballot. It has now become fashionable to calculate not only the percentages of vote a candidate receives but also to relate that to the number of days or hours spent in that particular State.

Add to all of this the fact that voter participation in the primaries is always a very low percentage of those who vote in the general election; the fact that the candidates themselves concentrate on States where they are expected to win; and the fact that in multiple-candidate elections the most universally acceptable candidate does not necessarily receive the highest vote, and you have the system by which we now select the candidates for nomination to the Presidency.

The primary system was born out of the best intentions, the brainchild of the Progressive reformers around the turn of the century. They wanted to take the selection process out of the proverbial smoked-filled rooms and hand over part of the nominating process to the people. This system had a lot of logic at the time.

But with more States getting the reform spirit, the patchwork of primaries has gotten out of hand. In 1968 there were 14 primaries. Today there are 25. If the regulation length of baseball games were raised from nine to 25 innings, I doubt that even the most avid fan could sustain his interest over the length of the game, let alone the season—and the drain on the participants would be unconscionable.

ALTERNATIVES

Perhaps the change most often proposed is a national primary. The Mansfield-Aiken bill would hold one nationwide primary on a given day, with a runoff under stated conditions. This alternative has the obvious advantage of eliminating the current drawn-out political extravaganza, providing uniform rules both as to who votes and who is on the ballot, producing a clear victor and simplifying the procedure generally.

Such a system also has defects. First, it gives a tremendous advantage to an already established candidate and, conversely, it does not allow time for the emergence of new national figures or of candidates who are previously untested in the voting arena. Second, I think it favors candidates who either have money or can raise money easily for a one-shot nationwide campaign. A further objection is that runoffs after a multicandidate race may well give the voters a choice between two extreme candidates, neither of whom can command sound support.

The regional primary bill introduced by Senator PACKWOOD would satisfy a major objection to national primaries by providing a forum for lesser known, regional, untested, or low-financed candidates.

Unfortunately, even though the regionalization of the primaries would give some uniformity to the election procedure, the voters would again be subjected to a lengthy, exhausting and expensive multiact play.

I have been contemplating a national primary bill which would provide strict spending limitations to try to overcome the problem of favoritism to a wealthy candidate, and which would provide for either the top three candidates, or any candidate receiving more than 20 percent of the vote, to be presented to the national convention, which would select the final candidate. I am still working on such a bill, but it has become apparent that as any such proposal gets more complex, the time needed for its consideration increases. For that reason I am proposing a simplified bill for the time being so we will at least be in an improved situation in case we do not succeed in a complete reform.

EAGLETON PROPOSAL

Perhaps the most compelling justification for this bill is that it tampers very little with existing mechanisms, does not involve rigidly constructed formulas, quotas, or rules, and is not a drastic departure from the present system. My bill lets the States continue to decide whether they want a primary, caucus or convention. It lets the States continue to decide whether the primary is binding or not, whether the delegates are elected separately or not and whether the primary is open or closed. It lets the States continue to decide when they will hold their primary, caucus, or convention, within a limited time framework.

My bill simple would require a State to choose delegates and hold its primary, if it chooses to have one, on Tuesday in July. Thus the advantages of a candidate having to compete in a variety of circumstances to test his breadth of appeal would be retained, but the time would be telescoped.

This shortening of the primary season would accomplish several things. First, it would limit the time in which a candidate would have to keep an exhausting schedule, expose himself to danger, and spend excessive sums of money. Second, the reduced campaign time would place a premium on issues and on a candidate's having well-thought-out positions on them. It is to be hoped that this would encourage more candidate concentration on issue-oriented engagements rather than on the "visuals" of today's

image campaigns, which place a premium on being seen in every kind of ethnic restaurant, shaking hands with a worker in each occupation, and visiting all the landmarks of the country. The compressing of the whole procedure would also make the establishment of new primaries less attractive, since they would not necessarily be accompanied by the current 3 or 4 weeks of activity and spending within a State.

The second provision of the bill would prevent any campaign advertising earlier than 3 weeks before the primary date—thus holding down the leadtime on the initial primaries. This would diminish the amount of media time available to candidates, the expense of campaigning, and the wear and tear on the voter.

While the bill would rely primarily on the Campaign Spending Act to limit the expense of the primary campaigns, the telescoping of the primaries into 1 month would tend to retard the cost of campaigning and a candidate would have a more limited time to raise funds for the next primary based on his performance in the last primary. At the present time, a candidate with a good showing in one primary must maintain his momentum in the next primary, so his financial backers have to continue shelling out for each primary as if it were the last one, running the ultimate cost of election up into the stratosphere.

My bill strikes a reasonable compromise between the competing objectives of reducing the length of the primary season while providing enough time so that a relatively untested candidate would have an opportunity to win the nomination. There would be as many as 8 weeks for a candidacy to develop if there were five Tuesdays in July and a candidate used the full 3 weeks before the first primary for advertising. This should be sufficient time for the voters to judge the potential of a candidate without unduly prolonging the campaign season until the voters are tired of politics.

I am hopeful, Mr. President, that we can take advantage of the prevailing mood to reform our nominating procedures so that we do not have these same debates as we go into the 1976 presidential election. At this point, I ask unanimous consent that the text of my bill be printed in the RECORD.

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

S. 3655

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it is the purpose of this Act to regulate the process by which the people of the United States select the President of the United States, and to make the pursuit of a political party's nomination for election to the office of President less subject to unnecessary expense, physical exhaustion, and danger.

SEC. 2. Each State which conducts an election for the expression of a preference for the nomination of individuals to the office of President, or an election, caucus, or convention for the selection of delegates to the national nominating convention of a political party (or which regulates in any manner any such election, caucus, or convention) shall provide not later than two years after the date of enactment of this Act for holding such preference election, caucus, convention, or election on a Tuesday during the month of July occurring in each Presidential election year.

SEC. 3. (a) The Federal Election Campaign Act of 1971 is amended by redesignating sections 105 and 106 as sections 106 and 107, respectively, and inserting after section 104 the following new section:

"LIMITATION OF TIME FOR USE OF COMMUNICATIONS MEDIA IN PRESIDENTIAL NOMINATION CAMPAIGNS

"SEC. 105. No campaign advertising matter urging the nomination for election, or election, of any individual to the office of President or Vice President or urging the defeat, or disparaging the position, of any individual who is a candidate for nomination for election, or for election, to that office shall be broadcast, published, or distributed in any State more than 21 days before the date of that State's presidential preference primary election or the election, caucus, or convention held by the State or a political party therein for the selection of delegates to the national nominating convention of a political party.".

(b) Section 106 of such Act, as redesignated by subsection (a) of this section, is amended by striking out "and 104 (b)" and inserting "104 (b), and 105". Section 107 of such Act, as redesignated by subsection (a) of this section, is amended by striking out "or 104 (b)" and inserting "104 (b), or 105".

By Mr. STENNIS (for himself, Mr. EASTLAND, Mr. ALLEN, Mr. SPARKMAN, Mr. GURNEY, Mr. TALMADGE, Mr. GAMBRELL, Mr. JORDAN of North Carolina, and Mr. ERVIN):

S. 3656. A bill to amend the Soil Conservation and Domestic Allotment Act, as amended, to provide for a South Atlantic Basin environmental conservation program. Referred to the Committee on Agriculture and Forestry.

Mr. STENNIS. Mr. President, on behalf of my colleagues, Senator EASTLAND, Senator ALLEN, and other Senators I am today introducing the South Atlantic Basin Environmental Conservation Act to preserve and improve the environment and to protect and enrich our soil in the affected States.

Senators have the benefit of the experience obtained in the Great Plains program that has greatly alleviated the Dust Bowl of the 1930's.

In the States involved in this bill we have a different but equally important problem affecting the public interest.

The gulf coast and southern portion of the Atlantic seaboard have the highest consistent rainfall in the Nation. They are quite often the victim of hurricanes which dump excessive amounts of water on the land. In addition, only 2 weeks ago, without a hurricane, the gulf coast area of Mississippi received up to 12 inches of rain in a 24-hour period. The results were not only eroded land but washed out bridges and other damage to private and public facilities.

Mr. President, the farmers of the area covered in this bill need long-term commitments from the Secretary of Agriculture for assistance to tie down their soil with trees, grass, terraces, and other conservation practices. Every particle of soil tied down to the land improves the quality of our small streams and rivers and improves the condition of the land within the area.

By Mr. MANSFIELD:

S. 3657. A bill to insure congressional review of tax preferences, and other items which narrow the income tax base, by providing now for the termination over a 3-year period of existing provisions of these types. Referred to the Committee on Finance.

TAX POLICY REVIEW OF 1972

Mr. MANSFIELD. Mr. President, WILBUR D. MILLS, chairman of the House Ways and Means Committee, has today introduced a bill, H.R. 15230, entitled Tax Policy Review Act of 1972. I, at this time, am introducing an identical bill.

This bill provides that virtually all of the tax preferences in existing law will be systematically reviewed over the years 1973, 1974, and 1975. This result is achieved by providing for the repeal of these tax preference provisions as of the first of 1974, 1975, and 1976 if no action is taken to continue the provisions either in their present form or in some modified form. I ask unanimous consent that there be inserted in the CONGRESSIONAL RECORD at the end of my statement a list of these provisions which under this bill will be terminated over the next 3 years in the absence of action to the contrary, together with the bill itself.

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

(See exhibits 1 and 2.)

Mr. MANSFIELD. Mr. President, Senators will recall that last March 21 I took the opportunity to commend the Senator from Massachusetts (Mr. KENNEDY), the Senator from Wisconsin (Mr. NELSON), the Senator from Michigan (Mr. HART), and the Senator from Minnesota (Mr. MONDALE) for their efforts in attempting to change the tax structure. At that time I indicated that in the near future I hoped to offer a proposal which would contribute toward making the tax code more equitable. As I indicated at that time, I believe that the notion of unfairness about the tax code is justified. Something needs to be done to give assurance that everyone will pay their fair share of the tax burden.

At that time I indicated that my proposal would put a termination date on every tax preference and exclusion in the tax code so that Congress must renew every preference if it is to be continued. As I indicated, if a preference has clear validity, then Congress will renew the provision.

Under this bill existing tax preference provisions can be analyzed and reviewed over the next three years. This process should afford the House Ways and Means Committee and the Senate Finance Committee and the Congress as a whole with an opportunity to make a judgment with respect to these provisions. At the time Congress makes its review of any of these preference provisions, it may decide that there is some way outside the tax system which will better achieve the goals sought or it may conclude that a preference provision previously in the code is desirable but perhaps in some modified form.

The idea that it is appropriate to review tax preference provisions or incentives from time to time certainly is not

new. In the Tax Reform Act of 1969, termination dates were provided for three provisions added in that act—the 5-year amortization provision for railroad rolling stock, the special amortization provision for pollution control facilities, coal mine safety equipment and expenditures for rehabilitation of low and moderate income housing. The 1971 act also provided a termination date for the amortization of expenditures for on-the-job training and child care facilities.

By adopting on a broader scale the approach taken by Congress in 1969 and 1971, this bill would take a long step toward assuring the tax reform will be a continuing and on-going project, not something that happens only once every generation. By dividing these termination dates and spreading them over 3 years, the bill gives assurance that there will be an opportunity to adequately review these provisions in the Congress.

There is a growing sentiment in the country that the tax code needs refurbishment. Each election year, promises are made for tax reform; this proposal, if enacted this year, will assure tax reform and assure a continued currency to the tax code.

In introducing this bill, I want to make it clear that by providing for the termination of a provision in this bill, I am not expressing an opinion as to whether the provision is desirable or undesirable. Instead, what I am doing is merely expressing the view that the provisions in this bill all deserve review by the Congress to see whether in the opinion of Congress they should be retained as they are, modified or deleted from the tax law.

The termination dates provided for in this bill are quite comprehensive and are explained fully in the statement which I have asked permission to have inserted in the RECORD at the conclusion of my remarks. I commend this bill to your attention. It seems to me that it represents the best possible way of assuring a systematic review of our tax provisions.

Mr. President, I have communicated with the distinguished chairman of the Senate Finance Committee concerning the introduction of this measure. I felt it would have been inappropriate for him to consider a possible cosponsorship of this measure prior to it being referred to his committee. I know from past experience the openness of Senator LONG on these matters and that he will give this measure the fullest consideration this year. This measure in effect returns the initiative for tax writing to the Congress as a continuing matter as envisioned in the Constitution.

EXHIBIT 1

S. 3657

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE, ETC.

(a) SHORT TITLE.—This Act may be cited as the "Tax Policy Review Act of 1972".

(b) TABLE OF CONTENTS.—

TITLE I.—PROVISIONS TO TERMINATE ON JANUARY 1, 1974

Sec. 101. The $30,000 exemption and deduction of regular income taxes for the minimum tax on tax prefences.
Sec. 102. Treatment of group-term life insurance purchased for employees.
Sec. 103. Exclusion from gross income of $5,000 employees death benefit.
Sec. 104. Exemption from tax of $100 of dividends received by individuals.
Sec. 105. Treatment of loss from certain nonbusiness guaranties.
Sec. 106. Twenty-percent variation under the asset depreciation range system.
Sec. 107. Capital gain treatment for lumpsum distribution from pension funds.
Sec. 108. Treatment of employee stock options.
Sec. 109. Tax exemption of credit unions and mutual funds for certain financial institutions.
Sec. 110. Treatment of bad debt reserves of banks and other financial institutions.
Sec. 111. Percentage depletion for oil, gas, and other minerals.
Sec. 112. Capital gain for timber, coal, and iron ore royalties.
Sec. 113. Exclusion of gross-up on dividends of less developed country corporations.
Sec. 114. Exemption of earned income from foreign sources.
Sec. 115. Alternative tax on capital gains.
Sec. 116. Rules for recapture of depreciation on sale at gain of real property.
Sec. 117. Special exemptions for excess deductions account for farm losses.

TITLE II—PROVISIONS TO TERMINATE ON JANUARY 1, 1975

Sec. 201. Exclusion from gross income of amounts received as sick pay.
Sec. 202. Deduction of nonbusiness interest and taxes.
Sec. 203. Fast depreciation methods.
Sec. 204. Deduction of research and experimental expenditures.
Sec. 205. Deduction of soil and water conservation expenditures.
Sec. 206. Additional first-year depreciation allowance.
Sec. 207. Deduction of expenditures for clearing land.
Sec. 208. Amortization of railroad grading and tunnel bores.
Sec. 209. Deduction of intangible drilling and development costs.
Sec. 210. Deduction of development expenditures in the case of mines.
Sec. 211. Tax exemption for ships under foreign flag.
Sec. 212. Special deduction for a Western Hemisphere trade corporation.
Sec. 213. Exemption of income from sources within possessions of United States.
Sec. 214. Exclusion from subpart F income of shipping profits and certain dividends, interest, and gains.
Sec. 215. Tax exemption for a DISC.
Sec. 216. Step-up in tax basis of property acquired from decedent.
Sec. 217. Capital gains on sale or exchange of patents.

TITLE III—PROVISIONS TO TERMINATE ON JANUARY 1, 1976

Sec. 301. Corporate surtax exemption.
Sec. 302. Retirement income credit.
Sec. 303. Credit or deduction for contributions to candidates for public office.
Sec. 304. Investment credit.
Sec. 305. Tax-exempt interest.
Sec. 306. Exclusion from gross income of rental value of parsonages.
Sec. 307. Exclusion from gross income of scholarship and fellowship grants.
Sec. 308. Exclusion from gross income of gain on sale of residence by person over 65.
Sec. 309. Additional exemption for age 65 or blindness of taxpayer or spouse.
Sec. 310. Exemption for child whose income exceeds $750.
Sec. 311. Deduction for nonbusiness casualty losses.
Sec. 312. Charitable contribution deductions.
Sec. 313. Medical expense deduction.
Sec. 314. Household and dependent care deduction.
Sec. 315. Deduction of moving expenses.
Sec. 316. Nonrecognition of gain on appreciated property used to redeem stock.
Sec. 317. Nonrecognition of gain in connection with certain liquidations.
Sec. 318. Deduction for capital gains.

TITLE I—PROVISIONS TO TERMINATE ON JANUARY 1, 1974

SEC. 101. THE $30,000 EXEMPTION AND DEDUCTION OF REGULAR INCOME TAXES FOR THE MINIMUM TAX ON TAX PREFERENCES

Section 56 of the Internal Revenue Code of 1954 (relating to the imposition of the minimum tax for tax preferences) is amended by adding at the end thereof the following new subsection:

"(d) TERMINATION OF EXEMPTION AND DEDUCTION OF REGULAR INCOME TAXES.—In the case of any taxable year beginning on or after January 1, 1974, the tax imposed by subsection (a) shall be on the sum of the items of tax preference for the taxable year without reduction by the $30,000 exemption specified in paragraph (1) of subsection (a) or by the sum specified in paragraph (2) of such subsection, and subsection (b) shall be applied without regard to the $30,000 exemption.".

SEC. 102. TREATMENT OF GROUP-TERM LIFE INSURANCE PURCHASED FOR EMPLOYEES

Section 79(a) of such Code (relating to exclusion from gross income of the cost of $50,000 of group-term life insurance) is amended by adding at the end thereof the following new sentence:

"Paragraph (1) shall not apply in the case of any taxable year beginning on or after January 1, 1974.".

SEC. 103. EXCLUSION FROM GROSS INCOME OF $5,000 EMPLOYEE'S DEATH BENEFIT

Section 101(b) of such Code (relating to exclusion from gross income of $5,000 of an employee's death benefit) is amended by adding at the end thereof the following new paragraph:

"(4) TERMINATION.—Paragraph (1) shall not apply to amounts received with respect to an employee who died on or after January 1, 1974."

SEC. 104. EXEMPTION FROM TAX OF $100 OF DIVIDENDS RECEIVED BY INDIVIDUALS

Section 116(a) of such Code (relating to exclusion from gross income of $100 of dividends received by an individual) is amended by adding at the end thereof the following new sentence: "This subsection shall not apply in the case of any taxable year beginning on or after January 1, 1974."

SEC. 105. TREATMENT OF LOSS FROM CERTAIN NONBUSINESS GUARANTIES

Section 166(f) of such Code (relating to loss from guaranty of certain noncorporate obligations) is amended by adding at the end thereof the following new sentence: "The preceding sentence shall not apply to any payment made on or after January 1, 1974."

SEC. 106. TWENTY-PERCENT VARIATION UNDER THE ASSET DEPRECIATION RANGE SYSTEM

Section 167(m)(1) of such Code (relating to the Asset Depreciation Range System) is amended by adding at the end thereof the following new sentence: "The preceding sentence shall not apply to property placed in service in any taxable year beginning on or after January 1, 1974."

SEC. 107. CAPITAL GAIN TREATMENT FOR LUMP-SUM DISTRIBUTION FROM PENSION FUNDS

Sections 402(a)(2) and 403(a)(2)(A) of such Code (relating to capital gains treatment for certain distributions) are each amended by adding at the end thereof the following new sentence: "This paragraph shall not apply to distributions paid to any employee on or after January 1, 1974."

SEC. 108. TREATMENT OF EMPLOYEE STOCK OPTIONS

Section 421 of such Code (relating to the treatment of qualified and restricted stock options) is amended by adding at the end thereof the following new subsection:

"(d) TERMINATION.—This section shall not apply with respect to a qualified stock option or a restricted stock option exercised on or after January 1, 1974."

SEC. 109. TAX EXEMPTION OF CREDIT UNIONS AND MUTUAL INSURANCE FUNDS FOR CERTAIN FINANCIAL INSTITUTIONS

Section 501(c)(14) of such Code (relating to tax exemption for credit unions and for mutual insurance funds for certain financial institutions) is amended by adding at the end thereof the following new subparagraph:

"(D) This paragraph shall not apply to any taxable year beginning on or after January 1, 1974."

SEC. 110. TREATMENT OF BAD DEBT RESERVES OF BANKS AND OTHER FINANCIAL INSTITUTIONS

(a) BANKS.—Section 585 of such Code (relating to reserves for losses on loans of banks) is amended by adding at the end thereof the following new subsection:

"(c) NO SPECIAL ADDITION FOR YEARS AFTER 1973.—Subsections (a) and (b) shall not apply in the case of taxable years beginning on or after January 1, 1974, and the reasonable addition to the reserve for bad debts for any taxable year beginning on or after such date shall be computed under section 166(c) on the basis of the actual experience of the taxpayer."

(b) MUTUAL SAVINGS BANKS, DOMESTIC BUILDING AND LOAN ASSOCIATIONS, AND COOPERATIVE BANKS.—Section 593(b) of such Code (relating to addition to reserves for losses on loans of mutual savings banks and certain other financial organizations) is amended by adding at the end thereof the following new paragraph:

"(6) NO SPECIAL ADDITIONS FOR YEARS AFTER 1973.—This subsection shall not apply in the case of any taxable year beginning on or after January 1, 1974, and the reasonable addition to the reserve for bad debts for any taxable year beginning on or after such date shall be computed under section 166(c) on the basis of the actual experience of the taxpayer."

SEC. 111. PERCENTAGE DEPLETION FOR OIL, GAS, AND OTHER MINERALS

Section 613 of such Code (relating to the allowance of percentage depletion) is amended by adding at the end thereof the following new subsection:

"(e) TERMINATION.—Subsection (a) shall not apply to any taxable year beginning on or after January 1, 1974."

SEC 112. CAPITAL GAIN FOR TIMBER, COAL, AND IRON ORE ROYALTIES

Section 631 of such Code (relating to gain or loss in the case of timber, coal, or domestic iron ore) is amended by adding at the end thereof the following new subsection:

"(d) TERMINATION.—Subsections (a), (b), and (c) shall not apply in the case of any taxable year beginning on or after January 1, 1974."

SEC. 113. EXCLUSION OF GROSS-UP ON DIVIDENDS OF LESS DEVELOPED COUNTRY CORPORATIONS

Section 902(d) of such Code (relating to definition of less developed country corporation) is amended by adding at the end thereof the following new sentence: "No foreign corporation shall be treated as a less developed country corporation for any of its taxable years which begin on or after January 1, 1974."

SEC. 114. EXEMPTION OF EARNED INCOME FROM FOREIGN SOURCES

Section 911 of such Code (relating to exemption of earned income from sources without the United States) is amended by adding at the end thereof the following new subsection:

"(e) TERMINATION.—Subsection (a) shall not apply to any taxable year beginning on or after January 1, 1974."

SEC. 115. ALTERNATIVE TAX ON CAPITAL GAINS

Section 1201 of such Code (relating to the alternative tax for corporations and individuals on capital gains) is amended by adding at the end thereof the following new subsection:

"(f) TERMINATION.—Subsections (a) and (b) and section 802(a)(2) shall not apply to any taxable year beginning on or after January 1, 1974."

SEC. 116. RULES FOR RECAPTURE OF DEPRECIATION ON SALE AT GAIN OF REAL PROPERTY

Section 1250 (relating to gain from dispositions of certain depreciable realty) is amended by adding at the end thereof the following new subsection:

"(g) TERMINATION OF PRESENT TREATMENT OF REAL PROPERTY.—Any disposition of section 1250 property after December 31, 1973, shall not be subject to the provisions of subsection (a) but shall be treated under section 1245(a) as a disposition of section 1245 property, subject to the exceptions and limitations of section 1245(b), and by determining the recomputed basis of the property under section 1245(a) by adding only those adjustments which are attributable to periods after December 31, 1963."

SEC. 117. SPECIAL EXEMPTIONS FOR EXCESS DEDUCTIONS ACCOUNT FOR FARM LOSSES

Section 1251(d) of such Code (relating to exceptions and special rules with respect to the excess deductions account) is amended by adding at the end thereof the following new paragraph:

"(7) TERMINATION OF $50,000 AND $25,000 EXEMPTIONS.—In the case of any taxable year beginning on or after January 1, 1974, subsection (b)(2) shall be applied without regard to the exceptions provided in subparagraphs (B) and (C)."

TITLE II—PROVISIONS TO TERMINATE ON JANUARY 1, 1975

SEC. 201. EXCLUSION FROM GROSS INCOME OF AMOUNTS RECEIVED AS SICK PAY

Section 105(d) of the Internal Revenue Code of 1954 (relating to exclusion from gross income of amounts received from an employer as sick pay) is amended by adding at the end thereof the following new sentence: "This subsection shall not apply to amounts received in any taxable year beginning on or after January 1, 1975."

SEC. 202. DEDUCTION OF NONBUSINESS INTEREST AND TAXES

(a) INTEREST.—Section 163(a) of such Code (relating to deduction of interest) is amended by adding at the end thereof the following new sentence: "In the case of an individual, no deduction shall be allowed under this section for interest paid or accrued during a taxable year beginning on or after January 1, 1975, unless the indebtedness was incurred in carrying on a trade or business or an activity described in section 212 (relating to expenses for production of income)."

(b) TAXES.—Section 164 of such Code (relating to deduction of taxes) is amended by adding at the end thereof the following new subsection:

"(h) TERMINATION OF DEDUCTION OF NONBUSINESS TAXES.—In the case of an individual, no deduction shall be allowed under subsection (a) for any tax paid or accrued during a taxable year beginning on or after January 1, 1975, unless the tax is paid or accrued in carrying on a trade or business or an activity described in section 212 (relating to expenses for production of income)."

(c) STOCKHOLDER OF COOPERATIVE HOUSING CORPORATION.—Section 216(a) of such Code (relating to allowance of deduction of taxes and interest by cooperative housing corporation tenant-stockholder) is amended by adding at the end thereof the following new sentence:

"No deduction shall be allowed under this subsection for any taxable year beginning on or after January 1, 1975."

SEC. 203. FAST DEPRECIATION METHODS

Section 167(c) of such Code (relating to limitations on use of fast depreciation methods) is amended by adding at the end thereof the following:

"Paragraphs (2), (3), and (4) of subsection (b) shall not apply in the case of property placed in service during any taxable year beginning on or after January 1, 1975."

SEC. 204. DEDUCTION OF RESEARCH AND EXPERIMENTAL EXPENDITURES

Section 174 of such Code (relating to the election to treat research and experimental expenditures as deductible expenses) is amended by adding at the end thereof the following new subsection:

"(f) TERMINATION.—Subsections (a) and (b) shall not apply with respect to research or experimental expenditures paid or incurred in any taxable year beginning on or after January 1, 1975."

SEC. 205. DEDUCTION OF SOIL AND WATER CONSERVATION EXPENDITURES

Section 175 of such Code (relating to soil and water conservation expenditures) is amended by adding at the end thereof the following new subsection:

"(g) TERMINATION.—Subsection (a) shall not apply with respect to expenditures paid or incurred during any taxable year beginning on or after January 1, 1975."

SEC. 206. ADDITIONAL FIRST-YEAR DEPRECIATION ALLOWANCE

Section 179 of such Code (relating to additional first-year depreciation allowance for small business) is amended by adding at the end thereof the following new subsection:

"(f) TERMINATION.—This section shall not apply to any taxable year beginning on or after January 1, 1975."

SEC. 207. DEDUCTION OF EXPENDITURES FOR CLEARING LAND

Section 182 of such Code (relating to deduction by farmers of expenditures for clearing land) is amended by adding at the end thereof the following new subsection:

"(f) TERMINATION.—Subsection (a) shall not apply to any taxable year beginning on or after January 1, 1975."

SEC. 208. AMORTIZATION OF RAILROAD GRADING AND TUNNEL BORES

Section 185 of such Code (relating to amortization of railroad grading and tunnel bores) is amended by adding at the end thereof the following new subsection:

"(i) TERMINATION.—No deduction for amortization shall be allowable under this section for any taxable year beginning on or after January 1, 1975."

SEC. 209. DEDUCTION OF INTANGIBLE DRILLING AND DEVELOPMENT COSTS

Section 263(c) of such Code (relating to deduction of intangible drilling and development costs in the case of oil and gas wells) is amended by adding at the end thereof the following sentence: "In the case of any taxable year beginning on or after January 1, 1975, such tangible drilling and development costs (other than those incurred in drilling a nonproductive well) shall be charged to capital account and shall not be deductible in accordance with such regulations."

SEC. 210. DEDUCTION OF DEVELOPMENT EXPENDITURES IN THE CASE OF MINES

Section 616 of such Code (relating to the deduction of development expenditures in the case of mines) is amended by adding at the end thereof the following new subsection:

"(d) TERMINATION.—Subsections (a) and (b) shall not apply to expenditures paid or incurred during any taxable year beginning on or after January 1, 1975."

SEC. 211. TAX EXEMPTION FOR SHIPS UNDER FOREIGN FLAG

Sections 872(b)(1) and 883(a)(1) of such Code (relating to tax exemption of earnings from ships under foreign flags) are each amended by adding at the end thereof the following: "This paragraph shall not apply to earnings derived during any taxable year beginning on or after Jannary 1, 1975."

SEC. 212. SPECIAL DEDUCTION FOR A WESTERN HEMISPHERE TRADE CORPORATION

Section 922 of such Code (relating to special deduction for Western Hemisphere trade corporation) is amended by adding at the end thereof the following new sentence: "No deduction shall be allowed under this section for any taxable year beginning on or after January 1, 1975."

SEC. 213. EXEMPTION OF INCOME FROM SOURCES WITHIN POSSESSIONS OF UNITED STATES

Section 931 of such Code (relating to exemption of income from sources within possessions of the United States) is amended by adding at the end thereof the following new subsection:

"(j) TERMINATION.—This section shall not apply in the case of any taxable year beginning on or after January 1, 1975."

SEC. 214. EXCLUSION FROM SUBPART F INCOME OF SHIPPING PROFITS AND CERTAIN DIVIDENDS, INTEREST, AND GAINS

Section 954(b)(1) of such Code (relating to exclusion of certain dividends, interest, and gains from subpart F income) and section 954(b)(2) of such Code (relating to exclusion of shipping income from subpart F income) are each amended by adding at the end thereof the following new sentence: "This paragraph shall not apply to any taxable year beginning on or after January 1, 1975."

SEC. 215. TAX EXEMPTION FOR A DISC

(a) TERMINATION OF TAX EXEMPTION.—Section 991 of such Code (relating to tax exemption of a DISC) is amended by adding at the end thereof the following: "This section shall not apply to any taxable year beginning on or after January 1, 1975."

(b) TERMINATION OF STATUS.—Section 992(a) of such Code (relating to definition of DISC) is amended by adding at the end thereof the following new paragraph:

"(4) TERMINATION.—No corporation shall be treated as a DISC for any taxable year beginning on or after January 1, 1975."

SEC. 216. STEP-UP IN TAX BASIS OF PROPERTY ACQUIRED FROM DECEDENT

Section 1014 of such Code (relating to basis of property acquired from a decedent) is amended by adding at the end thereof the following new subsection:

"(e) TERMINATION.—The provisions of this section shall not apply to property acquired from a decedent dying on or after January 1, 1975. The basis of property acquired from such a decedent shall be determined as provided in section 1015."

SEC. 217. CAPITAL GAINS ON SALE OR EXCHANGE OF PATENTS

Section 1235(c) of such Code (relating to the effective date on special treatment of patents) is amended by adding at the end thereof the following new sentence: "This section shall not apply to any amount received on or after January 1, 1975."

TITLE III—PROVISIONS TO TERMINATE ON JANUARY 1, 1976

SEC. 301. CORPORATE SURTAX EXEMPTION

Section 11(d) of the Internal Revenue Code of 1954 (relating to the surtax exemptions for corporations) is amended by adding at the end thereof the following new sentence: "The surtax exemption for any taxable year beginning on or after January 1, 1976, shall be zero."

SEC. 302. RETIREMENT INCOME CREDIT

Section 37(a) of such Code (relating to retirement income credit) is amended by adding at the end thereof the following: "This subsection shall not apply to any taxable year beginning on or after January 1, 1976."

SEC. 303. CREDIT OR DEDUCTION FOR CONTRIBUTIONS TO CANDIDATES FOR PUBLIC OFFICE

Section 41 of such Code (relating to credit against tax for contributions to candidates for public office) and section 218 of such Code (relating to deductions for contributions to candidates to public office) are each amended by adding at the end thereof the following new subsection:

"(e) TERMINATION.—Subsection (a) shall not apply to any payment made by the taxpayer on or after January 1, 1976."

SEC. 304. INVESTMENT CREDIT

Section 50 of such Code (relating to restoration of investment credit) is amended by adding at the end thereof the following new subsection:

"(c) TERMINATION.—For purposes of this subpart, the term 'section 38 property' does not include any property placed in service on or after January 1, 1976."

SEC. 305. TAX-EXEMPT INTEREST

Section 103(b) of such Code (relating to the inapplicability of the tax exemption of interest on certain obligations) is amended by adding at the end thereof the following new sentence: "Subsection (a)(1) shall not apply to interest on obligations issued on or after January 1, 1976."

SEC. 306. EXCLUSION FROM GROSS INCOME OF RENTAL VALUE OF PARSONAGES

Section 107 of such Code (relating to exclusion of rental value of parsonages) is amended by adding at the end thereof the following new sentence:

"This section shall not apply in the case of a taxable year beginning on or after January 1, 1976."

SEC. 307. EXCLUSION FROM GROSS INCOME OF SCHOLARSHIP AND FELLOWSHIP GRANTS

Section 117 of such Code (relating to tax exemption of scholarship and fellowship grants) is amended by adding at the end thereof the following new subsection:

"(c) TERMINATION.—Subsection (a) shall not apply to any amount received during a taxable year beginning on or after January 1, 1976."

SEC. 308. EXCLUSION FROM GROSS INCOME OF GAIN ON SALE OF RESIDENCE BY PERSONS OVER 65

Section 121 of such Code (relating to exclusion of gain from sale or exchange of residence of individual who has attained age 65) is amended by adding at the end thereof the following new susbection:

"(e) TERMINATION.—Subsection (a) shall not apply to any sale or exchange made on or after January 1, 1976."

SEC. 309. ADDITIONAL EXEMPTION FOR AGE 65 OR BLINDNESS OF TAXPAYER OR SPOUSE

Section 151 of such Code (relating to allowance of deduction for personal exemptions) is amended by adding at the end thereof the following new subsection:

"(f) TERMINATION OF ADDITIONAL EXEMPTIONS UNDER SUBSECTIONS (c) AND (d).—Subsections (c) and (d) shall not apply in the case of any taxable year beginning on or after January 1, 1976."

SEC. 310. EXEMPTION FOR CHILD WHOSE INCOME EXCEEDS $750

Section 151(e)(1) of such Code (relating to exemption for each dependent of the taxpayer) is amended by adding at the end thereof the following new sentence:

"Subparagraph (B) shall not apply for any taxable year of the taxpayer which begins on or after January 1, 1976."

SEC. 311. DEDUCTION FOR NONBUSINESS CASUALTY LOSSES

Section 165(c) (relating to casualty losses of individuals) is amended by adding at the end thereof the following new sentence:

"Paragraph (3) shall not apply to any loss incurred on or after January 1, 1976."

SEC. 312. CHARITABLE CONTRIBUTION DEDUCTIONS

(a) IN GENERAL.—Section 170(a) of such Code (relating to allowance of deduction for charitable contributions and gifts) is amended by adding at the end thereof the following new paragraph:

"(4) TERMINATION.—No deduction shall be allowed under this section for any taxable year beginning on or after January 1, 1976."

(b) ESTATES AND TRUSTS.—Section 642(c) (relating to charitable deductions of an estate or trust) is amended by adding at the end thereof the following new paragraph:

"(7) TERMINATION.—No deduction shall be allowed under this subsection for any taxable year beginning on or after January 1, 1976."

SEC. 313. MEDICAL EXPENSE DEDUCTION

Section 213(a) of such Code (relating to deduction of medical, dental, etc., expenses) is amended by adding at the end thereof the following new sentence:

"No deduction shall be allowed under this section for any taxable year beginning on or after January 1, 1976."

SEC. 314. HOUSEHOLD AND DEPENDENT CARE DEDUCTION

Section 214(a) of such Code (relating to deduction of expenses for certain household and dependent care services) is amended by adding at the end thereof the following new sentence: "No deduction shall be allowed under this section for any taxable year beginning on or after January 1, 1976."

SEC. 315. DEDUCTION OF MOVING EXPENSES

Section 217(a) of such Code (relating to deduction of moving expenses) is amended by adding at the end thereof the following new sentence: "No deduction shall be allowed under this section for any taxable year beginning on or after January 1, 1976."

SEC. 316. NONRECOGNITION OF GAIN ON APPRECIATED PROPERTY USED TO REDEEM STOCK

Section 311(d)(2) of such Code (relating to exceptions and limitations on recognition of gain) is amended by adding at the end thereof the following:

"This paragraph shall not apply to any distribution made on or after January 1, 1976."

SEC. 317. NONRECOGNITION OF GAIN IN CONNECTION WITH CERTAIN LIQUIDATIONS

Section 337(c) of such Code (relating to limitations on the nonrecognition of gain or loss in connection with certain liquidations) is amended by adding at the end thereof the following new paragraph:

"(3) LIQUIDATIONS AFTER DECEMBER 31, 1975.—Subsection (a) shall not apply in the case of a plan of complete liquidation adopted on or after January 1, 1976, if at the time of the adoption of such plan the corporation has more than 10 shareholders (determined with the application of section 1371(c))."

SEC. 318. DEDUCTION FOR CAPITOL GAINS

Section 1202 of such Code (relating to deduction for capital gains in the case of a taxpayer other than a corporation) is amended by adding at the end thereof the following sentence: "The deduction provided in this section shall not be allowed for any taxable year beginning on or after January 1, 1976."

EXHIBIT 2

LIST OF PROVISIONS

Provisions Terminated On or After January 1, 1974:

1. The $30,000 exemption for the minimum tax.
2. The deduction of ordinary income taxes for the minimum tax.
3. The exclusion from gross income of group-term life insurance of employees.
4. The $5,000 death benefit exclusion.
5. The $100 dividend exclusion.
6. The guaranteed business bad debt deduction.
7. The provision permitting assets to be written off over a period 20 percent shorter than their class lives under the ADR system.
8. The capital gain treatment of lump-sum distribution from pension funds.
9. Qualified stock options.
10. The tax exemption for credit unions and certain mutual insurance funds.
11. Special reserves for losses on bad debts of banks, mutual savings banks, etc.
12. Percentage depletion for oil, gas, and other minerals.
13. Capital gain for timber, coal and iron ore royalties.
14. Exclusion of gross-up on dividends of less developed country corporations.
15. Exclusion of earned income from foreign sources.
16. The alternative tax on capital gains of corporations and individuals.
17. The recapture rules for real property.
18. The special exemptions for excess deduction account for farm losses.

Provisions Terminated on and After January 1, 1975:

1. The exclusion from gross income of sick pay.
2. The deduction for nonbusiness interest.
3. The deduction for nonbusiness taxes.
4. Fast depreciation methods.
5. The deduction of research and experimental expenditures.
6. The deduction of soil and water conservation expenditures.
7. Additional first-year depreciation allowance.
8. The deduction of expenditures for clearing land.
9. Amortization of railroad grading and tunnel bores.
10. The deduction of intangible drilling and development costs.
11. The deduction of development expenditures in case of mines.
12. The exemption of ships under foreign flags.
13. The special deduction for Western Hemisphere trade corporations.
14. The exemption of income from sources within possessions of the United States.
15. The exclusion from Subpart F of shipping profits and certain dividends and interest.
16. The provisions relating to Domestic International Sales Corporations.
17. Step-up in tax basis of property acquired from a decedent.
18. Capital gain from the sale or exchange of patents.

Provisions Terminated On and After January 1, 1976:

1. The $25,000 corporate surtax exemption.
2. The retirement income credit.
3. The deduction and credit for political contributions.
4. The investment credit.
5. The exclusion for interest on State and local bonds.
6. The exclusion of the rental value of parsonages.
7. The exclusion from gross income of scholarships and fellowships.
8. The exclusion from gross income of gain on sale of residence by person over 65.
9. Additional personal exemptions for the aged and blind.
10. The exemption for child where income exceeds $750.
11. The deduction for nonbusiness casualty losses.
12. The charitable contribution deduction.
13. The medical expense deduction.
14. The child care deduction.
15. The moving expense deduction.
16. Nonrecognition of gain on the use of appreciated property to redeem stock.
17. Nonrecognition of gain in connection with certain liquidations.
18. The deduction for long-term capital gains.

By Mr. INOUYE:

S. 3658. A bill to amend title 5 of the United States Code in order to provide that certain benefits to which employees of the United States stationed in Alaska, Hawaii, Puerto Rico, the Canal Zone, or the territories or possessions of the United States are entitled may be terminated under certain conditions, and for other purposes. Referred to the Committee on Post Office and Civil Service.

Mr. INOUYE. Mr. President, an unusual and unfair situation has developed for some persons who now work for the Federal Government under civil service in Hawaii, Alaska, Puerto Rico, and Guam. Federal employees, recruited from or transferred to these areas from the mainland in order to perform highly skilled or technical jobs for which the local labor market could not provide adequate numbers of trained people, were offered special benefits including periodic travel at Government expense to their homes of record, cost-of-living allowances, and commissary and exchange privileges. Highly qualified local residents are now frequently capable of performing this same work. Many of the mainland hires have, however, remained in their jobs continuing to draw these benefits.

Recognizing the changed labor market and the inherent inequities of this situation, the Department of Defense, the largest Federal employer in Hawaii, started eliminating these benefits administratively. However, due to the restriction in the present law, DOD could achieve this only by forcing those who refuse a transfer to mainland areas to actually leave Federal employment and be rehired as local residents. As a result some of these workers who would be more than willing to retain their positions without any special benefits are threatened with the permanent loss of their jobs.

The legislation I am introducing today would eliminate this problem by recognizing both the rights of local residents who are qualified to perform work now done by people from the mainland and the rights of those Federal employees who wish to retain their positions as permanent local residents without special privileges or benefits. At the same time this legislation would guarantee that in those instances where people with special skills must still be brought in from the mainland, appropriate travel and pay benefits can be provided. This is achieved by allowing any Federal agency to terminate the special benefits of an employee brought in from the mainland only when there are qualified local residents available for the position, the employee's "tour" or contract with the agency has expired and the employees refuses reassignment to a similar job on the mainland.

The benefits of this change in the law would be immediate and direct. First, it would guarantee that qualified local residents could compete for and work in jobs for the same pay as Federal employees from the mainland. Second, it guarantees the job security of the Federal employee who wishes to remain in the area and forego special benefits. Third, by extending travel and pay benefits to employees when local personnel is unavailable, it guarantees that qualified and capable civil servants can be recruited when needed.

This is, I feel, fair and equitable legislation aimed at eliminating certain clear injustices which have unintentionally grown into our Civil Service System. I hope the appropriate committee and the Congress will give this measure their serious consideration and approval.

By Mr. TOWER:

Senate Joint Resolution 237. A joint resolution to authorize and request the President of the United States to issue a proclamation designating October 15, 1972, as "German Day." Referred to the Committee on the Judiciary.

Mr. TOWER. Mr. President, I am introducing today a joint resolution requesting the President of the United States to issue a proclamation designating October 15, 1972, as "German Day," in honor of the many great traditions and accomplishments of the outstanding, talented, and patriotic German-American community.

There are many fine ethnic groups in America, each with a splendid history of its own and heroes of its own. None of these, however, can be said to excel the accomplishments over the years of Americans of German descent, whose deeds are, to say the least, inspiring to everyone familiar with the facts.

The most immediate and impressive fact is their contribution to the overall population of the United States. Of all American ethnic groups, the English alone exceed the Germans in total figures, and then only providing that you consider together the genuine English descendants with Scots, Irish, and Welsh descendants.

A distinct characteristic of the German immigrations throughout their history has been the very slight return

migration to the "old country" as compared with recent immigrations. These German immigrants found America to their liking, and they and their descendants have made the most of it.

In the beginning, so far as the first English colonists were concerned, the *Mayflower* provided the key to a glorious land of promise. The Germans had their *Mayflower* too, under a different name. This was the good ship *Concord*, which arrived in Philadelphia in October 1683, bearing the first group of German immigrants to these shores. The leader of the group was Franz Daniel Pasturius, who had come in advance to purchase from William Penn a tract of land, on which to establish the first permanent German settlement in the American Colonies. This settlement, which was established only 2 years following the founding of Philadelphia, became known as Germantown, and for the next 100 years or so, it was to serve as a distributing center for all German colonists.

In a short time, hundreds of Germans were spread throughout the central and southern counties of Pennsylvania, and Lancaster County was developing into a kind of German stronghold. Some Germans went north, to New Jersey and New York, but the vast majority moved southward, colonizing western Maryland, Virginia's Shenandoah Valley, and many counties in Tennessee, Kentucky and North Carolina.

The most northerly settlement of Germans in the 18th century was established at Waldobora, Maine, in 1751, and the most southerly that of the Salzburgers, in 1734 at Ebenezer, Ga., which was at the time also the most southerly point of American settlement on the East Coast. Many German tradesmen remained in the coast cities of Philadelphia, New York, Baltimore, and Charleston. Pennsylvania, however, remained the State most thickly settled by the German element.

The German Quakers of Germantown immortalized themselves by their formal protest against Negro slavery in 1788, the first time such action was taken in the history of the American people. The first Bible printed in the German language was published by Christopher Saur in the year 1743, and is another example of the religious quality of these early German settlers. This was not the first time that a German printer and publisher wrote himself into history, for Peter Zenger, the founder of the independent newspaper, the New York Weekly Journal, was tried for libel in 1735, and the case became the first great fight for freedom of the press in America.

During the 19th century, German immigration out-distanced all others and reached surprising heights. From 1846 to 1854, a period embracing the ill-favored German Revolution of 1848–1849, almost 900,000 Germans came to America—an extremely large number for those days. Over half of them arrived in the years 1852 to 1854.

The arrival of this particular group of Germans had a profound effect on the long-established social customs of early America. For more than 200 years English puritanism had kept watch over the public morals of American society. But with the coming of the Germans, the Puritan tradition received a severe jolt. Fresh from the battlefields of the German Revolution of 1848, where the great questions of economic and political liberty were being decided, the new arrivals held many opinions not in keeping with the Puritan attitude. In the matter of things spiritual, the Germans held a liberal view of religion and the Sabbath. They also developed community singing, occasionally neglected business for the sake of intellectual pleasure, and took great delight in outdoor life.

Missouri, Wisconsin, and Texas were the pioneer sections toward which many directed their course, as immigration continued, interrupted only by the two world wars.

In the industrial history of the 19th century in America, the Germans became preeminent in all branches requiring technical training. They had had the advantage of technical schools at home, before such schools were founded in the United States. Above all, the Germans led the way in the field of engineering. John A. Roebling built the first great suspension bridge over the Niagara River, and followed it with construction of the famous Brooklyn Bridge. Another bridge builder of note was Charles C. Schneider, who planned and directed construction of a bridge over the Niagara—this time a cantilever-type structure, superior for carrying heavy railway traffic. Gustan Linderthal was consulting engineer and the architect of the Hell's Gate steel-arch bridge across New York's East River.

The only equal or near equal of Thomas Edison in the field of electricity and electrical engineering was Charles P. Steinmetz, the wizard of Schenectady. Albert Fink, expert railway engineer, was the originator of through traffic in freight and passenger service—while Count Zeppelin made his first experiments in military aviation in the country during the United States Civil War.

In the 19th century, however, the Germans led not only in the engineering branches of industry, but also in many other areas requiring technical training and the ingenuity of expertise. Thus, it comes as no surprise, that in the chemical industries and in the manufacture of drugs, German names were outstanding; Rosengarten, Pfizer, Dohm, Vogler, Meyer, Schieffelin, Lehn, and Fink, to list but a few. In the manufacture of pianos and other musical instruments, such great names as Steinway, Knabe, Weber, Sohmer, Wurlitzer, and Gemunder, stand out. In the development of optical instruments we recall Bausch & Lomb. The list of technical developments and accomplishments is almost endless.

Nor were the accomplishments of Germans in America limited to the contributions of these individuals of genius. On the contrary, Germans as a group performed remarkably in many areas. It has been estimated that the number of German volunteers during the American Revolution and the Civil War exceeded in proportion that of native Americans and all other foreign elements—certainly a wonderful tribute to their loyalty and courage.

In political affairs, Germans in America have long been active in reform movements, carrying on the principles of democracy enunciated in the German revolutionary movement of the 1840's. Among those German-American politicians who found in our great land a flowering of the democracy they so cherished and loved was the outstanding historical figure of Carl Schurz, who helped to organize the Republican Party in Wisconsin, became a union general in the Civil War, and later a U.S. Senator from Missouri and a cabinet member in the administration of President Rutherford B. Hayes.

Germans have also played a major part in American education. Indeed, both the highest and lowest level of the American system of education—the university and the kindergarten—were imported from Germany. Moreover, the secondary school felt the German influence when Horace Mann reported favorably on the Prussian school system in the 1840's, and established the normal, or training school for teachers.

In the area of the arts, the German influence again has served America well. Gottlieb Graupner won distinction as the father of orchestral music in America in the early 19th century, and the German participation played a major part in establishing American opera in the eyes of European critics. German ability was further demonstrated by the noted painter, Emanuel Leutze, best known for his large historical picture of "Washington Crossing the Delaware."

In the field of organized religion, German-Americans founded three major American churches early in the 18th century—the Lutheran, the German Reformed, and the United Brethern or Moravian.

One of the greatest military organizers in our Nation's history was Baron Frederick Von Steuben, who endorsed the American Revolution and made plans to engage in it, in the interest of democracy, the moment it began. Von Steuben served alongside George Washington at Valley Forge, during those bitter early months of 1778. He trained Washington's troops admirably, and throughout the war, the Continental Army proved itself fully the equal in discipline and skill of the best of the British Regulars. Of all the heroes of the American Revolution, few exceeded Baron Von Steuben in the importance of their contributions.

Certainly, we can all take pride in the accomplishments and contributions of our German-American citizens, past and present. They have played a large role in America's climb to its present position of world leadership. The scope of German-American efforts has been nationwide, and every part of our great Republic has benefited from the influence of the German settlers.

Texas is particularly fortunate in having felt the influence of the German arrivals upon our land and its fortunes. Germans began settling in Texas even while it was still a Mexican province. The first German colony was organized by Baron Von Bastrop and located on the Colorado River. Bastrop, as the settle-

ment was named, was the northernmost white settlement in the valley of the Colorado. Much exposed to Indian attack, the early settlement was abandoned several times, but the persistence of the German settlers was eventually responsible for making this area a center for the German newcomers.

A great many of the Germans came to Texas between 1836, when it won its independence from Mexico, and 1845, when it joined the Union. Because so much of the State was unexplored as well as unsettled, and was populated by large and hostile Indian tribes, conditions were conducive to organized colonies such as the Germans established. A lone settler had little chance of survival. For these reasons, in many parts of Texas, Germans outnumbered native Americans.

Political disturbances in the 1840's drove many Germans to seek new homes where, possibly, an ideal German state might be established. Persecuted by the Diet of the German Confederation, members of the "Burschenschaften", or students' organization, began to come to Texas, and were soon followed by the German masses.

In the German-American communities of south central and southwestern Texas, the customs and culture of the founders survive—their great contributions being in music, painting, literature, and quaint colonial architecture. They established schools, singing societies, social organizations, a literary society, and pioneered in agriculture and labor organizations. Many of their descendants still observe customs of German origin in Fredericksburg, New Braunfels, and other communities where their forefathers settled.

The German settlements on the Gaudalupe and the Pedernales prospered despite unpredictable weather conditions, crop failures, and the Indian raiders. The Germans joined with Texans to wage punitive campaigns against the Indians, and in great numbers volunteered with the U.S. Army during the war against Mexico in 1846. That war had the effect of further integrating German-Americans, both in Texas and the rest of our growing, westward-expanding Nation.

The Germans were destined to play a large role in the eventual growth of this vast and powerful land. Although the Germans of Texas were never reconciled to slavery, and few names could be found on the roles of Hood's Texas Brigade when the Civil War broke out; nevertheless, in succeeding wars, German-Americans of Texas have always been found—like all Texans—more prominent than their numbers would warrant in the annals of our Nation's military forces. Two descendants of the Germans who came to Texas in its frontier days particularly distinguished themselves in World War II, General of the Army Dwight D. Eisenhower, and Fleet Admiral Chester W. Nimitz. Together they wore a total of 10 stars upon their shoulders.

German-Americans who came to America came for various reasons: for material enrichment; in search of the freedom offered by true representative democracy; and out of a sense of persecution at home in the "old country." Whatever their reasons, however, once on our proud shores they brought to bear the full weight of their talents, ambitions, and patriotic fervor.

The people of Texas are fortunate, indeed, to have shared in the German contribution to the United States of America. The names of German-American communities across our landscape are tangible evidence of their presence, and we should commend them for strengthening the fabric of America, and defending the principles of democracy along the way.

Mr. President, at this time, I ask unanimous consent that the text of my joint resolution be printed at this point in the RECORD.

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

S.J. RES. 237

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is authorized and requested to issue a proclamation designating October 15, 1972, as "German Day", and calling upon the people of the United States and interested groups and organizations to observe such day with appropriate ceremonies and activities.

ADDITIONAL COSPONSORS OF BILLS AND JOINT RESOLUTIONS

S. 3049

At the request of Mr. JAVITS, the Senator from Oregon (Mr. HATFIELD) and the Senator from Ohio (Mr. SAXBE) were added as cosponsors of S. 3049, a bill to provide minimum standards in connection with certain Federal financial assistance to State and local correctional, penal, and pretrial detention institutions and facilities.

S. 3416

At the request of Mr. THURMOND, the Senator from Michigan (Mr. GRIFFIN), the Senator from Ohio (Mr. TAFT), the Senator from Texas (Mr. TOWER), and the Senator from Nevada (Mr. BIBLE) were added as cosponsors of S. 3416, a bill to preclude POW's and MIA's from losing accumulated leave upon return.

SENATE JOINT RESOLUTION 236

At the request of Mr. HRUSKA, the Senator from Tennessee (Mr. BAKER), the Senator from Texas (Mr. BENTSEN), the Senator from Kansas (Mr. DOLE), the Senator from Michigan (Mr. GRIFFIN), the Senator from South Carolina (Mr. HOLLINGS), the Senator from Minnesota (Mr. HUMPHREY), the Senator from Kansas (Mr. PEARSON), the Senator from Texas (Mr. TOWER), and the Senator from New Jersey (Mr. WILLIAMS) were added as cosponsors of Senate Joint Resolution 236, a joint resolution to authorize and request the President to proclaim the week beginning October 15, 1972, as "National Drug Abuse Prevention Week."

ADDITIONAL COSPONSORS OF AMENDMENTS

AMENDMENT NO. 999

At the request of Mr. ROBERT C. BYRD (for Mr. CHURCH) the Senator from Alabama (Mr. ALLEN) was added as a cosponsor of amendment No. 999, intended to be proposed to the bill (H.R. 1) to amend the Social Security Act to increase benefits and improve eligibility and computation methods under the OASDT program, to make improvements in the medicare, medicaid, and maternal and child health programs with emphasis on improvements in their operating effectiveness, to replace the existing Federal-State public assistance programs with a Federal program of adult assistance and a Federal program of benefits to low-income families with children with incentives and requirements for employment and training to improve the capacity for employment of members of such families, and for other purposes.

AMENDMENTS NOS. 1093 AND 1097

At the request of Mr. PELL, the Senator from Massachusetts (Mr. BROOKE) was added as a cosponsor of amendments Nos. 1093 and 1097 intended to be proposed to the bill (H.R. 1), the Social Security Amendments of 1972.

AMENDMENT NO. 1202

At the request of Mr. ROTH, the Senator from Minnesota (Mr. HUMPHREY) was added as a cosponsor of amendment No. 1202, intended to be proposed to the bill (S. 3526) to provide authorizations for certain agencies conducting the foreign relations of the United States.

NOTICE OF HEARINGS ON HOUSING

Mr. SPARKMAN. Mr. President, I should like to announce that the Subcomittee on Housing and Urban Affairs of the Committee on Banking, Housing, and Urban Affairs, will hold hearings on S. 3373, a bill to promote the utilization of improved technology in federally assisted housing projects and to increase productivity in order to meet our national housing goals, and S. 3654, a bill to delete the Davis-Bacon provision from the National Housing Act and the U.S. Housing Act of 1937 relating to FHA-insured housing and public housing programs.

These hearings will be held on June 13, 14, and 15 in room 5302, New Senate Office Building, commencing at 10 a.m. each morning.

Any person wishing to submit a statement for inclusion in the record of hearings should communicate with the Subcommittee on Housing and Urban Affairs, room 526, New Senate Office Building.

NOTICE OF HEARINGS ON VOCATIONAL REHABILITATION

Mr. CRANSTON. Mr. President, I announce, for the information of Senators, that the Subcommittee on the Handicapped of the Labor and Public Welfare Committee, due to an executive session of the full committee, has postponed the hearing scheduled for 9:30 a.m. on June 1, 1972. This hearing will now be held at 9 p.m. on June 2 in 4232, New Senate Office Building.

This will be a continuation of the hearings held on May 15, 18, and 23, 1972, on the Vocational Rehabilitation Amendments of 1972, H.R. 8395, the pill passed

by the other body, and related legislation.

I am pleased to continue to chair these hearings on behalf of the distinguished Senator from West Virginia, Mr. RANDOLPH, chairman of this subcommittee, and would like at this time again to thank him for giving me the opportunity.

Among those testifying on Friday will be: the Honorable STEWART B. MCKINNEY, Congressman from Connecticut; John Kemp and Jane Shover, members, board of directors, National Easter Seal Association; Dr. John Young, project director, Southwest Regional System for the Treatment of Spinal Cord Injury, Phoenix, Ariz.; Roy Snelson, chief, prosthetics amputee center, Rancho Los Amigos Hospital, Downey, Calif., accompanied by Steve Zyn and Patricia Lemmons, patients; Dr. Henry Betts, director, Chicago Institute of Rehabilitation; Frank Taylor, Goodwill Industries of America, accompanied by John C. Harmon, general counsel; Dr. Jack G. Wiggins, member, executive committee, Council for the Advancement of the Psychological Professions and Sciences; Harry A. Schweikert, Jr., representing the National Parapiegia Foundation.

NOTICE OF HEARING ON GEOTHERMAL ENERGY RESOURCES AND RESEARCH

Mr. ROBERT C. BYRD. Mr. President, at the request of the distinguished junior Senator from Washington (Mr. JACKSON) I ask unanimous consent that there be printed in the RECORD a notice of hearings on the geothermal energy resources and research, together with a statement by Senator JACKSON.

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

STATEMENT BY SENATOR JACKSON

On June 15, 1972, the Committee on Interior and Insular Affairs will convene a hearing on the role of geothermal energy resources in our nation's future energy economy. The Committee also will receive testimony detailing current and planned Federal research programs and initiatives designed to expedite the development of technically and economically feasible methods employing geothermal resources for the generation of electricity.

This hearing will be held in Room 3110 of the New Senate Office Building beginning at 10:00 a.m. pursuant to Senate Resolution 45, which authorizes the National Fuels and Energy Policy Study, with ex officio members from the Public Works, Commerce, and Joint Atomic Energy Committees.

From previous hearings it is readily apparent that a number of fundamental policy issues exist regarding the effectiveness of Federal research and development efforts intended to bring new technologies into being in time frames that are responsive to the nation's energy requirements while minimizing the environmental impact of energy production.

This hearing will review existing and planned Federal programs in this area and will address institutional arrangements for management of geothermal energy research and development. Witnesses will include representatives of the Department of the Interior, the Atomic Energy Commission, and the National Science Foundation, as well as Dr. Robert W. Rex, University of California-Riverside and Donald H. Stewart, Battelle Pacific Northwest Laboratories.

Mr. President, I regret that time limitations make it impossible for the Committee to hear the testimony of all of the individuals and organizations that will want to appear. The Committee will, however, receive statements for the record which will remain open until June 30, 1972. These statements will receive a careful review and evaluation in connection with the Committee's formulation of recommendations in this area.

ADDITIONAL STATEMENTS

MONTANA'S UNCOMMON INTEREST IN TRANS-ALASKA PIPELINE

Mr. MANSFIELD. Mr. President, because of Montana's proximity to Canada and our sister State of Alaska, my constituents have shown an uncommon interest in the Trans-Alaska Pipeline project and its effect on the environment.

The May 16 issue of the Missoulian, published in Missoula, Mont., contains an interesting editorial opposing the Secretary of the Interior's recent action in approving the construction of the project. While in opposition, it does raise some very serious points which should be considered.

I ask unanimous consent that the editorial be printed in the RECORD.

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

TRANS-ALASKAN PIPELINE A MISTAKE

Last week Secretary of the Interior Rogers C. B. Morton approved construction of the trans-Alaska oil pipeline. His action was a mistake.

The pipeline's construction won't begin immediately. The matter is tied up in court, where environmental groups and Canadians are suing to prevent construction along the Alaskan route. Morton's order will wait until the court contests are settled.

Given the scheme of things, it appears clear that an oil pipeline from the far northern oil fields to get oil to the United State's market will come into being. It will be environmentally objectionable, but environmental objections will not prevent its creation.

The question then is not so much whether a pipeline of some sort will be built, but when it will be built and where it will go.

The objections to the trans-Alaska oil pipeline, which would take oil from the Arctic north to the Alaskan ice-free port of Valdez, can be summarized as:

1. The pipeline would cross intense earthquake belts and thus run risk of periodic breaks and massive environmental destruction.

2. Oil spills by tankers would be inevitable, especially in the Juan de Fuca Straits as the ships head for a refinery near Seattle. The refinery is 12 miles from the Canadian border. The Canadians believe it is reasonable to expect one tanker carrying 800,000 barrels of oil to ground in the strait each year, threatening British Columbia's fishing, seal fishing and recreation industries.

3. The oil would go to the West Coast, providing it with more energy than it can consume.

4. The pipeline would fail to serve Canadian oil discoveries in the far north, compelling the Canadians to build their own pipeline—a costly duplication of effort.

Environmentalists want a complete study made of the feasibility of building a trans-Canadian instead of the trans-Alaskan pipeline.

They believe a trans-Canadian line would be less environmentally hazardous, cheaper, would bring the oil to the midwestern and eastern markets where it is most needed, and would better fulfill the national security arguments advanced in favor of the trans-Alaskan pipeline.

National security is part of the issue. The U.S. now relies heavily on Middle Eastern oil. In the event of turbulence in that region—clearly a likely event—the U.S. wants to be less dependent on steady oil supplies from there to meet its energy requirements. Tapping the Alaskan oil would give this country an alternative source.

But a pipeline which brought both Alaskan and Canadian oil down—at less environmental hazard and to where the markets are—would be even better for national security.

The hitch with that is delay. Morton does not want to wait for completion of an environmental impact study of a Canadian pipeline route. Such a study would create further delay in developing the far northern oil fields, and would involve clearing the project through Canadian courts.

And not to be neglected in this day of high pressure business influence on the government's decisions is the fact that the seven-company consortium of oil companies which wants the trans-Alaskan pipeline already has the piping (made in Japan) stockpiled at Valdez, is ready to start laying it, and doesn't want all that pretty investment wasted, which would be the case if a trans-Canadian line were built instead.

A reasonably good bet would be that the trans-Alaskan pipeline will be built, and that it will cause periodic environmental disasters. The moral imperative is to study all alternatives and accept the one that serves the nation's needs at least hazard to the environment. To opt for the easy but most dangerous route would be shameful.

BUSING DILEMMA

Mr. SAXBE. Mr. President, This country is hung up between its courts and its politics on the school desegregation issue and a way to ease the pressure must be found. Two emotionally charged issues have entered into the public debate over school desegregation and have clouded understanding rather than clarify discussion. These are "busing" and the "neighborhood school." The people who have used them as arguments against desegregation ignore certain facts. One is that every day of every school year millions of pupils are bused to and from school. Another is that the trend of today's educational thought is away from the neighborhood school, a self-contained unit serving a relatively small student population, in favor of larger school units where economies of scale frequently make possible provision of new educational equipment, special services not financially possible in schools which serve small numbers of students, and a broader curriculum. To discuss desegregation in terms of busing and neighborhood schools is to remove the issue from the legal and educational context to which it belongs and transfer it to the arena of emotion and politics.

Once busing became a major issue, there was very little information available about how buses were already being used in school districts around the country and how they might be used in specific school districts which were going to integrate. Buses have been a major fixture, like blackboards and climbing bars, for years. In most large rural districts virtually every student is bused. In sprawling California suburbs thousands of students are bused every day to overly large, widely spaced high schools; and

the State pays most of the cost. In every kind of school district, students are bused daily for special purposes: sports, educational and cultural events, field trips, and classes for the handicapped and retarded. Yet, after the bus became a symbol, statements by politicians and other officials seemed to imply that using buses to move students was a totally new and diabolical idea.

I suppose we ought to be surprised that the bus did not become a symbolic rallying point much sooner than it did. In its awkward, bulky, yellow obviousness, it makes a perfect target. To segregationists, it became a hated symbol, which a few literally tried to destroy. To many parents and to ardent defenders of neighborhood schools, it became a matter of real anxiety. Of course, the real reason the bus has come to attract so much attention is that it remains the most expeditious way to achieve fully integrated schools within a school district. There are other ways to integrate schools, such as redrawing school attendance zones within a district, pairing previously segregated schools and exchanging students between them, and building new, centralized educational parks. But in most cases, because of neighborhood housing patterns, the least awkward way to integrate a school is to put in an order for the sturdiest, most dependable schoolbus on the market.

If this were not an election year, it might be possible to do something rational about school integration and busing. But not only is it an election year; it is also a year in which all sorts of people, in all parts of the country and of all political persuasions are expressing their strong misgivings about the prospects of massive busing for the purpose of racial integration of public schools. I can well understand the temptations of campaign rhetoric, but the welfare of our Nation requires that we refrain from playing politics with constitutional rights. As long as a substantial majority of Americans, both black and white, are against busing as a solution to the problems of public education, it does not matter what school boards in their dilemma may decide or what the courts in their wisdom may decree. If the people directly involved reject it as a solution, it will not happen. It is a simple process in which the theoretically desirable gives way to the politically possible.

It is not useful to denounce these concerns as racist. America is a racist country, but unfortnately so is practically every other human society. In India, men advertise for light-skinned brides. In Indonesia, the Chinese are persecuted. In Kenya, a black government has expelled Indians. Political demagogs get votes out of the racial problems in Birmingham, England, as they do in Birmingham, Ala. In racial relationships, Americans have no ground for complacency, but neither are they uniquely guilty. Can private anxieties and public ideals be reconciled? No one can answer with complete confidence, but certainly if racial concerns about the schools are to be eased, the limits and difficulties of integration have to be candidly faced.

White voters in the suburbs around the ghettos seem determined to block what is known as cross-line busing from one jurisdiction to another. Yet if the decision by Federal Judge Robert R. Merhige, Jr., in the Richmond case is upheld and becomes a precedent, cross-line busing will be a fact of life throughout the North. Most people would probably agree that a segregated system of education, as it exists in much of the country today, is inherently unequal education. Most would agree that busing, as a temporary expedient, is the only practical way of ending the pattern of segregated schooling that the present segregated housing patterns in most major urban areas have produced. But few are willing to pay the price that the busing solution demands. If white people, either because they wish to avoid contact with black people or for any other reason, choose to move far from where most blacks live, how can it make sense—in terms of education or commonsense—to send black kids chasing after them? At some point, it becomes obvious that there must be another way to achieve the goal which is the education of our children.

Despite Ohio's dependence on the bus, our State has been untouched by Federal court and administrative orders requiring busing to achieve racially mixed schools. However, I am averaging 860 letters a week on the subject of busing, 96 percent in favor of the President's proposed legislation. Like the President, I do not support "unnecessary transportation to achieve an arbitrary racial balance." I do, however, accept busing as a remedy to overcome officially imposed segregation and to serve the purpose of equalizing educational opportunity within a reasonable area. If we bar the use of reasonable transportation as one tool for achieving desegregation, we will set in concrete much school segregation which is the clear and direct product of intentional government policy—segregation which would not exist if racially neutral policies had been followed. We hear a lot of scholastic arguments from people these days about how test scores show that this will not work or that will not work and about how the schools cannot do it all and about how money is not the answer or integration is not the answer; and, in the name of this exquisite polemical stalemate a monstrous national cop-out is being justified. That there is no single universally applicable or desirable method for meeting our constitutional social responsibilities surely does not suggest that we should merely forget them.

DISCRIMINATION AGAINST CALIFORNIA INDIANS

Mr. TUNNEY. Mr. President, on March 16, 1972, I testified before the Subcommittee on Interior of the Committee on Appropriations, presided over by the distinguished Senator from Nevada (Mr. BIBLE).

Mr. President, in my testimony I called to the committee's attention the fact that California Indians were being unfairly discriminated against in the allocation of Bureau of Indian Affairs funds. Although California has over 91,000 Indians, the Bureau of Indian Affairs is only allowed to recognize 6,100 as eligible for Federal assistance and services. Others are excluded because they do not live on Federal trust reservations.

However, there are thousands of California Indians who are not living on Federal reservations because the Federal Government either moved them off or promised them land which was never delivered.

It is my hope that the Interior Department would reverse this policy and serve all California Indians. At the very minimum California rural off-reservation Indians should immediately be declared eligible for services by the Bureau of Indian Affairs.

Mr. President, I ask unanimous consent that the testimony be printed in the RECORD:

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

STATEMENT OF SENATOR JOHN V. TUNNEY BEFORE THE SUBCOMMITTEE ON INTERIOR OF THE COMMITTEE ON APPROPRIATIONS, MARCH 16, 1972

Mr. Chairman and members of the Committee, I appreciate this opportunity to expand on my letter of March 8, 1972 which was also signed by Senator Cranston.

California has over 90,000 native American residents. That is more than any state except Oklahoma or Arizona.

Like Indians elsewhere, Indians in California are unemployed and underemployed. Many are ill and cannot afford medical care: Thousands have no choice but to live in Hovels. Schools either teach nothing about the Indians' heritage or propagate myths of dirty savages.

Money alone will not extricate native Americans from their plight; non-Indian prejudice and callousness must also be overcome. Additional funds are needed, however, for short term relief and long term self-sufficiency. Education, medical care, housing, and economic development cost money.

The responsibility for providing that money properly rests with the Bureau of Indian Affairs and the Indian Health Service. Those are the agencies which Congress created specifically to aid native Americans. They alone have the legal authority to meet the exceptional needs of a single race.

For some years now neither the Bureau of Indian Affairs nor the Indian Health Service has dealt equitably with California Indians. Services provided to Indians in other states have been denied altogether or available only in token amounts. That pattern of discrimination must end, and this Committe should take action to see that it does.

Discrimination against California Indians is a relic of the past. Many BIA and IHS Services were stopped in the early 1950's as part of the 83d Congress' program to terminate all California Indians. Today, both the Senate and President Nixon have rejected the termination philosophy of House concurrent Resolution 108. The State of California, which once asked the government to withdraw federal Indian services, long ago asked for their return.

Of even more ancient origin is the small number of reservation Indians in California. From 1851 to 1853 the government negotiated eighteen treaties with the California Indians. Large reservations were promised along with many services. Relying on the treaties, thousands of Indians left their homelands and moved to the promised reservations. However, these treaties were never ratified. The Indians were left homeless. They could not stay where they were, and they could

not return to their homes because non-Indians had moved in and taken over.

Congress and the President did create a number of small California reservations in the late nineteenth and early twentieth centuries, but the quantity and quality of land on the reservations was totally inadequate. As a consequence, only six thousand out of forty five thousand native California Indians live on reservations. Twenty five thousand others live in rural areas throughout the state. The rest live in metropolitan areas. Those Indians who were cheated out of a land base surely should be as entitled to BIA and IHS Services as those who received reservations, yet the opposite seems to be the case. The BIA allocates funds largely on the basis of reservation Indians.

That BIA policy is obviously unjust. As Senator Jackson recently said, and I quote, "Unwarranted Importance . . . has been attached to geography as a major criteria in determining Indians' entitlement to the special federal Indian service programs of the Bureau of Indian Affairs and the Indian Health Service." The unfairness of tying BIA aid to reservation residence has long been recognized in Alaska, Oklahoma, and in the Navajo service area. In California, however, the BIA continues to treat off-reservation Indians as second-rate Indians even after swearing in an affidavit to a federal court that all California Indians live on or near a reservation.

I believe that the BIA and the IHS must serve all Calif. Indians equally, on the basis of need, whether they live on or off of reservations. The President's budget recommendations are grossly inadequate to that task, for they are based on a misconception of the number of Indians who are entitled to service. I therefore hope that this Committee will effect a substantial increase in the BIA and IHS budgets for California, especially in four areas.

First, California is entitled to a much larger Johnson-O'Malley program, In 1953, before the termination policy began, California received twelve percent of Johnson-O'Malley funds. That would be $2.9 million out of the BIA's proposed budget for fiscal 1973 of $24.3 million. Instead the Bureau proposed to allocate only $248,000 to California. The excuse offered is not tenable.

The BIA has a regulation saying that Johnson-O'Malley funds are only for school districts with large blocks of tax free Indian land. Since California Indians received little from Johnson-O'Malley. That argument might be persuasive if the Bureau's regulation were valid, but it is not. Johnson-O'Malley was started in 1934. California was the first state to obtain Johnson-O'Malley funds. In the words of the Committees that recommended the program, it was intended primarily to aid "those states in which tribal life is largely broken up and in which Indians are to a considerable extent mixed with the general population." California was and is the prime example of such a state.

This Committee should restore California to the position it once justly had as a major recipient of Johnson-O'Malley funds. For fiscal 1973 the minimum appropriation should be $1,500,000, and for the next fiscal year I recommend that Congress allocate $3,000,000 to California. The need for these funds is great. Approval applications from local school districts for special Indian education projects far exceed the $189,000 available during fiscal year 1972.

The second area of special concern is health, Indian Health Service medical care in California was one of termination's victims. Today, Indians in California receive no contract medical care. Direct medical services are almost as non-existent. Colorado River Indians can receive treatment at a small hospital in the extreme southeast corner of the state; and a clinic serves students at Merman Institute. All others receive nothing.

The health condition of California Indians has drastically deteriorated since the federal government terminated its responsibility for providing health services during the early fifties.

Although it was assumed the state would provide the necessary services, serious problems existed within the state, so that during this period of indecision, the deterioration occurred.

California's rural Indians have suffered greatly from being both socially and—more importantly—geographically isolated from community health facilities and so the idea of the rural Indian Health Board was born. But the Board at present can only act in a referral capacity without sufficient funds to provide direct care to the rural Indians.

I would like to briefly mention several of the more pressing health problems in the Indian community today, for these are some areas which would be addressed by the California rural Indian Health Board if it had adequate funding.

Indians suffer the highest rate of infant deaths in the nation: while they are in the highest risk group, services such as family planning, prenatal and perinatal care are often unavailable because of high cost or inaccessibility.

The children who survive infancy are then often overlooked by the health care systems in terms of routine health maintenance services, and it has been repeatedly demonstrated that it is during those first five years of life that the greatest amount of development takes place.

There is a growing problem of drug abuse among young adult Indians, and existing approaches to the drug problem have not generally achieved the effectiveness which was hoped for. There has been an over-reliance on law enforcement agencies to solve the problem rather than addressing the problem itself.

And the elderly Indians? Mr. Chairman, I believe there are problems of such publicized magnitude among all the senior citizens of America that it goes without saying that the problems of the older Indians are undoubtedly worse.

Mr. Chairman, I wonder how many people realize that each year 30 percent of all the Indians who die, had not yet reached age 25?

Modern medicine deals with prevention, treatment and maintenance. In the Indian world, however, most efforts have traditionally been "treatment" oriented, today, it is felt that while continuing to stress treatment, approaches which stress the maintenance of well being need to be developed and implemented. Preventive medicine is almost nonexistent.

There can be no viable system of health planning without concentrated efforts to determine the causes and incidence of health disorders. Therefore, more attention is needed in the Indian community to determine the special population characteristics which will provide the necessary base for developing an integrated system of health delivery services.

Indian expectations regarding health care have been rising rapidly in the last decade. Many Indians and professional groups now describe quality of health care as a right and not a privilege.

The California rural Indian health board has a unique opportunity to help California Indians since they are statewide and have access to a large percentage of the Indian population in California.

The rewards for optimum health care for California Indians are high. Sound prevention and curative techniques are known, can be applied easily, and can be instituted at relatively low cost. There is a need, however, for federal support of California Indian Health Programs if proper, adequate medical care is to be provided. Incentives should be provided to encourage both providers and patients to assume their proper share of responsibility for health care. The California Rural Indian Health Board has demonstrated its ability to provide a health support system; however, the time has come to expand their program into a health delivery system. CRIHB has the technical capacity, experience, and programs to achieve this end.

Mr. Chairman, I believe that your Committee, by allocating $6,400,000 to the California Rural Indian Health Board would take a very positive step in providing quality health planning, diagnostic, therapeutic, and maintenance services to the Indians of rural California.

Third, the California rural Indian housing situation remains critical. The $1,394,600 appropriated for fiscal year 1972 was a sizeable increase over the previous year's appropriation, but barely enuogh to keep pace with the deterioration of existing housing. If the BIA is correct in estimating an on-reservation housing need of $18,500,000, then the total need among rural California Indians is at least $51,000,000.

This deplorable situation can only be corrected by a massive infusion of BIA housing improvement program funds. Other housing programs are not an adequate substitute. HUD's 235 home purchase program is beyond the means of thousands of poor Indians. Its subsidy is so low that only 5 per cent of the home buyers under Section 235 are on welfare or social security. Turnkey IV is not well suited for any poor people because real estate taxes make the payments too high. Turnkey III and mutual self-help require payments plus a sweat equity which is beyond the means of sick and elderly Indians. Moreover Turnkey III and mutual self help must be part of a public housing agency program. However, off-reservation Indians cannot form public housing agencies. Farmers home administration programs have credit and monthly payment requirements that frequently put them beyond the reach of low income Indians. And where mortgages are required, the already small Indian land base is further jeopardized.

Rental housing is no panacea either. As I previously noted, off-reservation Indians cannot form public housing agencies and many reservations are too small and scattered to form their own local housing agency. HUD's Section 236 rental program can provide low income rental housing only through rent supplements. Those supplements, as well as 236 money generally, are in short supply.

Even if the Housing and Urban Development Act of 1972 becomes law in its present form as passed by the Senate, the changes in Sections 235 and 236 will not substantially help Indians either buy or rent housing. In addition, the money available frequently does not reach Indians. In Plumas County, California, Indians received a discriminatorly small share of rent supplements. They complained through their local Community Action Program and brought a lawsuit to stop the discrimination. When HUD ordered forty more rent supplement units allocated to the Indian Valley, the county retaliated by voting to abolish the Community Action Program.

Even counties which have local housing agencies and do not discriminate will not be able to meet the Indians' needs. California Indians are disproportionately poor and inadequate funds are available to the local agencies.

I appeal to the Committee's conscience. As the Supreme Court has said, "the United States overcame the Indians and took possession of their lands, leaving them as uneducated, helpless and dependent people." The government must not turn its back on the thousands of untrained, unemployed California Indians and their families who live in scrap wood and tar paper shacks without running water or toilets. An appropria-

tion of at least $5,000,000 should be made for next fiscal year so that the BIA can start providing modest, decent housing to the neediest on and off-reservation rural California Indians.

Finally, the BIA must have more money for economic development in California. The cycle of dependent poverty will not be broken unless Indians educated with Johnson-O'Malley funds and BIA scholarship can take their education back to their communities and help those who are there. At present, that help is stymied by a shortage of economic development funds.

California needs a significant increase in Bureau of Indian Affairs Economic Development Funds if California Indians are ever to become self-sufficient. I have found that at least $1,125,000 could be added to the fiscal year 1973 budget and used immediately by the Bureau of Indian Affairs for Indian Economic Development.

First, $150,000 could be used to assist in the development of the Indian Campground Program. This is a new all Indian enterprise designed to utilize, nourish and develop the human and land resources of the American Indian. It's administrative structure is that of a member owned "co-op" chain. Its central aim is to develop Indian owned campgrounds and recreation facilities on Indian-owned lands; attractive, well managed campgrounds capable of competing successfully with all other first rate public or private developments. An additional $150,000 could be used now to pay for a variety of small construction projects, surveys, land use plans, roads, and extensions of water and sewer lines.

Second, $580,000 could be used for management and protection of Indian owned forests and wildlands in California.

$85,000 of this money is needed to fund the programs of accelerated timber harvest on the Hoopa Valley and Tule River Reservations.

$495,000 of this money is needed to provide for timber stand improvement, reforestation and to improve fire control capabilities at Hoopa Valley and Riverside. At Riverside, for example, adequate fuel breaks and access trails, together with continuing fire hazard reduction efforts are mandatory in order for the Bureau of Indian Affairs to prevent the periodic recurrence of disastrous fires and loss of life such as occurred in 1971.

Over the years in California, the Bureau of Indian Affairs Forestry Program has gained the reputation of accomplishing more with less funds than any other group of foresters in the United States. However, in doing so the Bureau has not been able to keep pace with the intensification of forest management and protection of other federally managed forest lands and industrial tree farms. This increase in funds would permit the Bureau's forest management effort in California to regain at least a portion of the ground it has lost because of inadequate funding.

Third, $170,000 is needed for planning services for California Indians. California reservations and rancherias desperately need professional planning services to guide the proper development of land, protect against speculators, and guard against the misuse of Indian lands by those who regard Indian lands as public property. In addition these funds would be used to provide Indians with on the job training in planning and managing their own lands. Some of the money should also be used to assist off-reservation-Indians in developing programs for business enterprises.

Fourth, and perhaps even most important, $225,000 is needed to begin a comprehensive California Indian water survey. Many California Indians consider water resources inventories as a major priority. As the Chairman knows so well, little economic planning or development can go on in the West without water. Water is the key to the economic development of many California Indian Reservations. Some locations with critical and immediate water inventory needs are the Hoopa Reservation in Northern California and the Mission Indian Lands near Escondido within the San Luis Rey Basin. Thus far California Indians have not been able to acquire hard data on water rights, water availability and water needs.

In conclusion I wish to reiterate two points. California is not now receiving a fair share of BIA and IHS funds and all California Indians are morally and legally entitled to participate on an equal basis in BIA and IHS programs in the fields of education, health, housing, and economic development. This committee should, and I trust will, remedy the injustices of the past by providing California Indians a more equitable appropriation in the years to come.

JUDGE ROBERT E. JONES

Mr. PACKWOOD. Mr. President, several months ago I spoke on the Senate floor concerning the efforts of Multnomah County Circuit Judge Robert E. Jones to guarantee to every citizen the right to a speedy trial. I speak once again today to pay tribute to this great Oregonian.

Under the leadership of Judge Jones, young women convicted of felonies and placed on probation have the opportunity to be truly rehabilitated. Volunteers in Probation—VIP—is an organization of women in Portland which is making this effort possible.

Judge Jones has implemented for felonies a program which has already been tried at the misdemeanor level. This 8 month old program, which emphasizes individual attention, shows great promise of becoming one of the most effective probation programs in the country.

Mr. President, an article published recently in the Oregon Journal outlines the background and development of this program. I ask unanimous consent that it be printed in the RECORD.

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

PART 1—DIANE CHANGES HER WAY OF LIFE AT 19

(By Suzanne Richards)

Diane is 19. From an average home in Idaho she had made her way to Portland and the drug scene. Arrested and convicted she appeared before Circuit Court Judge Robert E. Jones for sentencing.

Diane received three years' probation. As a condition of that probation she has had to give up acquaintance with her former friends, many of them also involved in the drug scene.

Now she has to toe the mark, try to get a job, move to a different apartment, attend the drug treatment center and follow other specific rules established by the court as terms of her probation.

Diane is finding it isn't easy to change your life, even at 19.

But Diane is one of the lucky ones. Through her experience she has found a friend. Someone who comes to her willing to give a great deal and expecting nothing in return.

Diane's new friend is a Volunteer in Probation (VIP). She is probably a woman with teenagers of her own. Someone willing to listen, to encourage when the going gets rough, to help her with grooming, budget, job hunting and the everyday problems of learning how to live a different life.

One of those VIPs is Margaret (Mrs. Don K.) McMurdie, the first woman in the program and its coordinator, who frankly admits, "I don't know what I expected. But I feel it is the most worthwhile thing I have done."

"I think it appeals to a lot of women of my age who are tired of club activities and are looking for something with more meaning." Consequently, when Judge Jones asked Mrs. McMurdie if she would like to take part in the program and recruit other women for it, she really agreed.

Today there are 30 volunteers working with 50 young women on probation.

Still in its infancy, VIP was started eight months ago by Judge Jones who developed it and continues to supervise it.

"It is the only women's felony program in the country today," explains the judge. "Similar programs have been tried in other places for misdemeanors, but never before on the felony level," he says.

The girls involved are between the ages of 19 and 26, first time offenders who are considered by the courts to be subject to rehabilitation. Their crimes range from use of drugs, forgery, robbery and burglary to sale of narcotics and being accessories to crimes.

Because the program is available, many young women who would have had to serve a jail term are now able to be released on probation. Their average probation is three years.

There is another advantage to the program. While the average case load for a professional probation officer is 90, the volunteers have only one or two girls, at most four. They have more time to spend with them and are able to give far more individual attention than the professional.

"As far as I am concerned it is the most effective probation corrections program I have witnessed," declares Judge Jones.

Filled with praise for the volunteers' efforts he says, "These women have shown dedication beyond anything I have ever seen in the field of corrections. They have established communication levels with these young women that we rarely see.

"Since its inception we have had to revoke probation for only two of the girls. In the average probation program you can anticipate losing 20 per cent," he continues.

Since this is a court probation there are no state officers involved, no formal reports or paper work required and few established rules.

Explaining the lack of rigid controls Judge Jones said, "We have found that the women's own innovations are the most effective. They have broken through so many agency barriers without any special training. They have helped the girls find jobs and apartments, get medical and dental attention, enroll in classes or take vocational training."

Aside from their work with the girls, the volunteers have a monthly discussion meeting. Often they will have a speaker such as Judge Jones to explain aspects of the law or terms of probation. Sometimes a representative from the Crises Center or other community agencies will discuss ways in which the volunteers can use their agencies to help the girls.

But the biggest boon of the meetings is exchanging experiences and ideas. One volunteer may have already found a way to solve a problem that another is just encountering.

"Just finding out that others have had some of the same problems and that you are not alone is a big help," one woman told us.

PART 2—GIRLS WONDER WHY VOLUNTEERS WANT TO HELP

(By Suzanne Richards)

"Why would you want to do this for free?"

Often the question goes unasked, but it is always hovering somewhere in the mind of the young woman.

The probationer knows why she is there.

She has been convicted of a felony and placed on court probation. She follows the rules or she ends up in jail.

But she finds it hard to understand why this woman has stepped out of her comfortable life, far removed from her (the probationer) world, to help her.

The reasons are as different as the women who have chosen to become Volunteers in Probation.

Some have teen-agers of their own . . . reason enough.

Others readily admit, "I had reached a point in life where I had to get involved with something I felt was worthwhile."

"I think I've gotten more from it than my girls," says one volunteer. "I've become much more compassionate and understanding."

"The more you get into it the more interested you become," says another. "I have become almost tenacious in my desire to help these gals to do whatever is necessary so they won't be in this position ever again."

Where do the volunteers come from?

Most have been recruited by Mrs. Don K. McMurdie, coordinator of the program. Early volunteers brought friends into the program. One woman says, "It sounds silly, but I heard about it across the bridge table and it sounded like something I wanted to do."

"My first response was, 'Am I capable of doing this? Am I qualified?' recalls Joan (Mrs. Russell) Jennings, who now has four girls and has been in the program since the first.

"Then I realized, this is what these girls have already, a lot of trained people who go by the books. I think the beauty of it is the untrained person."

"I told my girls, 'I am just a housewife but if I can be a friend to you or help you in any way . . . I want to.' "

Most of the women agree that they would rather not know a girl's crime or background before meeting her.

"I don't try to figure out why she is in trouble," says Margaret McMurdie. "I would just as soon not know her background but let her tell me as we go along."

"It was my idea not to find out what the girls had done but to go in cold without any preconceived ideas," declares Louise (Mrs. Thomas C.) Houston. "It was quite awhile before I got their case histories and I was pleased to find out they had been very honest with me," she adds.

One thing in their favor, the women believe, is the girls are grateful to find they are dealing with an ordinary person rather than their concept of the traditional probationer officer.

"I certainly had fears about it when I started," admits Mrs. Helen (Mrs. Howard) Baker, who has also been in on the project since the first.

"I had a great lack of confidence in myself as to whether I could help a girl. But we both spoke very frankly about our relationship and we established a rapport immediately," she adds.

All of the women refer to their parolers as "my girls" and most feel as if they were an extension of their family.

Mrs. Jennings admits her whole family has become involved with the young women she is working with. "We go bicycling with them, visit at their home and my husband and I have even gone out with them and their boy friends."

"They call me with their problems, or to ask for advice when their kids are sick and sometimes just to share some good news."

How do the probationers feel about their volunteers?

"She is like a fairy godmother," said one of the young women. "She has helped with so many things. We can really relate to her. I'm not afraid to talk to her about anything because I know she isn't going to run and tell somebody."

Equally enthusiastic, another of the young women told us, "I was really lucky to have gotten her. I can really talk to her and she is a tremendous help if you have a problem in any way. It's like having an older friend."

"It seems like it was all meant to happen. She (the volunteer) has opened my eyes to a lot of different things," confided the probationer.

Another of the girls commented, "It's not like being on probation. It's just like having a good friend who is always willing to help when you need her."

The small success stories are many. A girl off of welfare and on a job, another starting a child care service in her home, someone returning to school, receiving psychiatric help, a new job, a new neighborhood to live in, others learning to budget their money, and even some who are volunteering their time for community service.

But it is not all sugar and spice and success.

One volunteer frankly admitted, "I have a girl who is not receptive at all. She is using me to keep her out of jail. But I'm not giving up. I'll get through to her."

"I have one who still won't talk to me," added another of the volunteers. "So what I've done is go back to school. I am auditing a course in techniques of counseling and I'm picking up a lot of knowledge that may help me reach this girl."

"It is very satisfying when one of your girls calls with good news," admits Mrs. McMurdie. "But if you want eternal gratitude from somebody . . . this isn't the thing for you," she adds.

"Our primary purpose is to try and see that they don't get into trouble again. Sometimes they just need that extra little push or help. And you know, it is a contagious thing. When the girls see that their volunteers want them to succeed, they try harder."

"You know you're not going to change her life. You just hope to introduce some different values into it," she continues.

Mrs. McMurdie doesn't kid herself that success is an overnight accomplishment. "We may never see the results," she admits. "But in 10 years we might realize the benefits."

PROPOSED NEW CODE ON ESPIONAGE

Mr. GRAVEL. Mr. President, on May 23 Mr. William G. Florence, who for 43 years served in military and civilian capacities for our Government in the area of security policy, testified before the Subcommittee on Criminal Laws and Procedures on the proposed new Federal Criminal Code regarding espionage. Mr. Florence, in his very excellent prepared statement for the committee, points out the dangers to the constitutional rights of free speech and a free press embodied in the new draft espionage law, which would make the communication of certain information a crime even if there were no intent to injure the United States.

I ask unanimous consent that Mr. Florence's statement and the sections on espionage from the final report of the National Commission on Reform of Federal Criminal Laws be printed in the RECORD. I urge Senators to give careful attention to his comments.

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

STATEMENT OF WILLIAM G. FLORENCE, SECURITY CONSULTANT ON THE PROPOSED NEW FEDERAL CRIMINAL OFFENSES BEFORE THE SUBCOMMITTEE ON CRIMINAL LAWS AND PROCEDURES U.S. SENATE COMMITTEE ON THE JUDICIARY, MAY 23, 1972

Mr. Chairman, I consider it a privilege to respond to the invitation of this committee to testify regarding the sections of the proposed new Federal Criminal Code involving espionage and related offenses. The offenses I am commenting on are covered by sections 1112 through 1116 of the Code as proposed January 7, 1971 in the Final Report of the National Commission on Reform of Federal Criminal Laws.

The proposed five new sections would replace and expand the following provisions of existing law:

(1) 18 U.S.C. 793 (a)–(g): Obtaining, Copying, Receiving, Communicating, or Losing Information Relating to the National Defense.

(2) 18 U.S.C. 794 (a)–(c): Gathering or Delivering Information Relating to the National Defense to Foreign Governments or to the Enemy.

(3) 18 U.S.C. 798 (a)–(c): Disclosure of Communications Information Designated by a United States Government Agency for Limited Dissemination.

(4) 50 U.S.C. 783 (b)–(d): Disclosure by Public Servants to Foreign Governments or Communist Organizations of Information Designated as Affecting the Security of the United States, and Obtaining or Receiving Such Information by Foreign Representatives and Members of Communist Organizations.

(5) 42 U.S.C. 2274–2277: Atomic Energy Restricted Data.

I am testifying as a private citizen, concerned about the damage to our national defense that *possibly* could result from acts of espionage. But I am *far more* concerned about the damage to our country that is now being done by those who unnecessarily restrict freedom of speech and freedom of the press in the name of national defense or security, and will keep on doing so unless they are stopped.

From April 1928 through May 1971 I performed military and civilian service with the Federal Government. The last 26 years of my service involved responsibility for developing and implementing policy in the Department of Defense for classifying and safeguarding information relating to the national defense. Since June 1971, I have served as Security Consultant to Government contractors and others interested in matters involving consideration of defense interests.

On June 24, 1971 and again on May 3, 1972 I testified before the Foreign Operations and Government Information Subcommittee of the House Committee on Government Operations. My purpose was to tell the nation of (1) the intolerable abuses of the Executive branch administrative security classification system, and (2) the gross misrepresentation of the system as having the force and effect of the espionage statutes. Also, I suggested enactment of specific legislation to provide properly and Constitutionally for the Executive branch to designate information as requiring protection to preclude damage to the national defense.

Before commenting on the proposed Code, discussion of current law would be appropriate.

The outstanding characteristic of existing espionage law is that it provides adequately for punishing acts involving injury or intent to injure the nation *without abridging the freedom of speech or of the press.* Congress has refused to curtail the rights of the people for the convenience of Executive branch secrecy.

Existing law is predicated on the inherent responsibility of national defense agencies to protect their plans and operations themselves, if protection *can* be accorded and is really essential. The civilian population has no responsibility under law to protect information as such for the military forces. The crime that is chargeable to ordinary citizens is not the disclosure or misuse of national defense information *itself.* The crime is *intent to injure the nation.*

Through the years, the Executive branch has attempted to make it a crime for an individual simply to discuss openly any information classified by a person in that

branch with a Confidential rating or higher. The fact that over 99½% of the documents with classification markings contained information in the public domain or did not warrant protection for other reasons made no difference.

Having failed to get Congress to enact a national secrecy law, the Executive branch long ago adopted procedures designed to convince people that *with regard to information bearing a security classification marking*, the espionage law has the same application as would an official secrets law. For example, Executive Order 10501 requires the marking of classified documents with the following notice, regardless of how nonsensical they might be: "This material contains information affecting the national defense of the United States within the meaning of the espionage laws, Title 18, U.S.C. Secs. 793 and 794, the transmission or revelation of which in any manner to an unauthorized person is prohibited by law." (*Note:* There is no such prohibition in any law.)

[EDITORIAL COMMENT: Pursuant to Executive Order 11652, which replaces 10501 June 1, 1972, the National Security Council directed May 17, 1972 that classified information furnished to Congressmen and other persons outside the Executive branch be marked as follows: "NATIONAL SECURITY INFORMATION—Unauthorized Disclosure Subject to Criminal Prosecution." The directive clearly strives to kill freedom of speech and the press.]

The attitudes of literally millions of people everywhere have been influenced toward the sanctity of the Executive branch classification markings of Confidential, Secret and Top Secret. People have been so thoroughly misled by this colossal classification hoax that they believe any violation of a classification marking should lead to a jail sentence. They have also been conditioned to accept the false philosophy that there is security in Executive branch secrecy.

The report of the Senate's closed sessions of May 2 and 4, 1972, as printed in the Congressional Record for May 5, 1972, states the facts better than I could describe them myself. The Senate could not decide whether publication of national policy matters about the Vietnam war, contained in the old Secret-marked National Security Study Memorandum No. 1, would be a violation of law.

Mr. Chairman, at this point it would be most appropriate to examine the proposed Code.

My analysis of the five new espionage sections show that they reflect the false values of Executive branch security philosophy which has prevailed in this country for years. Of course, the authors expressed respect for the First Amendment in their comments. However, in the draft law they incorporated fatal doses of poison for individual freedom by including some of the repressive measures sought in the past by the Executive branch.

The proposed new sections are so tainted with faulty concepts that I urge rejection of all of them. My reasons for rejection include the following:

(1) Substitution of "national security" and "national security information" for "national defense" and "information relating to the national defense" would broaden the reach of the law to the point of unacceptable conflict with the First Amendment. It is only in consideration of the *active defense* of this nation against hostile attack that any restriction on freedom of speech could possibly be justified. Furthermore, we must continue to concentrate on sanctions against treacherous acts that would affect the active defense of this nation. Our effort should not be dissipated in harassing citizens over multitudinous matters relating to passive security.

(2) The proposal to establish a definition for "national security information" and make it the basis of prosecution is a fatal defect. It has been proved impossible to devise a definition to show whether an act of disclosure was evil. Congress demonstrated the greatest possible wisdom by declining to define "information relating to the national defense" as used in existing law. It was the purpose of Congress to penalize acts involving *intent to injure the nation*, regardless of the type of national defense information that might be involved. Absent that intent, disclosure of the information is not evil.

(3) The proposal to substitute *"prejudicial to the safety or interest of the United States"* in section 1112 for *"injury of the United States"* also would broaden the reach of the law beyond any reasonable relationship to the defense of the nation.

(4) In the proposed section 1113, the substitution of *"reckless disregard of potential injury to the national security of the United States"* for *"reason to believe could be used to the injury of the United States"* would also expand the reach of existing law beyond measurable limits. Use of the "potential injury" concept would establish broader restrictions than would apply if Congress should enact an official secrets law, such as has been proposed in the past.

(5) Continued use in section 114, 115 and 116 of the discredited administrative term "classified" as a criterion for prosecutive action.

Mr. Chairman, the interests of this nation, including defense interests, would be served effectively by keeping the existing espionage laws. Technical improvements, if any are necessary, could be made without changing the substance or application. Here are suggestions for some perfecting changes:

(1) In 18 U.S.C. 793 (d) and (e), insert "or material" after "which information" to preclude any erroneous interpretation that the "injury" criterion would not apply if the information was communicated in a document or other material as opposed to oral, aural or visual means.

(2) In 18 U.S.C. 798 (a) and (b), delete the word "classified." That word adds nothing to the definition of "information" as meaning that which is "specifically designated by a United States Government agency for limited or restricted dissemination or use." However, use of the word in section 798 has led to serious confusion about the legal basis for the security classification system in Executive Order 10501. Executive branch spokesmen erroneously claim that the inclusion of "classified" in the law shows that Congress supports the President's classification system.

Also in subsection (b), substitute "defense" for "security." Congress should make clear the fact that concern for the active defense of the nation is the only basis for restrictive legislation.

(3) Repeal 50 U.S.C. 783 (b) and (c). Those sections, which apply only to public servants, have served the purpose for which they were enacted. They were part of an attempt to make it a crime for any person to disclose so-called classified information. The proposal was made as one of many measures taken against the serious threat of Communist Party activity shortly after World War II.

In the turmoil of the times, Congress was influenced to enact the two sections involving public servants and to adopt "classification" as representing a valid designation of important military information. In today's world, sections (b) and (c) constitute more of an entrapment for individuals than protection for our nation. The provisions of 18 U.S.C. 793, 794 and 798 are adequate as applied to public servants.

If retention of 50 U.S.C. 783 (b) and (c) is considered desirable, however, they should at least be limited, as follows:

(a) Substitute "defense" for "security" for previously stated reasons.

(b) Substitute "specifically designated" for "classified." This would end the current protection which the word "classified" gives to unjustifiable restrictions that are kept on information.

The word "classified" gives no real defense quality to an item of information. The act of classifying and declassifying is strictly a matter of the mind. Whatever can be classified in the Executive branch can be declassified just as quickly. For example, the nation recently saw the President on television reading a message he had received that day from the commander in Southeast Asia about the capability of South Vietnam to withstand the North Vietnam attack. Unquestionably, that message had a classification marking when it came to the President. But as soon as he decided to use it publicly, it became *unclassified*.

Mr. Chairman, I am grateful to have had the opportunity to submit comments and recommendations regarding a matter of such importance to the country as the espionage law. The law necessarily must reflect the need for a national defense capability unaffected by treacherous acts of spying or betrayal. But of even greater importance, the law must not limit our Constitutional right to free speech and a free press, or the national defense capability will have no purpose.

Thank you, Mr. Chairman.

QUESTIONS AND ANSWERS FOLLOWED FOR ABOUT 45 MINUTES, INCLUDING THE FOLLOWING

Mr. BLAKEY. If we don't need a classification system, it would be inappropriate for the Committee to attempt to enforce one through criminal provisions?

Mr. FLORENCE. Absolutely. I couldn't possibly be more specific in my representation that classification has no place in considering a criminal code for this country.

Senator HRUSKA. Is it your position that there is no need to engage in the type of classification that is found in Executive Order 10501?

Mr. FLORENCE. My representation was a distinction between the administrative usefulness of a classification system and the effort by Congress to distinguish between one person and another in a criminal sense.

Senator HART. I would agree with you on the point that the commander in Southeast Asia is not the one best equipped to decide whether the people of America shall have this or that information.

FINAL REPORT OF THE NATIONAL COMMISSION ON REFORM OF FEDERAL CRIMINAL LAWS

(Commission established by Public Law 89–801. Report submitted to President and Congress by Chairman Edmund G. Brown, 7 January 1971)

§ 1112. Espionage.

(1) Offense. A person is guilty of espionage if he:

(a) reveals national security information to a foreign power or agent thereof with intent that such information be used in a manner prejudicial to the safety or interest of the United States; or

(b) in time of war, elicits, collects or records, or publishes or otherwise communicates national security information with intent that it be communicated to the enemy.

(2) Grading. Espionage is a Class A felony if committed in time of war or if the information directly concerns military missiles, space vessels, satellites, nuclear weaponry, early warning systems or other means of defense or retaliation against catastrophic enemy attack, war plans, or any other major element of defense strategy, including security intelligence. Otherwise espionage is a Class B felony.

(3) Attempt and Conspiracy. Attempted espionage and conspiracy to commit espio-

nage are punishable equally with the completed offense. Without limiting the applicability of section 1001 (Criminal Attempt), any of the following acts is sufficient to constitute a substantial step under section 1001 toward commission of espionage under subsection (1)(a); obtaining, collecting, or eliciting national security information or entering a restricted area to obtain such information.

(4) Definitions. In this section:

(a) "national security information" means information regarding:

(i) the military capability of the United States or of a nation at war with a nation with which the United States is at war;

(ii) military or defense planning or operations of the United States;

(iii) military communications, research or development of the United States;

(iv) restricted data as defined in 42 U.S.C. § 2014 (relating to atomic energy);

(v) security intelligence of the United States, including information relating to intelligence operations, activities, plans, estimates, analyses, sources and methods:

(vi) "[classified] communications information" as defined in section 1114;

(vii) in time of war, any other information relating to national defense which *might be useful* to the enemy;

(b) "military" connotes land, sea or air military and both offensive and defensive measures;

(c) "foreign power" includes any foreign government, faction, party, or military force, or persons purporting to act as such, whether or not recognized by the United States, any international organization, and any armed insurrection within the United States.

(d) "agent" means representative, officer, agent or employee or, in case of a nation, a subject or citizen.

COMMENT

This formulation of espionage substantially carries forward existing espionage statutes, 18 U.S.C. §§ 793–798. The term "reveals" is used in subsection (1)(a), however, to deal with problems raised in connection with the transmittal of information in the public domain. It permits a court to distinguish between the assembly and analysis of such information so as to constitute a revelation, and the simple transmittal of, for example, a daily newspaper. The culpability requirement of subsection (1)(a) is taken from 18 U.S.C. § 798. The definition of national security information in subsection (4)(a) is suggested by judicial construction of existing law. Note the inclusion of restricted data under the Atomic Energy Act and of intelligence and communications matters, now covered by 42 U.S.C. § 2274 a nd 18 U.S.C. §§ 798 and 952.

Subsection (2) changes the grading scheme of existing law in a manner similar to the change with respect to sabotage. See comment to § 1105, *supra*.

Subsection (3) grades attempts at the same level as the completed offense, which will not always be the case under the general attempt provision, § 1001. By specifying conduct sufficient to constitute an attempt (provided culpability is also present), this subsection eliminates the need for separate statutes dealing with those matters. *Cf.* 18 U.S.C. § 793 (a) and (b).

See Working Papers, pp. 450–54.

§ 1113. Mishandling National Security Information.

A person is guilty of a Class C felony if, in reckless disregard of potential injury to the national security of the United States, he:

(a) knowingly reveals national security information to anyone not authorized to receive it;

(b) violates a known duty, to which he is subject as a public servant, as to custody, care or disposition of national security information or as to reporting an unlawful removal, delivery, loss, destruction, or compromise of the security of such information; or

(c) knowingly having possession of a document or thing containing national security information, fails to deliver it on demand to a public servant of the United States entitled to receive it.

"National security information" has the meaning prescribed in section 1112(4).

COMMENT

This section deals with reckless mishandling of national security information in substantially the same manner as does existing law, under 18 U.S.C. § 793(c) (d) and (e) and other Title 18 provisions addressed to communication with reason to believe the conduct may injure the United States. This section also covers provisions on restricted data under the Atomic Energy Act and provisions dealing with intelligence and communications matters. See 42 U.S.C. § 2274; 18 U.S.C. §§ 798, 952.

See Working Papers, pp. 454–56.

§ 1114. Misuse of Classified Communications Information.

(1) Offense. A person is guilty of a Class C felony if he knowingly:

(a) communicates classified communications information or otherwise makes it available to an unauthorized person;

(b) publishes classified communications information; or

(c) uses classified communications information in a manner prejudicial to the safety or interest of the United States.

(2) Attempt and Conspiracy. Attempt and conspiracy to violate this section are punishable equally with the completed offense.

(3) Definitions. In this section:

(a) "communications information" means information:

(i) regarding the nature, preparation or use of any code, cipher or cryptographic system of the United States or of a foreign power;

(ii) regarding the design, construction, use, maintenance or repair of any device, apparatus or appliance used or prepared or planned for use by the United States or a foreign power for cryptographic or intelligence surveillance purposes;

(iii) regarding the intelligence surveillance activities of the United States or a foreign power; or

(iv) obtained by the process of intelligence surveillance from the communications of a foreign power;

(b) communications information is "classified" if, at the time the conduct is engaged in, the communications information is, for reasons of national security, specifically designated by a United States government agency for limited or restricted dissemination or distribution;

(c) "code," "cipher" and "cryptographic system" include, in addition to their usual meanings, any method of secret writing and any mechanical or electrical device or method used for the purpose of disguising or concealing the contents, significance or means of communications;

(d) "intelligence surveillance" means all procedures and methods used in the interception of communications and the obtaining of information from such communications by other than the intended recipients;

(e) "unauthorized person" means a person who, or agency which, is not authorized to receive communications information by the President or by the head of a United States Government agency which is expressly designated by the President to engage in intelligence surevillance activities for the United States;

(f) "foreign power" has the meaning prescribed in section 1112(4).

(4) Congressional Use. This section shall not apply to the furnishing, upon lawful demand, of information to any regularly constituted committee of the Senate or House of Representatives of the United States or joint committee thereof. Inapplicability under this section is a defense.

COMMENT

This section substantially carries forward the provisions of 18 U.S.C. § 798. Subsection (1)(c), in present law, reads: ". . . in a manner prejudicial to the safety or interest of the United States or for the advantage of any foreign power to the injury of the United States." The latter phrase has been dropped as surplusage. The present law also contains the culpability requirement of "willfully," as well as "knowingly"; but that requirement, which would probably be "intentionally" under the Code formulations, has also been dropped. At the same time, however, the offense is graded somewhat lower than in present law (10 years), and the matters covered by this section are explicitly included in the definition of "national security information" in espionage (§ 1112), where intent to injure the United States is required and grading is at the Class A and B felony levels.

§ 1115. Communication of Classified Information by Public Servant.

(1) Offense. A public servant or former public servant is guilty of a Class C felony if he communicates classified information to an agent or representative of a foreign government or to an officer or member of an organization defined in 50 U.S.C. § 782(5) (communist organizations). "Classified information" means information the dissemination of which has been restricted by classification by the President or by the head of a United States government agency with the approval of the President as affecting the security of the United States.

(2) Defenses.

(a) It is a defense to a prosecution under this section that the public servant or former public servant was specifically authorized by the President or by the head of the United States government agency which he served to make the communication prohibited by this section.

(b) It is an affirmative defense to a prosecution under this section that the former public servant obtained the information in a manner unrelated to his having been a public servant or, if not so obtained, it was not classified while he was a public servant.

COMMENT

This section brings the provisions of 50 U.S.C. § 783(b) into Title 18, but extends the scope of the prohibitions to former public servants, subject to an appropriate affirmative defense. The section continues existing law in requiring proof only of intentional communication of classified information by a public servant to a foreign nation or the proscribed organization. No defense of faulty classification is provided. An alternative provision, prohibiting communication of classified information by anyone, together with a defense of inappropriate classification, has been considered. No need for a change from current policy to a broader prohibition, long rejected by the Congress, appears to have been established. See Working Papers, pp. 442, 450–53, 454–56, 457–61.

§ 1116. Prohibited Recipients Obtaining Information.

An agent or representative of a foreign government or an officer or member of an organization defined in 50 U.S.C. § 782(5) (communist organizations) is guilty of a Class C felony if he:

(a) knowingly obtains classified information, as defined in section 1115; or

(b) solicits another to commit a crime defined in sections 1112, 1113, 1114 or 1115.

COMMENT

This section is the counterpart of § 1115 for certain recipients of sensitive information and provides Class C felony treatment of such persons when they solicit violations of §§ 1112 to 1115. See Working Papers, pp. 442, 450–56, 457, 458–61.

COMMITTEE ON AGING CALLS FOR ACTION IN 1972

Mr. CHURCH. Mr. President, the Senate Special Committee on Aging has just issued its annual report entitled "Developments in Aging: 1971 and January-March 1972."

As the title indicates, the report covers more than the last calendar year. Publication date was delayed to permit discussion of important developments of 1972, including the President's message on aging of March 23. The report compares recommendations made at the White House Conference on Aging, actions taken by Congress, and the President's proposals.

Unfortunately, the comparison clearly shows that the Presidential message falls far short of conference recommendations and congressional initiatives. But the report also points the way to significant actions that can yet be taken while the momentum generated by the White House Conference is at a peak.

Another major theme of the report is that bipartisan congressional action has been responsible for many of the achievements in aging in 1971 and 1972. The distinguished ranking minority member of the committee, Senator FONG, has commented on this cooperative and effective teamwork; and I wholeheartedly agree with his views on the need for joint action whenever the need arises. It is, therefore, all the more important that the executive branch acts within the near future to present an action program far more definitive and challenging than it has yet offered. The White House Conference—and the fine leadership demonstrated by its Chairman, Dr. Arthur Flemming—deserve such a response from the administration.

Mr. President, my preface to the committee report gives my own personal view of the situation and makes an appeal for actions worthy of the White House Conference and the 20 million Americans now of age 65 or older.

I ask unanimous consent that the preface to the report be printed in the RECORD.

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

PREFACE

"Momentum" was the magic word before and during the White House Conference on Aging, now five months behind us.

Delegates were assured that their voices would be heard, and that their recommendations would be heeded.

The dynamics of a White House Conference—and the prospect of a Presidential campaign year—were said to guarantee action on immediate and long-range needs of Older Americans.

At last, "Towards a National Policy on Aging" would become a pattern of action rather than a slogan for talk at a Conference.

There *has* been momentum since the Conference.

But it has been expressed almost entirely through Congressional initiatives.

Administration action has usually been reaction to such initiatives, sometimes grudging.

Or—its spokesmen have come to Capitol Hill to speak against reforms such as realistic Social Security increases and a genuinely effective Federal agency on aging.

Long-awaited, the President's Message[1] on Aging of March 23 proved little more than a summation of the Executive Branch bent for "game plansmanship," long on promises and dismally deficient in substance.

It is not enough to offer proposals without commitment.

It is not enough to seek to pre-empt an issue by weaving it into a "grand design" that somehow is never implemented.

To say that the President's Message was a disappointment is an understatement.

To say that there is still time for policy reversals, however, is to express more than forlorn hope.

After all, the President must realize that his so-called comprehensive strategy is pathetically unresponsive to the strong and clear recommendations of the White House Conference.

The President must perceive that hopes for bipartisan action on aging will deteriorate rapidly if the Administration plays a crafty tactical game instead of fashioning a credible action program.

And the President should realize that many participants in the Conference—including the Conference Chairman, Dr. Arthur Flemming—regarded the Conference as a prelude to triumph over the problems that now blight the lives of many millions of Americans in or near retirement. That hope of triumph should not be transformed into despair or resentment.

For these reasons, I believe the President will, as he hinted in his message, make other statements on aging within the next few months. I think that he should, in particular, pay attention to these issues:

Income.—Administration policy now calls only for a 5 percent increase in Social Security benefits, despite powerful congressional sentiment for an increase of 20 percent and other significant reforms. The President's Message makes the point that since 1969, Social Security cash benefits have been increased twice—by 15 percent in January 1970 and by 10 percent a year later—boosting Social Security payments by $10 billion. But the Message fails to mention that the Administration resisted these increases and even threatened a veto on one.

Dismal enough as the Administration's record on Social Security is, it can further be harmed by the cynical view that the Administration must hold down its "bid" on benefit levels until it determines what position Congress is taking. This position, expressed by a high-ranking member of the Executive Branch at a recent hearing[2] says in unmistakable terms that there is no Administration policy on retirement income; the goal is to get by with as little increase as possible. The Administration seems willing to settle for the 5 percent and the automatic cost-of-living adjustment mechanism. Many in Congress want "inflation-proof" benefits, too; but we want the escalator to rise from a more nearly adequate base.

A successor to AoA.—June 30 is only two months away, and it is on that date that present authority for the Older Americans Act will expire. Under that Act, an Administration on Aging has worked for almost six years to become the Federal "focal point" on aging. But in the view of almost everyone who has studied its record—including a Presidential Task Force reporting in 1970—the AoA has failed to live up to its Congressional mandate in large part because of HEW downgrading.

Several Congressional bills would make significant changes designed to upgrade AoA and to elevate the Federal effort called for in the Older Americans Act. One bill would remove AoA from its present position within the Social and Rehabilitation Service and place it under the direction of a new Assistant Secretary on Aging within the Department of Health, Education and Welfare.[3] The Administration, however, opposes establishment of an Assistant Secretaryship and other important provisions of the legislation. It would keep AoA right where it is now, under the thumb of SRS administrators whose prime commitment is to welfare services.

This position is maintained by the Executive Branch despite the increase in AoA funding levels to $100 million voted by the Congress in direct response to the White House Conference. The Congress has also passed a nutrition bill for the elderly—and it was adopted after nearly two years of Administration opposition—calling for $100 million the first year and $150 million the next year.

Now that the Congress has acted, the Administration says it is ready to build the nutrition program into the "new" AoA as a major component in its service delivery system.

We in Congress have heard for a long time about Administration plans to develop a "comprehensive service network," but that network is always described in the future tense.

We are now told that the nutrition program will help us to that goal. So will the new, higher funding levels for AoA.

But can we really have confidence in an agency which appears still to have stepchild status and a murky mission despite the many uses to which the Administration wishes to put its new funding?

Medicare and health costs.—As of July 1, Medicare enrollees will pay $5.80 a month for the physician's service (Part B) offered under that program. The President's Message urges that this premium be eliminated, and it would be difficult to disagree with this goal. It has, after all, been recommended by the Senate Committee on Aging, by advisory councils to the Social Security Administration, and by many individual legislators. But there is a hidden danger in the President's proposal: to pay for the loss of premium income, he may reduce benefits or draw from the Social Security trust fund rather than from general tax revenues. This could require an increase in the payroll tax or depletion of the trust fund. If the premium suspension is to yield real gains, it should not cause the loss of other Medicare or Social Security benefits.

When all is said and done, Medicare pays for only 42 percent of all health costs of the

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[1] Full text of the President's Message appears on pp. 283–308. Earlier addresses by Democratic and Republican Senators on *The State of the Aging* appear on pp. 317–388.

[2] In response to a question by Senator Thomas Eagleton regarding the inadequacy of the Administration's "income strategy" for the elderly, Secretary of Health, Education, and Welfare, Elliott Richardson responded:

"It is obvious further, I think, that a Republican President could expect in many situations like this to be outbid no matter what he might propose, and, of course, this has happened again and again, and naturally we have to take that into account in the manner in which we deal with the evolving process between a given proposal originating on the congressional side and the eventual result of the legislative process." (Hearings before the Subcommittee on Aging of the Senate Labor and Public Welfare Committee; "The Older Americans Act"; March 23, 1972; hearings are not yet in print.)

[3] S. 3181, introduced by Senator Church, also calls for an Office on Aging in the Executive Office of the President. Additional details on that bill and on H.R. 12017, introduced by Representative John Brademas and others, appear on pp. 101–102.

elderly. One of the startling points made by this committee report is that older Americans are paying in 1972 almost as much in out-of-pocket medical expenses as they were before Medicare became law in 1965. They are paying more than twice as much in out-of-pocket payments than persons under age 65.[4]

In the face of such facts, the President offers very little, taking away with one hand what he proffers with the other.

Pension reform.—Apparently the Administration is unaware that a Senate Subcommittee study has made a powerful case for major reforms in our private pension system.[5] Congressional interest in this area is now at a high level. The President's Message, however, calls for little more than a watered-down vesting scheme and a program to make it more convenient for high-income individuals to put aside savings for their own retirement income, by means of "tax breaks" as incentives. Here again, the President seems to be waiting to see what Congress will do.

Nursing home care.—The President's 8-point program for upgrading of long-term care in the United States has been described in early reports by this Committee as little more than a "policing" and "inspection" package. A comprehensive program for elevating standards and care has been developed by Senator Frank Moss of Utah, Chairman of the Subcommittee on Long-Term Care for this Committee. Not only has the Administration failed to make a positive response to the Moss legislation; it has failed even to live up to regulations authorized by laws passed in 1969. In the meantime, nursing home costs continue to rise; patients and their families live with the fear or reality of victimization; and reputable institutions suffer from guilt by association.

Minorities.—Only the barest mention is made in the President's Message of those older Americans who suffer the multiple jeopardy which occurs when one is old, a member of a minority group, and—as is the case for nearly 50 percent of elders in such groups—living in poverty. And yet, the White House Conference had special sessions for Aging and Aged Blacks, the Asian-American Elderly, the Elderly Indian, and the Spanish-speaking Elderly. If the Administration had paid any attention at all to the statements and recommendations made by participants at these sessions, the President's Message would have had far more to say in this area. There is no Administration plan to raise *all* older Americans out of poverty. There is no statement by the Administration that it will take steps to make programs more responsive to elderly members of minority groups. There is no reply to criticisms that the Executive Branch tolerates an appalling dearth of research data about older members of minority groups. Of all the examples of unconcern provided in the President's Message, his indifferent attitude toward minorities is perhaps the most disturbing.

Service opportunities.—Speaking in December at the White House Conference on Aging, the President had kind words to say about programs which give older Americans an opportunity to serve others. He said that Federal programs to provide such opportunities have proven "remarkably successful at the demonstration level," and that they should now be established "on a broader, national basis."

Did this mean that the Administration would withdraw its opposition to Congressional proposals to establish a national senior service program? Did this mean that the President would, in his Message on Aging, provide details on a plan for a "broader, national basis?"

Not at all. The Message called simply for more of the same: demonstration at pitifully low levels of funding.

Property tax.—Here again, what was said in December did not produce much by March At the White House Conference, the President promised a study and relief. In his Message, he still promised study and was not clear at all about what form the relief could take.

Housing.—White House conferees emphatically supported Federal action to increase the production of units for the elderly to a minimum of 120,000 a year, to establish the position of Assistant Secretary on Housing for the Elderly in the Department of Housing and Urban Development, and to improve the availability and quality of services for tenants in publicly supported housing of many kinds. The President's Message makes much of the fact that guidelines on subsidized rental housing for the elderly have recently been published, even though these guidelines were at least a year overdue. He offers no overall goals; he does not withdraw Administration opposition to an Assistant Secretaryship and he proposes only more research to investigate one of the most immediate of problems: the effects of crime and street violence on elderly residents in housing projects.

Additional examples of unresponsiveness—as well as examination of those few substantial proposals made in the Message—are provided on the pages of the following report, but one other point should be made in this personal commentary.

Many of the Congressional accomplishments mentioned in this preface resulted from bipartisan action—action taken at times over the intense opposition of the Administration.

This spirit of legislative concern—or call it momentum if you will—is now the leading force for action to implement recommendations made at the White House Conference on Aging.

We will continue our efforts, but we think that the Administration should do its share, as well. Innovative ideas should be tested against each other; dialogue should be frequent and it should be candid.

Until it offers a more persuasive and vigorous effort, the Executive Branch will continue to give the distinct impression that—when White House recommendations were made—it was not listening.

FRANK CHURCH,
Chairman, Special Committee on Aging.

[4] For details on the finding and other issues related to health care, see pp. 23–30.

[5] A report, "Interim Report of Activities of the Private Welfare and Pension Plan Study, 1971," was issued by the Subcommittee on Labor, Senate Committee on Labor and Public Welfare on Feb. 22, 1972.

ANNOUNCEMENT OF POSITION ON VOTE

Mr. BOGGS. Mr. President, yesterday, I was necessarily absent during legislative vote No. 189, the vote on Senator BAKER's amendment to S. 1478.

Had I been on the Senate floor at that time, I would have voted for the amendment.

While I strongly support the intent of the Toxic Substances Control Act of 1972, I believe the amendment of the distinguished Senator from Tennessee (Mr. BAKER) would have provided a more reasonable basis for premarket testing, without undermining the intent of the bill.

THE GENOCIDE CONVENTION: STAND UP AND BE COUNTED

Mr. PROXMIRE. Mr. President, since the Treaty for the Prevention and Punishment of Genocide was written in 1948 most of the nations of the world have endorsed its humanitarian principles. This declaration, composed under the aegis of the United Nations, bears the signature of more than 75 nations representing almost all of the civilized people of the world. Among these 75 are our allies in Europe and our partners in the United Nations.

Still the United States refuses to endorse the treaty. We claim to be the leader of the free world and to embody the very essence of freedom and democracy, and yet we abstain from denouncing the most heinous crime against humanity imaginable. There is not one substantial reason for this shameful neglect. Critics have raised some minor technicalities but all have long since been cleared away.

If we are to retain our position of influence and moral leadership throughout the world we must participate in the affairs of the world. We cannot withdraw into our island continent. We must stand up and be counted as one of those unalterably opposed to violence and mass killing. Therefore, I urge the Senate to take up the treaty on genocide and move for swift ratification.

STATE AND LOCAL FISCAL ASSISTANCE ACT OF 1972

Mr. BROCK. Mr. President, on Tuesday, May 30, 1972, I joined my distinguished colleague from Tennessee (Mr. BAKER) and other Senators in cosponsoring the State and Local Fiscal Assistance Act of 1972, S. 3651. The bill, whose House equivalent was reported on April 26, 1972, by the Ways and Means Committee, seeks to provide for Federal revenue sharing with the States and local communities. I commend my able colleague, Senator BAKER, for his action in placing the bill before the Senate in order that we can demonstrate our desire for speedy action to relive the fiscal plight of States and local government.

This proposed legislation has 44 cosponsors and should prove an excellent vehicle to show widespread bipartisan support for the revenue-sharing concept. However, as Senator BAKER pointed out in his remarks introducing the bill, cosponsorship of the measure does not necessarily mean that any given Senator supports every part and provision of the bill as at present written. I myself plan to seek certain modifications of the present proposal and stand as a cosponsor in recognition of the imperative need for new mechanisms to aid our State and local governments in meeting their fiscal demands.

During the past quarter century, State and local expenses have increased twelvefold. In that same period, our gross national product, our personal spending, and even Federal spending have climbed at less than one-third of that rate.

On a per capita basis, State and local expenses have climbed almost 50 percent in the past 14 years alone. Property tax receipts are six times as great as they were 25 years ago. In addition, the sales tax and the property tax are both regressive, both tax the low-income family harder than those who are wealthy. These approaches are self-

defeating in that if raised to levels sufficient to support the needs of the community, they create an unbearable burden on the taxpayer and diminish the opportunity to bring in new business to enlarge the tax base. As an alternative, revenue sharing utilizes the Federal income tax as the communities' resource base.

Most important, revenue sharing will reverse the flow of money to Washington and return power to the American people. The local and State officials elected by the people know far better than the bureaucrats in Washington the areas of greatest need. The local elected officials are responsible to the people. I feel that it is essential that Congress pass at the earliest opportunity a revenue-sharing measure which will return to the people greater control over the manner in which their tax money is spent.

Although I support the overall objective of the State and Local Fiscal Assistance Act of 1972, I do have reservations concerning some of its provisions.

Specifically, I am opposed to the provision in the bill that contains a factor in the formula for distribution of funds to State governments which is based on State and individual income tax collections. This provision has as its purpose the forcing of States to adopt individual income taxes or in cases of small existing income taxes, to greatly increase such taxes. This is a most unfair provision. Nor do I feel it either wise or proper for the Federal Government to dictate to the States the manner in which they should levy taxes. This is a usurpation of the right of the citizens of each State to determine for themselves the manner in which they are to be taxed.

I plan to work with Senator BAKER and other Senators of like mind for a substitute formula that would be fair and would respect the rights of the citizens of each State to select the manner in which they choose to be taxed.

RESEARCH AND TRAINING IN GERONTOLOGY

Mr. CHURCH. Mr. President, an article published recently in Geriatrics magazine points to the current lag in research and training in gerontology and the need for improvement. The article summarizes the situation in these words:

Striking deficiencies in research and training in gerontology must be corrected as an indispensable basis of any national program to improve the life of the elderly.

As the article indicates:

Research and training are often overlooked in the process of developing large-scale socioeconomic improvement programs.

In an effort to help correct this oversight, the Special Committee on Aging, of which I am chairman, asked the Gerontological Society to prepare a working paper on research and training. This document, published by the committee before the White House Conference on Aging, helped focus the attention of the delegates on these crucial concerns.

The conference delegates responded with forceful recommendations in the areas of research and training.

And the Committee on Aging's latest annual report makes recommendations in accord with those of the White House Conference.

Mr. President, interest in research and training in gerontology must not be allowed to fade in the aftermath of the White House Conference. And steps to further development and expansion in these areas should receive the support of Congress.

The article from the February 1972, issue of Geriatrics cites key points from the working paper on research and training in gerontology published by the Committee on Aging and, in general, helps to make the case for immediate and long-range improvements in these areas.

I believe the article deserves the attention of the Senate, so I ask unanimous consent that it be printed in the RECORD.

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

GOVERNMENT AND GERIATRICS: GERIATRIC TEACHING, RESEARCH LAGGING, SENATE UNIT SAYS

Striking deficiencies in research and training in gerontology must be corrected as an indispensable basis of any national program to improve the life of the elderly.

The statement seems almost elementary, but the Senate's Special Committee on Aging believes that research and training are often overlooked in the process of developing large-scale socioeconomic improvement programs.

A so-called "working paper" on the subject, including many recommendations for better and more adequately financed programs of research and training, was prepared for the committee and released at the recent White House Conference on Aging. But, perhaps like the subject itself, it received scant public attention.

The deficiencies, says the report, have resulted in two major consequences: [1] Public policy in aging is based upon inadequate information. [2] Where programs exist, they often are directed or staffed by persons with limited experience, or even sympathy, with gerontology.

The papers in the report, which were prepared by individual members of the Gerontological Society, recommend:

Establishment of a National Institute of Gerontology

Significant programs of research, training, and services in all appropriate federal agencies

Greater effort by medical schools in teaching and research in geriatrics, with more significant and equitable federal financing

Greater support for biomedical science to conduct basic research on the process of aging

Development of tested information and systems which will lead to sound social policy and social service practice and delivery.

Dr. F. Marott Sinex, chairman of the department of biochemistry at Boston University School of Medcine and past president of the Gerontological Society, noted in his contribution on biomedical research that the Gerontology Branch of the National Institute of Child Health and Human Development has only 120 employees, compared to an original projected staff of 272.

Dr. Manuel Rodstein, chief of medical services and director of cardiology at The Jewish Home and Hospital for Aged, New York City, makes the point that a number of major medical problems that affect the elderly are in urgent need of in-depth research. Examples:

After 30 years of investigation and hundreds of clinical reports, no definitive statements can yet be made as to the value of drugs which slow down the clotting of blood in coronary artery disease.

The need for better methods of early diagnosis is shown by the fact that the course of cancer in the aged is often of a slowly progressive nature.

The cause of heart failure, the terminal point of aging hearts, remains poorly understood.

Dr. Joseph Freeman, a Philadelphia internist and another past president of the Gerontological Society, criticized what he believed to be inadequate attention of medical schools to the problems of the aged.

Of more than 20,000 faculty members in the nation's medical schools, a study showed that only 15 had "primary titular identification" in the field of aging, according to Dr. Freeman, who commented:

"Indecisive attitudes toward geriatrics, the clinical side of aging, stand out in contrast to the increasing organization, financing, and clarity of gerontological thought displayed in the research aspects of senescence. The fault may rest in the failure of clinicians to identify geriatrics as a distinctive field in which the small fraction of irremediable senility receives a disproportionate share of discouraging emphasis.

"When as much as one-third of the potential life-span falls in the realm of geriatric medicine, there can be no excuse for the dominance of the nursing home theorem involving the less than 5% of a special population over 65 years of age which requires full custodial care."

The focal point for geriatric education must be the medical school, but education on aging must begin in high schools and be carried through such organizations as the federal health service programs directed to support significant amounts of training, Dr. Freeman said.

Dr. James E. Birren, director of the University of Southern California Gerontology Center, recommended establishment of at least one major interdisciplinary training and research center in each major region of the nation, with a goal of five or six by 1976 and nine or ten by 1982.

A National Advisory Council of Aging should be created, with its scope to include training goals and programs of all concerned agencies of government, urged Dr. Birren. His associate in the report was Miss Kathy Gribbin, a Ph.D. candidate at Dr. Birren's center.

RETIREMENT OF BILL BROWNRIGG

Mr. TOWER. Mr. President, I feel it is only fitting that we pause in our deliberations to express our gratitude to a man who has given 25 years of brilliant and dedicated service to the U.S. Senate. Bill Brownrigg, until his recent retirement, had served Senators on this side of the aisle with a degree of loyalty unsurpassed in this body. As assistant secretary to the minority, he has been extraordinarily helpful to me, not only in the early years when his knowledge and experience in the ways of the Senate were invaluable, but also in most recent years when my responsibilities have increased with seniority. Without men of Bill's caliber, we could never serve our constituencies as effectively as we would like. He will be sorely missed.

MOBILE HOME SAFETY

Mr. MOSS. Mr. President, on May 15, 1972, the Senator from Tennessee (Mr. BROCK) introduced S. 3604, a bill to establish national standards for the construction of mobile homes. This is a most commendable piece of legislation and I congratulate Senator BROCK for his efforts.

So far as safety standards for mobile homes are concerned, the Commerce Committee has proposed that mobile homes be considered "consumer products" in S. 3419 legislation which the committee reported on March 24, 1972. During our hearings on product safety legislation, we devoted a significant amount of time to the design problems and concurrent safety hazards of mobile homes. I quote a portion of the committee report which states:

Because many inquiries concerning mobile home safety have been directed to the Committee, it would seem appropriate to express the Committee's intent with respect to mobile home safety. It is the Committee's intent to include mobile homes under the definition of "consumer product."

Thus, I would urge Senators who are interested in the problem of mobile home safety to be aware that an important step in this direction will be taken with the passage of S. 3419, which has been reported to the Senate Committee on Commerce.

HOODWINKING CONGRESS: THE FOSTER REPORT ON THE F–14

Mr. PROXMIRE. Mr. President, the Pentagon is concealing from Congress a comprehensive status report on the Navy's F–14 jet fighter program prepared earlier this year by Dr. John S. Foster, Jr., the No. 3 man in the administration's defense team.

Pentagon insiders are telling one story to Congress and another story to Secretary of Defense Laird in an attempt to cover up an impending $1.25 billion cost increase on the F–14.

The Navy persists in telling Congress that it can hold Grumman Aerospace Corp. to its present contract and require development and production of 313 F–14's at a total cost of almost $5.3 billion, or $16.8 million per plane.

I have learned, however, that Pentagon Research Director Dr. John S. Foster, Jr., put the projected total costs for these 313 aircraft at over $6.5 billion, or $20.8 million each, in a status report on the F–14 submitted to Secretary of Defense Laird in February of this year.

I have written today to Secretary Laird demanding public release of the Foster report and an explanation as to why no reference has been made to the facts contained in it in Navy testimony to the Congress.

I have learned, too, that the Navy and Grumman are already engaged in preliminary negotiations for a restructured F–14 contract.

Unless Congress acts soon, American taxpayers will soon be saddled with a bill for the F–14 $1.25 billion higher than the bill the Navy is now presenting.

It is my understanding that the differences between the Navy and Foster projections are due to three differing assumptions regarding the 227 F–14's not yet ordered, but counted on by the Pentagon.

First, Dr. Foster recognizes that cost overruns at Grumman have reached the point where the company will have to be bailed out if F–14 production is to continue.

Second, he recognizes that budgetary constraints, together with test program difficulties encountered thus far, will require a stretch-out of F–14 production, voiding other contracts on the plane and raising costs still further.

Finally, he recognizes that most of these planes will be equipped with advanced technology "B" engines, development work on which has continued ever since the Navy's decision to drop the engine last year from its official program.

The Foster report thus makes mincemeat of the Navy's argument that we should continue with the F–14, because the balance of the funding has already been committed and because it would now be relatively inexpensive to do so.

The report indicates that we have $3.75 billion to go, not the $2.5 billion the Navy tells us, and that the remaining 227 planes would cost an average of $16.5 million each, not the $10.2 million the Navy claims. Why doesn't the Pentagon tell us the truth?

Preliminary negotiations for the new Navy-Grumman contract are already underway. The new contract, and others with it, would be put into effect early next year after this year's F–14 funds have been approved, although the full costs implicit in those contracts would probably still not be revealed.

I understand that Grumman, in its latest proposal to the Navy has dropped all demands for the $140 million profit on future F–14 production which it insisted on in recent testimony to the Senate. It has now offered to build those planes at cost.

Congress should not be fooled by any such sacrifice on Grumman's part. Even if the company is given a $200 million loss like Lockheed's on the C–5A, taxpayers will still be stuck with an F–14 acquisition cost more than $1 billion higher than the Navy now admits.

Unless Congress acts now, it will be too late to avert another C–5A scandal. Any F–14 funds approved this year must be made subject to an ironclad, antibailout directive.

Actually, it would be much wiser to simply end the F–14 program after the 86 aircraft already on order have been produced.

The F–14 program is an exercise in gold-plated unilateral disarmament. How can we possibly hope to match the Soviets in fighter strength if each of our fighters costs as much as a whole squadron of Mig-21's?

We could buy four improved F–4's or new lightweight fighters for each F–14 the Navy wants.

Mr. President, I ask unanimous consent to have printed in the RECORD my letter on the Foster report to Secretary of Defense Laird.

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

CONGRESS OF THE UNITED STATES,
Washington, D.C., May 30, 1972.

Hon. MELVIN LAIRD,
Secretary of Defense,
The Pentagon,
Washington, D.C.

DEAR MEL: In January of this year, Grumman Aerospace Corporation notified the Department of Defense that it was unwilling to continue production of the F–14 jet fighter beyond the 86 aircraft already on order unless changes were made in the terms of its present contract with the Navy. In February, Director of Defense Research and Engineering Dr. John S. Foster Jr. submitted to you a comprehensive status report on the F–14 program.

As you well know, Dr. Foster's report took issue with previous Navy cost projections for the F–14. The report estimated that it would cost $3.7 billion to complete the program, an increase of $1.25 billion over previous Navy estimates of $2.5 billion. The average cost of the 227 remaining planes, the report suggested, would be $16.5 million, not the $10.2 million the Navy claimed. This implied total costs for a 313 aircraft F–14 program of over $6.5 billion, or $20.8 million each, up from almost $5.3 billion, or $16.8 million per plane.

Dr. Foster's report reviewed the various causes of the projected increase—cost overruns at Grumman, the need for a stretched delivery schedule, and the Navy's eventual desire to put advanced technology "B" engines on the later planes. The report discussed the relative costs and merits of alternatives to the F–14 and concluded with a specific set of recommendations.

No reference has been made to Dr. Foster's report—or to the unpleasant facts contained in it—in subsequent Navy testimony to the Congress. The Navy has continued to claim that it can meet its previous cost and delivery schedule projections, despite clear evidence that this is a practical impossibility.

The present status of the F–14 program raises serious policy issues, issues with which the Congress as well as the Executive branch must grapple.

If it is to deal responsibly with those issues, the Congress must receive a far more candid report on the status of the F–14 program—and the Defense Department's plans for it—than the Department has provided up to now.

The cause of candor can best be served by public release of Dr. Foster's F–14 report. I therefore call upon you to review the report for security purposes and to submit to the Congress an unclassified version of it, together with any additional comments you might wish to make.

Sincerely,

WILLIAM PROXMIRE,
Chairman.

MEDICAL REPORT ON HYPERTENSION AS IT AFFECTS BLACK AMERICANS

Mr. THURMOND. Mr. President, a new awareness of the unique medical problems of black Americans is apparent in the attention now being given the blood disease, sickle cell anemia. But our black population, like other ethnic groups, have other endemic medical problems which are just as serious.

Dr. Howard W. Kenney, an eminently qualified black physician, has written an excellent medical paper on hypertension and its special significance to black Americans. Dr. Kenney presented this paper at "The National Conference on the Status of Health in the Black Community," held at Meharry Medical College, Nashville, Tenn., December 9–11, 1971.

Mr. President, as Director of the Veterans' Administration North Eastern Medical Region, Dr. Kenney is the highest ranking Negro physician in VA. His responsibilities include the supervision of 33 hospitals with a combined bed capacity of 28,000 in the most populous section of the United States. These hospitals annually care for more than 150,000 veterans of whom approximately 17 percent are black. Dr. Kenney held a research fellowship in cardiovascular diseases at

Howard University School of Medicine, and he is board certified in internal medicine and a fellow of the American College of Physicians. He earned his B.S. degree at Bates College in Lewiston, Maine, his M.D. at Meharry Medical College, and took his internship at Sydenham Hospital in New York.

Mr. President, 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:

HYPERTENSION: A DISEASE OF SPECIAL CONCERN TO BLACK AMERICANS*

INTRODUCTION

As a prime purpose of this Conference is the examination of health in the black community, and the pinpointing of the most critical problems and priorities so that Group Discussions can then lead to a plan of attack upon such identified problems—it is most appropriate that the Program Committee has selected the subject of hypertension. A very recent article in the New York Times, in which the reporter was quoting an interview with the Hypertensive Study Group, a national body of heart disease authorities, stated: "Hypertensive cardiovascular disease has been singled out as the major disease problem of blacks, accounting for more than half the seven-year difference in life expectancy between whites and blacks".[1] It is most appropriate also, that this disease be highlighted at this particular point in time, since clinical research has recently so effectively demonstrated that the morbidity and mortality of this insidious disease can be so greatly reduced by improved health care.[2 3 4] I must add, too, my thoughts about how appropriate also it is for the Veterans Administration to participate in this Conference, since one might say the VA, too, has a vested interest, since approximately 17% of its enormous patient load represents black veterans; and even more importantly, with respect to hypertension, it was the results of a VA multi-hospital cooperative study in anti-hypertensive therapy, completed in 1969, that conclusively established the effectiveness of drug treatment. Dr. Edward Freis, Senior Medical Investigator at the Washington, D.C. VA Hospital, recently was awarded the Laker Award for his leadership role in this cooperative study.

However, for some unknown reason, the results of this important contribution by Dr. Freis and his associates have received little public attention—and even worse, inadequate emphasis in the medical literature. In his acceptance speech, Dr. Freis stated, "There are literally millions of Americans who do not even know they have high blood pressure. There is, therefore, the need to develop adequate mass screening for the detection of hypertension as well as more effective programs in public education." He also called attention to recent surveys and articles which have shown that only 20% of the patients with persistent known hypertension in the United States are receiving effective treatment.

Such a survey article appeared in the November 15th issue of the Journal of the American Medical Association and an accompanying editorial was very candidly critical of the physicians involved, and described their attitudes toward hypertensive patients as "cavalier".[2 4] The editorial concluded with this statement: "Finding patients with hypertension is easily accomplished, but these persons also deserve careful study and individualized therapy."

Footnotes at end of article.

THE RACIAL PECULIARITIES OF HYPERTENSION

Beginning in 1932, literally hundreds of articles have appeared in the medical literature emphasizing that hypertension is a more frequent and a more serious disease in the black population. In 1959, Phillips and Burch made an extensive review of these articles.[5] Though they pointed out the deficiencies and differences in these studies, they re-emphasized the uniform conclusion reached by these studies—there was at least a 2 to 1 increase in high blood pressure in blacks. They concluded, too, that hypertension was the leading cause of heart disease in both races, but to a greater degree in blacks.

The most reliable large-scale study was that conducted by the U.S. Public Health Service in 1960–62, and called the Health Examination Survey for Hypertension and Hypertensive Heart Disease in Adults.[6] This study (the H.E.S. Survey) embraced a nationwide probability sample of 7,710 non-institutionalized persons aged 18–79 years of age.

The H.E.S survey revealed an estimated 17.0 million adults (15.39%) to have definite hypertension; and another 16.2 million to have borderline hypertension. Though relatively uncommon in the teens, 20's and early 30's, hypertension, in all sexes and both races, reached a 10.9% incidence in the 35–44 age bracket and then rose progressively with each older age grouping. Men were more likely to have high blood pressure until age 50, but at that point on, the relationship was reversed. With respect to race, the H.E.S. Study revealed that of every age group covered, the prevalence of definite hypertension was roughly twice as great in the black population.

The statistical picture for hypertensive heart disease, which was found to be the most common specific form of heart disease, showed essentially similar results. The main variation was the more rapid rise in incidence of definite hypertensive heart disease, with age. The racial indices indicated an even greater involvement of Negroes over whites; in every age group, and of either sex, the prevalence of hypertensive heart disease was distinctly greater. Generally the rate was about 3 times as great for Negro men and more than twice as great for Negro females.

The H.E.S. Study also revealed a number of interesting and potentially significant demographic variables—several of which certainly need further close scrutiny and study. For example, whereas the overall incidence of definite hypertension was highest in the Northeast section of the nation, for black males it was significantly lower than predicted. Equally as surprising was the much lower incidence among black males in the larger metropolitan areas as compared with a startlingly higher rate in the rural areas. When income, education and occupation were related to the incidence of definite hypertension, and definite hypertensive heart diseases, the same differential between whites and blacks held up, but equally as striking and impressive was the disproportionately higher incidence among the poor, the ill-educated, and those working in the lowest paid, more physically demanding and menial type of jobs—black or white.

It is not within the scope of this paper to dwell extensively upon the many theories that have been advanced to explain the striking and important racial differentials that have been presented.[7 8 9] Suffice it to say, all such theories are only speculative and there is a glaring need for a comprehensive long-term multi-disciplinary study.

THE CURRENT STATUS OF ANTIHYPERTENSIVE DRUG THERAPY

Beginning in the late 40's, and particularly through the 50's and into the early 60's, progressive and remarkable progress was made toward the development of drugs that would effectively contain, improve and reverse hypertension, and especially the severer types, including the heretofore deadly malignant or accelerated hypertension. The combined results of many clinicians slowly, but surely, revealed a lower morbidity and mortality with vigorous, sustained and effective drug treatment of such patients. However, there was, and there has continued to be up to the present time, much difference in opinion as to whether patients with only moderate or mild hypertension should be subjected to continuous therapy with the associated expense and disturbing side effects of today's potent drugs.

Fortunately, that dilemma can now be considered passé. In 1956 Dr. Edward Freis, who had spent practically his entire career trying to find more effective drugs for hypertension, organized a 17 hospital cooperative study within the Veterans Administration. This 5-year study, whose results were publicized last year, established two major points, i.e., (1) the death rate from moderate hypertension could be reduced by 50% and the major complications (heart failure, stroke, and kidney failure) reduced by 67% with effective drug therapy, (2) the degree of protection afforded the individual patient depends on the extent of damage already present at the time of initiating treatment, and upon the adequacy of blood pressure control. The Citation which Freis received read, in part, as follows: "Dr. Freis offers a momentous opportunity to clinical medicine. It is an exemplary demonstration of the potential of preventive medicine for saving and prolonging the lives of tens of thousands of Americans."[3]

The preceding statement clearly indicates the challenge to clinical medicine and the responsibilities imposed upon each and every physician who takes it upon himself to treat patients with blood pressure elevation. After carefully and accurately establishing the presence of hypertension, and dependent upon the individual case, carrying out adequate diagnostic maneuvers to rule in or out the presence of a surgically correctible type of hypertension, he then must possess a good enough understanding of the pharmacology of today's drugs to go through the trial and error process to find the proper drug, or combination of drugs, for each patient. Most important and essential is the time spent educating the patient and explaining the importance of long-term, faithful cooperation on his or her part with the physician's instructions and the great benefits that can thus be gained.

However, a number of recent articles strongly suggest that the medical profession as a whole may not be properly delivering adequate health care as regards patients with hypertension. The November 15, 1971, issue of the Journal of the American Medical Association, the same one carrying the Lasker Awards, and in which Freis presents a very lucid and concise article on the current principles and benefits of chemotherapy, carries a special communication titled, "Evaluation of the Initial Care of Hypertensive Patients."[2] The authors had analyzed the entire calibre of care—from initial examination following admission to the hospital, to discharge—in four different hospitals. One hospital was a University hospital, one was a large VA hospital closely affiliated for teaching purposes with the same University, one was a nonaffiliated VA hospital, and the fourth was a typical modern community hospital.

The results of this retrospective analysis revealed shortcomings in diagnosis and management of a startlingly deficient type. Though the University hospital was the least deficient, it, too, was far from satisfactory in these respects. The authors very properly pointed out the glaring need for constant

educational reinforcement in the practicing physician.

The associated importance of patient education, understanding and cooperation has already been mentioned and has long been recognized. Wilder made an extensive survey of a typical Georgia County with the assistance of the Georgia Department of Public Health and the Division of Community Health.[12] Only 18% of a large number of patients—of both races—had ever been told they had hypertension, and of that group only two-thirds were on therapy at the time of survey. Finances was given as the reason for discontinuance in 16%, 12% didn't know they were supposed to continue their medications, and 30% said they stopped since they felt better, and 16% stated they only took their medicines when they felt like they needed it.

CONCLUSIONS

I believe it is quite clear at this point that arterial hypertension remains a serious and important disorder in all Americans, but particularly so in black Americans. Why it is so disproportionately more devastating in blacks has not been clarified and intensive, comprehensive, multi-disciplinary studies in this connection are overdue. There is good reason to believe that a large number of patients, and especially the underprivileged, undereducated, and poor are either receiving no attention or management of a very ineffective type.

The state of the art today is such that it is reasonable to expect that today's extremely high morbidity and mortality rates due to hypertension and its end results can be drastically reduced by an equally as drastic change in the methods by which the medical profession is approaching the problem. Hypertension must be looked upon as a public health problem—one that needs a coordinated, concentrated attack by federal, state and local health agencies working in close conjunction with all providers of health. The education and re-educating of the entire health team must have high priority and the dissemination of information to the public is just as vital. Such a nationwide educational program ought to be closely followed by carefully devised screening and detection surveys. The Guidelines for the Detection and Management of Hypertensive Populations as recently formulated and published by the Hypertensive Study Group (Of the Inter-Society Commission for Heart Disease Resources) represent a logical focal point for the formulation of specific recommendations.[13]

Because of the nature of the problem and recognition that hypertension is the "big" medical problem in Black America it is most appropriate, if not mandatory, for the black physician, the National Medical Association (with the full support of its many constituent societies), the National Dental Association, the Black Caucus, and the predominantly black medical schools, with the assistance of many lay and voluntary organizations to take the lead and spearhead these efforts. The problem is too big for doctors alone and is a political and socio-economic issue!

ADDENDUM

Shortly after completion of this paper, the author attended a luncheon meeting of the Washington Heart Association at the invitation of its current President, Dr. John B. Johnson, Professor of Medicine and Director of the Cardiovascular Research Laboratory at Howard University Medical School. That program so well demonstrated what hopefully will be done across the nation that a few comments are in order. First of all, let me add that the Washington Heart Association is a voluntary health agency dedicated to professional and lay education in diseases of the heart and blood vessels. Dr. Johnson, as principal speaker for this meeting, made the following statement: "In that period of life most vital for the development of home and the family, hypertension along with its complications is a grim reaper for the black American. Look at these astonishing figures. Between the ages of 25 to 44 years, hypertension kills black males 15.5 times as frequently as for white males; for black females 17 times."

Dr. Johnson urged the Association and the invited community leaders to actively become involved and stated, "if the heart problem is to be brought under control, it will be because of the cooperative effort of community leaders, the health agencies, the medical professionals and government".

FOOTNOTES

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DISCRIMINATION AGAINST WOMEN IN LOAN AND CONSUMER CREDIT TRANSACTIONS

Mr. TUNNEY. Mr. President, last week the National Commission on Consumer Finance sponsored hearings on the important subject of discrimination against women in loan and consumer credit transactions.

The testimony revealed a shocking inequality of treatment of single, married, divorced, and widowed women as against men who attempted to obtain credit cards, charge accounts, mortgages, and other types of bank loans.

Three bills have been introduced in the House of Representatives to eliminate these forms of discrimination. I support this legislative effort.

I ask unanimous consent to have printed in the RECORD an excellent article on this subject that was published in the Los Angeles Times of May 26.

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

WOMEN CHARGE CREDIT BIAS AT HEARINGS

(By Marlene Cimons)

WASHINGTON.—When Jorie Lueloff Friedman, a Chicago newscaster, got married, she wrote to all the stores where she had charge accounts and asked for new credit cards with her new name and address on them. "That's all that had changed—my name and address," she said.

But Mrs. Friedman, who has supported herself for nine years and continued to work following her marriage, suddenly discovered that her credit rating—which had been good—had dissolved.

One store, she said, closed her account immediately. All of the others, she said, sent her new applications for brand new accounts. "These new forms asked for my husband's employer," she said. "There was no longer any interest in me, my job, my bank or my ability to pay my own bills. Marriage had made me a nonperson."

Mrs. Friedman's credit problems became further entangled when her bills from a leading credit card organization began being sent to her husband.

HUSBAND CHARGED

"For four months he paid his part of the bill and, with his check each month, he enclosed a note explaining that I, his wife, had paid $15 for the privilege of my own account and preferred to pay my own bills.

"We received no reply from the company," she said. "They persisted in charging my husband for my bills. The whole thing came to a head one night two months ago when my husband was here on business.

"He returned to his hotel to find he had been locked out of his room. The reason? The hotel had called the credit organization and had been informed that he had not paid his current bill and, therefore, was a bad credit risk."

A parade of witnesses told similar stories earlier this week at hearings sponsored by the National Commission on Consumer Finance, a group created by the Consumer Credit Protection Act of 1968 to study the consumer finance and credit industry and report to Congress and the President later this year.

The nine-member, bi-partisan panel sponsored the hearings dealing strictly with sex discrimination after letters of complaint began reaching its office.

"We got the idea right from the street," said Ira M. Millstein, chairman of the commission, who is an attorney with Weil, Gotshal & Manges in New York.

"Women kept writing in about these practices. They seemed to be going on for a very long time and women just accepted it. I think it's a question of awareness. The women's movement came along and women started becoming aware of these things and they became angry. I don't think business has been doing these things intentionally—I think it's just been in a rut for a long time."

DISCRIMINATION EXISTS

John P. Farry, president of the United States Savings and Loan League, a 4,800-member trade association, acknowledged during a second day of hearings that some discrimination probably exists within lending practices, but said he believes that the savings and loan business is now taking a more liberal view toward loans to women and working couples and that he has been encouraging this.

"There has been a substantial reshaping

of our thinking with respect to real estate credit involving women," he said.

Testimony concerned the various forms of discrimination experienced by single, married, divorced and widowed women as they attempted to obtain credit cards, charge accounts, mortgage loans and other types of bank loans.

"One woman in her 40s, the head of her family, desired to buy a home for herself and her children," said Illinois State Rep. Goudyloch Dyer. "She learned that in order to get a mortgage, her retired father, 70 years of age and living on a pension, would be required to sign for her."

Typical of other case histories described to the commission were:

—An unmarried widow with two daughters who was refused a rental contract for a certain apartment because she was a "woman alone," despite the fact that she had an adequate steady Social Security income and a veteran's pension from her husband, who had died while on active Marine Corps duty.

An employe of the State of Minnesota who was refused a finance company loan, as well as an account with a furniture company, despite bank accounts and good references, because her husband was a student and had no income.

A young working wife who found that a mortgage company refused to count her income when she and her husband applied for a loan because it was feared she might became pregnant and leave her job.

A widow, whose husband had been dead for six years, was unable to change her credit cards to her own name and now continues to use cards issued in his name because "it is obvious that a man who has been dead for six years has a higher credit standing than a woman widowed and working."

LOAN PROCESSING

Farry said that it was the position of the U.S. Savings and Loan League and the vast majority of savings and loan associations that loans should be made to any borrower, regardless of sex, who meets the qualifications.

"However, it is obvious that there are differences of opinion on these as well as other questions," he said. "No doubt there are some well-intentioned and sincere people in our business, as in other consumer finance businesses, who do not apply the same underwriting standards to women as they do to men. In these instances, unfortunately, it is not always as easy for a woman to get a mortgage as it is for a man."

Quinton Wells, director of the Office of Technical and Credit Standards, Housing Production and Mortgage Credit of the Department of Housing and Urban Development, said that Federal Housing Administration loan applications from single, divorced or widowed women are processed exactly the same as applications from single, divorced or widowed men.

However, he said, FHA does make a distinction between married applicants as opposed to individual men or women with no dependents. "A single man or woman has less motivation and need for the typical house than does the married couple with children," he said.

"The approval of a single man or woman will depend upon the applicant's age and type of property being purchased. A 21-year-old single man or woman without dependents likely would be rejected if the purchase involved a three-bedroom house but would likely be approved if the purchase involved a one-bedroom apartment in a condominium."

Why? "If the person is buying something they might be discontented with, or might want to dispose of, then there is a risk," he said.

Wells also said that the income of a working wife is now counted fully by the FHA. "The possibility of pregnancy is no longer a concern of FHA," he said.

IT'S POSSIBLE

Representatives from Sears, Roebuck & Co., one of the firms heatedly attacked in earlier testimony, said that although Sears preferred accounts in the husband's name, it was possible for a woman to hold one in her own name.

"If a wife indicates a preference for a separate account in her name 'Mrs. Mary Smith,' rather than 'Mrs. John Smith,' for example, and her circumstances qualify her as acceptable according to Sears' normal standards, the account should be established per her wishes," said Mildred Hagan, manager of the commercial accounts division of Sears' Boston credit central office.

BILLS INTRODUCED

While the hearings went on, Rep. Bella Abzug (D–N.Y.), who testified, denouncing the lack of legal consumer credit protections for women, introduced a series of bills designed to end sex discrimination in loan and consumer credit transactions. The first would cover all federally insured banks, savings and loan associations and credit unions and would prohibit them from discriminating against anyone because of their sex or marital status.

The second would provide the same coverage for federally related mortgage loans, while the third would amend the truth in lending act to cover sex discrimination in granting consumer credit.

"It is time that women exercise their right to take part in all aspects of American economic life," she said. "There is no rational reason to have any sort of obstacle to women who want to exercise their economic rights."

The commission, which, in addition to Millstein, consists of Douglas M. Head, former attorney general of Minnesota; Dr. Robert W. Johnson, professor of finance at Purdue University; Sens. John J. Sparkman (D–Ala.), William Proxmire (D–Wis.), and William E. Brock (R–Tenn.); and Reps. Leonor K. Sullivan (D–Mo.), Henry B. Gonzalez (D–Tex.), and Lawrence G. Williams (R–Pa.), does not intend to initiate legislation as a result of its hearings, but will file recommendations with its final report.

"I'm not sure at this point whether legislation is the answer," Millstein said. "But I do think these problems need exposure and I believe a lot of them are going to be cured."

THEY BURIED THE WRONG MAN

Mr. EAGLETON. Mr. President, Sam Smith, editor of the D.C. Gazette, has written a fascinating article entitled "They Buried the Wrong Man," about the Muskie campaign.

While I do not agree with some of the points made by Mr. Smith—I particularly disagree with his conclusion that Senator MUSKIE's candidacy is irrevocably dead—I do believe the author makes a powerful argument that Senator MUSKIE should be the Democratic presidential nominee.

I ask unanimous consent that the article, from the May issue of the D.C. Gazette, be printed in the RECORD.

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

MUSKIE: THEY BURIED THE WRONG MAN

(By Sam Smith)

Just after the Wisconsin primary, a fundraising dinner was held in Washington for Edmund Muskie. As the Senator's supporters gathered at their tables, the master of ceremonies announced, "Would everybody please be seated? The senator is about to be brought in." It wasn't a crowd used to spending money on behalf of incapacitated candidates, but the accidental use of verb brought a laugh anyway.

I was at the dinner because of some arm twisting by an old, close and otherwise considerate friend. I was feeling somewhat grumpy since I had determined not to get involved in the Democratic waterfight this year other than to support Shirley Chisholm, the favorite daughter of the state of alienation. But my friend had forced my hand and, yes, I certainly did want to see Nixon beaten and, yes, Muskie was the man who could do it most easily and, no, I certainly didn't want to see Humphrey nominated and, yes, Muskie could avoid a walkout by either wing of the party and, yes, I'll be there.

I ran into a few people I knew who were as surprised to find me there as I was. I told them I was a friend of the deceased and they went away quietly.

As it turned out, Muskie looked anything but dead. He gave a fine, and brief, speech on Vietnam, as eloquent as anything from McGovern and perhaps more impressive since it was harder to come by. As we have learned from Whittaker Chambers and Daniel Ellsberg, passion often accompanies conversion, and the verve with which Muskie has discovered Vietnam, Attica, William Loeb and George Wallace has provided this campaign with most of its few moments of non-plastic emotion.

It was difficult to believe that I was watching the unmaking of a president. In the days that followed, I began thinking more about Muskie and my interest grew inversely to the collapse of his campaign.

Part of this may be ascribed to political masochism on my part, but it is more, I think, that I, like most people, had taken Muskie very much for granted. Since we were going to end up voting for him regardless, there was no need to waste effort on his behalf.

It wasn't until Muskie stopped being inevitable, that there was cause to value his presence. All of a sudden, the well went dry and for the first time I noticed the lack of water. There we were, left with a good man who couldn't win, a bad man who couldn't win and an excruciatingly inadequate man who probably would get the nomination and might even be elected—the Red Skelton of the Democratic Party, who, every time he did his schtick you wondered why you ever thought it funny. Suddenly it was 1968 all over again, with tears, but without the teargas.

There's a story they tell in Maine about a town in which everyone always voted Republican except for one Democrat. No one knew for sure who it was but they suspected Oliver Thompson. Then one year, a few days before the election, Oliver died. When the votes came in, the results were Republican 626, Democrat 1. The local paper headlined the story: "We buried the wrong man."

As the returns came in from Pennsylvania and Massachusetts, the headline subliminally printed itself across my television screen. The Democratic Party, engaging in its usual preconvention excesses of ideological promiscuity, fratricide and other varieties of myopic idiocy was well on its way to, at worst, reelecting Nixon; at best electing a president who would kill and jail less people but who, in other respects, would reaffirm the growing national style of democracy interruptus.

Having participated in the McCarthy binge of 1968, I can share the enthusiasm of the McGovern camp, but not so much so that I forget the ending of that story. I fail to see the radical rationale for a strategy that results in the nomination of Hubert Humphrey twice in a row, even less for a strategy

that may result in the election of Nixon twice.

We're told that McGovern is the most radical candidate with a chance to win the nomination. To the extent that he has the most radical constituency, this is true. But it is worth remembering that McGovern went out looking for the constituency long before it found him. Without funds, charisma or identity, McGovern recognized that in the peace, youth, left movement was a considerable source of footpower and organizing skill. As a strategy for his own advancement out of the Lazy Liberal Bar and Caucus into national politics, it can't be faulted

But McGovern a radical? As the New Republic said the other day: "How the idea gained currency that George McGovern is a radical or even an unconventional politician is a puzzle." Indeed it is. Both McGovern and Muskie have served in Congress for thirteen years. A check of their ADA voting scores over those years produces an average "liberal quotient" for radical McGovern of 86.69% and for centrist Muskie of 85.46%. Which goes to show you that the difference between a moderate and a radical within the Democratic Party is 1.23%. (Lest you think that ancient history has skewed the figures, the McGovern's L.Q. for the past three years has averaged at 91.33% while Muskie's has come out to a round 90%.)

On one issue, McGovern stands far above Muskie. The War. Granted. As late as last October Muskie voted against an amendment by Senator Mike Gravel to prohibit the bombing of Indochina. October 1971 is very late to still be holding to insisting on "not tying the President's hands" and Muskie should have known better. But the practical problem is that almost anyone else the convention might select, other than Teddy Kennedy, would be far behind George on the war.

On other matters, McGovern has come up with a respectable package of proposals that make him a very promising candidate. In fact, in promising he has a slight edge over Hubert Humphrey in everything but money. HHH, in his various campaign speeches, has tripled the national budget in increments, assuring his constituencies everything from free kosher lunches in public schools in Jewish neighborhoods to subsidized access to the Montgomery Ward catalog for anyone who earns less than he does.

The question with George is whether he'll love us quite so much in November as he does in May. He is moving right pretty fast, switching from left wing bloc captain to would-be serious contender. He's ambitious enough to make the switch. As one senatorial colleague said after McGovern entered the presidential race in 1968, "I've seen ambition dancing in other politicians' eyes, but, Jesus Christ, McGovern's eyes look like slot machines." The other day, speaking of his intention to woo party bosses to his side, McGovern said:

"Some of the more rigid purists in my camp don't even want me to talk to these people. But they're just going to have to take me on my own terms. They've got to understand that I am a politician, and if I'm going to be the leader of this country, I've got to have communications with all segments of the country. I think I can reassure them that this doesn't involve any betrayal of fundamental convictions on my part. No labor leader, no party leader is going to get me to change my position on the war, or on the need for tax reform or on the necessity for a major reallocation of resources from the military to civilian purposes to achieve full employment. Those are three things I would not compromise on."

That's not a lot of issues to be uncompromising about, especially since all of them will probably be major planks in the Democratic platform no matter who's nominated.

If McGovern starts forgetting where he came from, it won't be the first time a Democratic politician has done so. Hubert Humphrey, civil libertarian, turned law and order. Adlai Stevenson the rational turned international counsel for a nation engaged in a total irrational war. Jack Kennedy, man of peace, tried to invade Cuba. Lyndon Johnson delivered us from Barry Goldwater just in time to turn mad bomber. Bobby Kennedy prosecuted Ralph Ginsberg. And Eugene McCarthy, man of commitment, left his own crusade at a critical point to return to the monastery. The symbol of the liberal wing of the Democratic Party should be a cock just into his third crow.

Muskie, on the other hand, has made very few promises he can't keep. What you see is what you get. It may not be all that much, but at least nobody's being fooled. And Muskie would be the most human president since Harry Truman. That's no small virtue. We have suffered too long at the hands of presidents who thought they could impose their will on destiny. At this very moment we find ourselves in a revolting international escapade because of a president's delusion that, despite the fact that he's on his own five yard line with two minutes left, he still can win this one for the Gipper.

We tend to forget in these days of participatory monarchy that presidents used to be fairly ordinary fellows. It was less than twenty years ago that Truman could still go for walks along the streets of Washington without the danger of undue Karma transference. The concentration of national power in the White House, and in the person of the president, has had a debilitating effect on the residual democratic spirit of the country. We no longer seem content to elect a leading politician; we seek a benign Napoleon.

Muskie as president would be more of a moderator, letting America's political struggles be played out where they must be played and how they will be played, rather than regarding himself as a cosmic Vince Lombardi, whipping a nation of rookies on to victory. I, for one, am tired of great leaders and fear for the safety of my family and myself if we have any more.

As an added benefit, Muskie would be more likely to help the cause of radical change than another ersatz freak like McGovern or an inveterate busybody like Humphrey, either of whom could be counted upon to suppress radical dissent by use of the full arsenal of co-optation. You don't cause change by winning the White House; you cause it by turning things around in the small places of this country, thereby redefining what is possible for national politicians.

I suspect that Muskie would be more inclined to let the people work their will; McGovern and Humphrey would keep trying to work the people.

Finally, Muskie embodies the definition that has been given for courage: grace under fire. Sadly, it took the dismemberment of his campaign to illustrate this quality, but the manner in which he has faced his political problems speaks well of him and stands in sharp contrast with the incumbent president's approach to his, as he struggles paranoically through his seventh crisis.

So what went wrong? Muskie had at least four major opponents in this election: himself, his staff, the press and the primary process.

Muskie injured himself politically by being himself. This would not have been as likely to have happened in a general election campaign as in the less organized primaries since there are always enough people around a candidate in the big race to prevent the people from finding out what he is really like.

Early in the campaign Muskie expressed doubts about his qualifications for the post. "Maybe I'm not the best man to be president," he would say. Such an admission is inadmissable. Among other things, it set him apart from the unflagging self-confidence of a McGovern. Robert Anson offers this insight into McGovern in a recent issue of the New Democrat:

He seems, if anything, almost too sure of himself, like a man unencumbered by self-doubt. An interviewer found that out when he asked McGovern whether it didn't require some extraordinary sense of righteousness, almost a power neurosis, to seek the highest office in the land. McGovern didn't hesitate a moment. "I don't think it requires a power neurosis," he replied evenly. "As a matter of fact, I would say that anyone in a position to make a reasonable bid for the Presidency, who has some reasonable understanding of what needs to be done (and) who backs away from it . . . is neurotic." On another occasion, a particularly persistent reporter in Green Bay, Wisconsin, challenged McGovern: "Are you a doubter?" "Doubt?" McGovern replied, as if he were just being introduced to the concept for the first time. "Doubt about what?" "About anything," the reporter pressed. "Just about life." Said McGovern: "No."

Anyone who has seen McGovern field questions from an audience will know what the reporter was getting at. The answer comes back as soon as the question is finished. There is never a pause, never a hesitation, and only rarely any qualifications.

Muskie, like Eugene McCarthy, paid the political price of raising questions as well as answering them.

Then he cried in New Hampsire. That was a mistake the press tells us, although without explaining why its was all right for Richard Nixon to become emotional about Checkers after being caught with his hand in the Hughes till, but not for Muskie to get upset by attacks on his wife.

He failed to display the sort of competitiveness that Richard Nixon and Curt Gowdey have taught us to love. And he expressed uncertainty on issues, rather than following the example of Hubert Humphrey who took two precise—and contradictory—stands on Nixon's busing proposals within a short space of 24 hours. He was, in short, more self-revealing than we have come to expect, or like, in presidential candidates. He was like Santa Claus taking off his beard in front of the kids. And a nation that thinks its presidents come down the chimney doesn't go for that sort of thing.

Muskie's staff left plenty to be desired. It totally underestimated the challenge and treated Muskie like an incumbent running for reelection rather than what he was, a name in search of an identity. One of Muskie's biggest mistakes was lining up so many big-name endorsements. There was an excess of people around him who wanted more from him than he was able to expect out of them—the reverse of McGovern's situation. When the Muskie freight slowed down, these political boomers hopped off and grabbed the next one passing by.

But even more important was the media whipsaw in which Muskie found himself. One of the prime functions of the press is operating the national elevator. It determines who goes up and who comes down. When it spots a riser, whether it be Abbie Hoffman the revolutionary or Muskie the president, it hastens their ascent. But the moment a downtrend is perceived, it greases the slide and puts a pile of broken glass at the bottom so everyone can hear the howl. Muskie was treated to both rides.

Finally, the primary system itself hurt Muskie. For a sizable portion of the electorate Muskie was, and probably still is, its second choice. As voters emerged from the Pennsylvania precincts, for example, a poll was taken that showed that those who voted for Humphrey preferred Muskie over McGov-

ern as their second choice by a margin of two to one. Conversely, of all those who voted for McGovern, the second choice also went to Muskie by a four to three margin. Unfortunately, there was no place on the ballot for penultimate selections. This could be changed. A method of proportional voting in which the electorate could cast its votes in order of preference would minimize the present tendency of the primaries to narrow down to those who represent the most irreconcilable segments of the party.

As it is, it looks as if the forces of truth and justice have rallied around McGovern and will troop to Miami with a majority of righteousness and a minority of votes. And in the chaos, Hubert the Cat will spring to life again.

Even if it works out differently; even if, through some quirk and fancy political footwork, McGovern sneaks through as the nominee, the end result may be even worse. For after the convention it will be time for Phase II, when all the millions of people who don't vote in Democratic primaries (and how many McGovern supporters didn't vote in primaries where they had an opportunity?) including members of the second largest party in America, the independents, will have their chance. Does anyone really think there is a liberal silent majority out there, just drooling for a chance to elect McGovern president? If the price of virtue is another four years of Nixon, I'd just as soon sin a bit.

It's still not too late for Muskie. There is no reason to believe that the next few months will be as devoid of surprises as the past few months have been full of them. If America is willing to recycle Richard Nixon and Hubert Humphrey, why not Muskie? He's hardly been used.

There is no reason not to expect a crisis at the Democratic convention; the mind of man can't recall when there hasn't been one, except when the party has been in power. And if the party has to turn to someone to resolve that crisis, better that it turn to Muskie than to Teddy Kennedy. Admittedly Kennedy has only caused the death of one girl in the past few years compared with Nixon's tens of thousands of victims, but will the voters care? It'd be better not to have to find out.

A Muskie nomination would still be an exceedingly pragmatic and moderately pleasant expedient for the Democratic Party. Muskie as a national campaigner, as opposed to Muskie in the Democratic intramural scramble; Muskie vs. Nixon as opposed to Muskie vs. Humphrey has shown his strength. He is one of the few vice presidential candidates who has added lustre to a presidential campaign. And he could do even better on his own. If he gets the chance. . . .

DEVELOPMENT OF READING SKILLS

Mr. SCOTT. Mr. President, a recent poll conducted by the Louis Harris Agency indicates that 21 million Americans, a full 15 percent of the adult public 16 years of age and over, lack some or all of the basic functional reading skills necessary to deal successfully with even the simplest everyday experiences. Equally sobering are the estimates by educators that 30 to 50 percent of those entering junior colleges require remedial reading help. Under present circumstances, America's teachers and classrooms simply cannot cope with the huge demand for special reading instruction.

To meet this growing need, the Commonwealth of Pennsylvania has launched a new and significant citizen volunteer movement to help Pennsylvania's children develop competent reading skills. The Pennsylvania Department of Education and the National Reading Center, a national nonprofit corporation dealing with reading skills, have jointly organized a workshop to train a group of tutor-trainees and coordinators to aid teachers in teaching reading. One of the primary functions of these trainees will be to provide individual training to students who require a little extra help.

Pennsylvania is one of 20 States participating in this novel approach toward ending the growing illiteracy in our Nation. I think special thanks and recognition should go to the Pennsylvania Department of Education and the National Reading Center for recognizing this problem and dealing with it effectively. I ask Senators to join me in applauding this program, and I ask unanimous consent that a list of the Pennsylvania counties participating in this program be printed in the RECORD.

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

FORTY-THREE PENNSYLVANIA COUNTIES PARTICIPATING IN NATIOAL READING CENTER VOLUNTEER READING-TUTOR PROGRAM

Fayette, Greene, Washington, Allegheny, Butler, Lawrence, Mercer, Crawford, Erie, Warren, Bedford, Blair, Cambria, Somerset, Cameron, Elk, McKean, Potter, Adams, Franklin, York, Lancaster.

Lebanon, Berks, Cumberland, Dauphin, Perry, Columbia, Montour, Snyder, Northumberland, Union, Luzerne, Wyoming, Lackawanna, Susquehanna, Wayne, Carbon, Lehigh, Bucks, Chester, Delaware, Beaver.

MARYLAND OPTOMETRISTS PIONEER VISION CARE PROGRAM FOR THE ELDERLY

Mr. BEALL. Mr. President, as the ranking minority member of the Senate Labor and Public Welfare Subcommittee on Aging, I am aware of the many problems facing senior Americans.

I want to take this opportunity to call to the attention of my colleagues a new and important initiative in my State. I am referring to a project being conducted by the Optometric Center of Maryland employing mobile clinics to bring much-needed vision care to Maryland nursing home residents and other elderly citizens. The White House Conference on Aging reported that nearly all persons over 65 have vision problems. Yet less than 20 percent receive adequate care. Optometrists in Maryland are determined to improve delivery of vision care to senior Marylanders and I hope that their program will be duplicated in other States as well.

I ask unanimous consent that an article which appeared in the "Daily Record" on May 20, 1972, be inserted in the RECORD.

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

VISION CARE ON WHEELS PROPOSED

Mobile clinics may be the solution to delivering much-needed vision care services to Maryland nursing home residents, the Optometric Center of Maryland reported. The observance of National Nursing Home Week prompted the Center to make known pilot programs now being conducted by optometry to develop improved ways of bringing vision care services to the elderly.

"In working with elderly patients, we have found that requiring the patient to move from familiar surroundings for vision or other health care services often has a traumatic effect on his psychological security. He may become anxious and fearful about where he is and how he will get back to his home again," Dr. Sheldon Leibowitz, President of the Optometric Center of Maryland, said.

CRIPPLING HANDICAP

A mobile unit completely equipped and professionally staffed for providing thorough vision examinations, as well as needed optical aids, would be an asset in reaching these people. In testimony before the 1971 White House Conference on Aging, the American Optometric Association stated that nearly all persons over 65 have vision problems but less than 20 percent receive adequate care.

"As uncorrected vision problem can be a crippling handicap to the older person, but one that usually can be improved or overcome with professional vision care," Dr. Leibowitz said. "Uncorrected poor vision limits mobility, increases the risks of accidents, and restricts the enjoyment of hobbies and participation in community and civic activities by older Americans."

He added that regular vision examinations for the elderly are important in the detection of glaucoma, cataract and other eye conditions and diseases which should be treated in their early stages, when their progression most likely can be controlled.

At present, the Optometric Center of Maryland has an ongoing nursing home care program which requires the installation of specially designed portable examination equipment into each nursing home. Through this involvement efforts of optometrists in Maryland and throughout the nation are being directed toward improving methods of delivering needed vision care to all older Americans, whether they are confined to nursing homes, live in other institutions for senior citizens, or reside in private homes.

THE MOSCOW SUMMIT

Mr. TUNNEY. Mr. President, I wish to offer my support and congratulations to President Nixon on his historic visit to Moscow last week. He accomplished unprecedented results.

He brought home agreements in a wide variety of important areas. He demonstrated that America's national interests require international accommodation. He concluded agreements which prove that American interests need not be compromised in the course of obtaining agreement with the Soviet Union—that, regardless of ideological disputes and national competition, peace, and economic development is in the interests of both powers.

Regardless of the fanfare surrounding the accomplishments in Moscow, the substance of the agreements is impressive. The subjects of agreement are vital to the interests of both countries and the agreements should improve the prospects for peace.

The summit demonstrated clearly that the two sides have an easier time agreeing on bilateral matters than on international concerns which directly involve third parties. The joint communique on the Middle East and on Indochina left matters, at least on the surface, essentially unchanged.

But on bilateral matters, the achievements were proudly presented for the world to behold: First. A truly historic arms control agreement, whereby the two superpowers attempted to curb the arms race and to recognize that its continued escalation serve the interests of no one and jeopardizes the peace of all nations. Second. Both countries pledged to work toward establishing more favorable conditions for developing commercial and economic ties between the United States and the Soviet Union. Third. America and Russia agreed on measures which would prevent incidents at sea and in the air. Fourth. They agreed to cooperate in science and technology and to create a joint U.S.-Soviet Commission on scientific and technological cooperation. Fifth. They agreed to cooperate in space and designed a dramatic new mission for the joint U.S.-Soviet exploration of space in 1975. Sixth. Both sides agreed to collaborate and cooperate in the control of disease and the improvement of health; to initiate efforts in medical cooperation that hopefully will be broadened in the years to come. Seventh. They agreed to initiate a program of cooperation in the protection and enhancement of man's environment and to consult together in the near future on specific cooperative projects in this area. Eighth. And they agreed to continue and expand exchanges in the fields of science, technology, education, and culture.

Clearly, some of these agreements are more important than others. Clearly, some have more dramatic implications. The trade agreement is disappointing but, taken together, they mark an impressive and constructive development.

Taken together, they mark a clear departure from the rhetoric and conflict of the cold war. They signal an atmosphere of cooperation. They suggest the importance of preserving and protecting the peace.

It is unfortunate that international events cast a cloud over some of these developments. It is tragic that the war in Indochina continues and that the superpowers remain immersed in tensions elsewhere which could spark more tension and increase the risk and extent of conflict.

But in light of that risk and in the midst of those threats, the leaders of both countries are to be congratulated on their attempt to make the world a safer one and in their effort to improve relations between the United States and the Soviet Union.

THE MORATORIUM ON BUSING

Mr. PELL. Mr. President, S. 659, as passed by the Senate, contains a moratorium on busing. The Department of Justice on April 29 released a listing of school districts which could be affected by the moratorium. I ask unanimous consent that the statement and list from the Department of Justice be printed at this point in the RECORD.

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

STATEMENT FROM THE DEPARTMENT OF JUSTICE

The Department of Justice listed today 157 school districts in 25 states that could be affected by President Nixon's proposed legislation to place a moratorium on court-ordered busing and to establish uniform national standards for the desegregation of public schools.

According to records available to the Justice Department and the Department of Health, Education and Welfare, the two categories of school districts that could be affected are:

At least 45 districts to which the moratorium on new busing orders may apply. These districts are involved in some stage of litigation or administrative action.

At least 112 districts that have implemented or been ordered to implement new student assignment plans since the *Swann* decision a year ago.

In addition, HEW has supplied a list of 20 school districts as examples of desegregation plans involving racial balance.

Section 202 of the proposed Equal Educational Opportunities Act states that "The failure of an educational agency to attain a balance, on the basis of race, color, or national origin, of students among its schools shall not constitute a denial of equal edutional origin, of students among its schools the laws."

The lists are not intended to be all inclusive and there may be many other districts in these categories.

The list of districts that could be affected by the moratorium includes those whose cases are pending in federal district courts, whose cases are on appeal, and whose cases are in formal hearings before HEW.

The districts on the second list have implemented or been ordered to implement new or revised desegregation plans since the Supreme Court ruled in the case of *Swann* v. *Charlotte-Mecklenburg Board of Education* on April 20, 1971.

Section 406 of the proposed Equal Educational Opportunities Act states that "On the application of an educational agency, court orders in effect on the date of enactment of this Act and intended to end segregation of students on the basis of race, color, or national origin shall be reopened and modified to comply with the provisions of this Act."

The extent of modification that a school district could expected to obtain would depend, of course, upon the limitations on busing established by Congress.

SCHOOL DISTRICTS THAT COULD BE AFFECTED BY THE MORATORIUM

1. Pending in the Districts Courts:

Alabama: Conecuh County, Fairfield, Gadsden.
Arkansas: Little Rock.
Delaware: Wilmington.
Georgia: Atlanta.
Indiana: Indianapolis.
Louisiana: Shreveport.
Michigan: Detroit.
Mississippi: South Pike.
South Carolina: Darlington County.

2. Pending in courts but no trial on merits yet held:

Connecticut: Hartford, Waterbury.
Michigan: Grand Rapids.
Minnesota: Minneapolis.
Missouri: Kinloch.
North Carolina: Edgecombe County, Robeson County.
Texas: El Paso, New Braunfels.
Wisconsin: Milwaukee.

3. Cases on appeal (effect depends upon whether or not issues on appeal involve busing).

Alabama: Jefferson County, Marengo County, Troy City, Wilcox County.
California: San Francisco.
Colorado: Denver (Supreme Court).
Georgia: Decatur City, Elbert County, Newton County, Taylor County.
Louisiana: Pointe Coupee.
Michigan: Benton Harbor.
Oklahoma: Oklahoma City.
Tennessee: Shelby County.
Texas: Austin, Corpus Christi, Dallas, Ft. Worth, Midland.
Virginia: Newport News, Richmond.

4. HEW cases in formal hearings:

Georgia: Tift County.
Maryland: Prince George's County, Wicomico County.

SCHOOL DISTRICTS UNDER POST-SWANN DESEGREGATION PLANS

Alabama: Bessemer City, Butler County, Calhoun County, Hale County, Huntsville City, Jefferson County, Limestone County, Marengo County, Mobile County, Oxford City, Perry County, Russell County, Wilcox County.
Arkansas: Blytheville, Camden, El Dorado, Little Rock.
California: Oxnard Elementary, San Francisco City Unified.
Delaware: Milford.
Florida: Broward County, Duval County, Hendry County, Hillsborough County, Jackson County, Orange County, Palm Beach County.
Georgia: Bulloch County, Chatham County, Clayton County, Muscogee County, Upson County.
Kansas: Wichita.
Kentucky: Paducah.
Louisiana: Grant Parish, Jefferson Parish, Lafayette Parish, LaSalle Parish, Lincoln Parish, Morehouse Parish, St. Helena Parish.
Maryland: Calvert County, Dorchester County.
Michigan: Kalamazoo City, Pontiac City.
Mississippi: Biloxi, East Tallahatchie, Greenwood, Humphreys County, Jackson, McComb, Madison, Simpson County.
North Carolina: Alamance County, Bladen County, Burlington City, Fayetteville City, Forsyth County-Winston Salem City, Goldsboro City, Granville County, Greensboro City, Mecklenburg County-Charlotte City, Nash County, New Bern City, New Hanover County, Raleigh City, Rocky Mount City, Sanford City, Shelby City, Wayne County.
Oklahoma: Crooked Oak, Hugo, Tulsa City.
South Carolina: Aiken County, Chester County, Florence County #1, Marlboro County, Orangeburg County #5, Richland County #1, Spartanburg County #7.
Tennessee: Bedford County, Chattanooga City, Memphis, Nashville-Davidson County, Shelby County, Williamson County.
Texas: Austin, Beeville, Bryan, Daingerfield, Dallas, Fairfield, Fort Worth, Henderson, Houston, Oakwood, Waco, Weslaco, West Orange Cove.
Virginia: Alexandria City, Charles City, Chesapeake City, Culpepper County, Henrico County, Henry County, Norfolk City, Northampton County, Petersburg City, Portsmouth City, Roanoke City.
West Virginia: Marion County.

DISTRICTS WHERE DESEGREGATION PLANS HAVE RESULTED IN RACIAL BALANCE

Alabama: Auburn City, Bullock County, Lanett City.
Florida: Tampa.
Georgia: Augusta, Chattooga County, Clarke County, Floyd County, Muskogee County, Savannah.
Louisiana: Jefferson Parish.
Michigan: Pontiac.
North Carolina: Charlotte-Mecklenburg, Salisbury City, Winston-Salem.
South Carolina: Allendale County, Florence No. 2, Greenville, Greenwood No. 50, Newburry County.

Mr. PELL. Mr. President, I understand that the following school districts would also be affected by the moratorium: Oxnard, Calif., Augusta, Ga., elementary only, and Nashville, Tenn.

REFORMS IN THE BANKING SYSTEM—ADDRESS BY SENATOR BENNETT

Mr. BROCK. Mr. President, on Tuesday, May 23, 1972, the Senator from Utah (Mr. BENNETT) addressed the California Independent Bankers Association in Los Angeles. The Senator's remarks dealt with constructive reforms now being instituted within our banking system. Particularly noteworthy is the account of the resolution of a number of critical issues facing the banking industry which had inhibited its ability to serve the public interest.

Because the Senator's statement centers in large part on the recommendations of the President's Commission on Financial Structure and Regulation and their implications for the future development of our economic and financial institutions, I believe it merits careful review.

I ask unanimous consent that Senator BENNETT's remarks be printed in the RECORD.

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

REMARKS BY SENATOR BENNETT BEFORE THE CALIFORNIA INDEPENDENT BANKERS ASSOCIATION

The President's Commission on Financial Structure and Regulation was appointed because of problems, stresses and trends, which in 1969 affected all financial intermediaries, commercial banks, savings banks, savings and loan institutions, and credit unions. After struggling with its assignment for about 18 months, it issued its report with many recommendations at the end of last year. What will be the effect of the Commission's report and what can you, as independent bankers, do to influence the change it may make in your operations and your place in the banking system.

There were several conditions existing in 1969 that prompted the establishment of the President's Commission on Financial Structure and Regulation. One of the major problems that existed at that time was represented by the one-bank holding company issue which was then pending before the Congress. That issue included both the question of appropriate regulation of one-bank holding companies and the need to define the scope of permissible bank-related activities in which holding companies could engage. These were basic questions, and it was thought by some that a Presidential commission could best provide evidence that would be needed in setting a pattern for the most effective development of bank holding companies. As it turned out, the Congress was not willing to wait for the final Commission report nor in fact, was the Commission able to provide us with interim information to help us decide the issues. It is interesting to note, however, that the Commission recommendations on bank holding companies when they appeared were in line with what the Congress did.

Another major issue at that time which is not vital today was the lack of mortgage money for home building. You will remember that then there was a major crunch in mortgage money due to the attempt of the Federal Reserve Board to slow inflation through monetary policy. Today, as you know, there is no lack of mortgage money, and home building is proceeding at a record clip. Thus the two major immediate problems which existed in 1969 do not exist today.

In addition to these two major immediate problems confronting the Congress in 1969, but very much related to them, there was a feeling that the existing structural arrangement, in the banking industry, with its specialized institutions and the divided but strict regulatory control over these institutions was not meeting the needs of the public in the most efficient and effective manner possible. There was much evidence that the traditional specialized institutional approach had helped create some of the major problems facing both our financial institutions, and those whom they were intended to serve. One of the problems was the inability of savings and loan associations to compete for savings during a period of tight money and rising interest rates, these institutions had for some time been pressing for and obtaining, a gradual broadening of their lending powers. They had also been able to obtain a preferential rate under Regulation Q on savings deposit interest payments in order to stimulate savings which were limited by law to be used for housing which was lagging because of tight money conditions. As the result of the existence of Regulation Q, however, all financial intermediaries were put at a disadvantage, which made them unable to compete with interest rates being offered on other debt instruments offered in the market.

To add to the difficulty, the differing institutions were operating under the control of different regulatory agencies with different objectives, and some aspects of the regulation were criticized as being restrictive, duplicative, unnecessary, and burdensome. Over a period of many years recommendations had been made by various groups and studies for restructuring the regulation of all types of financial institutions but no legislative action had been taken on those recommendations, including the Federal Reserve Board's recommendation that all commercial banks be required to be members of the Federal Reserve System, in order to make Federal Reserve Board monetary policy more effective.

Thus the Commission came into being because there was an awareness that institutions and their regulatory agencies, as then structured, were not meeting the needs of a changing society as efficiently as they should. As a matter of fact, both the regulations and the institutions they affected had grown and developed their various purposes quite without any definite pattern and in spite of occasional attempts by both the institutions, their agencies and the Congress to improve the situation, the overall problem had never been squarely faced and solved.

Why was an attempt made in 1969 for a complete overhaul? A new President had been recently elected, eager to take action to solve as many of his inherited problems as possible. In this field he decided to appoint a Commission to study the situation and make recommendations for necessary and desirable changes. In the 1970 Economic Report of the President, the Council of Economic Advisers announced this policy decision. The Report stated:

"Our expanding and increasingly complex economy must have financial institutions reflecting the vitality that comes from vigorous innovation and competition. Financial services required by tomorrow's economy will differ in as yet undefinable ways from those appropriate today. The demands on our flow of national savings . . . will be heavy in the years ahead, and our financial institutions and financial structure must have the flexibility that will permit a sensitive response to changing demands. Thus the time has come for a thorough examination of needed changes in our financial institutions and our regulatory structure. This study will be carried out by a commission to be appointed by the President early this year."

On June 16, 1970, when names of the members of the Commission were announced, the President gave them a broad responsibility in these words "to review and study the structure, operation, and regulation of the private financial institutions in the United States, for the purpose of formulating recommendations that would improve the functioning of the private financial system."

One and one-half years later the Commission issued its report. How well its recommendations respond to the President's request is a matter of opinion, but there is no doubt that it touches on most, if not all of the problems of, and conflicts within, the industry.

A careful analysis of the Report leaves one with the conclusion that the Commission did not really recommend any new or revolutionary concepts. Nor did the Commission do much of any major basic new research. Instead, it gleaned its ideas from the many studies and recommendations which had been made before. Such studies included the Report of the Commission on Money and Credit in 1961, the Friend Study of the Savings and Loan Industry in 1969, the study on Bank Regulatory Structure by the Conference of State Bank Supervisors in 1971, and others. The Commission tried to weave the best recommendations from all these sources into a rational system which would provide the maximum freedom from unnecessary regulation and the widest opportunity for flexibility so that all financial institutions to compete as nearly as possible on equal terms in all markets, instead of trying to preserve the segmented, specialized approach which now exists throughout our present system.

Early in its deliberations, the Commission adopted two major principles which run through all its recommendations: (1) They wanted to allow the greatest amount of freedom possible to the institutions involved consistent with a safe financial system, and (2) they wanted to assure that no competitor in any market has a special regulatory or tax advantage over any other competitor in that market.

I believe too that the Commission recognized existing trends which have developed from competitive forces, and built its recommendations on those trends. One of the trends upon which its recommendations were built has been the gradual movement away from specialization by financial institutions toward a broadening of services in an attempt to become more nearly one-stop financial service centers. This is not so much different from the trend that has taken place in other segments of our economy outside of the financial community. The change from independent small-corner grocery stores and independent meat markets to the present day supermarket is a clear example of that trend. The supermarket concept was successful because it was more competitive, more efficient, and more convenient for consumers. It is reasonable to expect that the same benefits will accrue from one-step, full service financial centers. At the same time, we know that there are still many specialty shops which are equally successful as the supermarkets. They are successful because under some conditions—and for some customers—a more personal and more specialized service is desired. I believe that the same will always be true of financial services. If free competition is allowed, and the legal, regulatory, and tax burdens are equalized to the greatest extent consistent with a safe financial system,

every institution will be free to compete either through the development of a full service approach or through a specialized approach, depending on the needs of its own customers and community and on the capabilities of the institution.

The Commission made specific recommendations which are intended to bring the present system more in line with these concepts. Certainly these recommendations are not perfect nor could it be expected that any group of 20 Commissioners with varied backgrounds, despite their excellent qualifications, would produce a flawless model for a complex financial system. As is always the case in such a situation, we must realize that the Commission's recommendations are inevitably the result of compromises, and that perhaps none of the Commissioners agree with all of the recommendations in the Report. Having served on various Commissions, I know very well the degree of give and take that is involved and necessary. I also know that the final reports are compromises with which no member is completely satisfied. Furthermore, the Hunt Commission obviously attempted to preserve as much of the traditional system as possible and make only recommendations which could be put into effect without disastrous consequences to any of the present segments of the system.

Considering the responsibility which the President gave to the Commission to recommend changes to improve the functioning of the private financial system, it is natural that the recommendations would affect different types of financial institutions differently. Even within the commercial bank segment, the recommendations it adopted will have a much different effect on the operations of independent banks, banks with branches, and banks which are part of a holding company, not to mention differences between small and large banks with state or national charters. I know many of you feel that the small independent banks may have had the worst of it, and will agree with part, if not all of the following quotation from a banker-member of the Commission.

"It seems that everyone gets a nice slice of pie except for the small bank. I think this is a valid criticism of the Hunt Commission Report. This happened not because of any desire to create opportunities for larger banks, but because of a desire to create a more efficient financial mechanism. I would add, however, that the report is saying that any financial system which contains 22,000 separate units is horribly inefficient . . . that we have more financial institutions than we have financial institution managers . . . that we inefficiently fractionate our capital within these institutions . . . and so I think that implicit in this report is an attitude that this number has to somehow shrink . . . though to what extent is debatable. The numbers must come down; this is the issue, not what is the best package of 'goodies' for all."

Against this background, let us now look more specifically at the areas in which the Commission recommendations seem to cause the most concern to independent bankers.

1. State-wide branching.
2. Mandatory Federal Reserve membership.
3. Removal of Regulation Q ceilings on savings.
4. Checking accounts for financial institutions other than commercial banks.
5. Greater consumer loan powers for savings banks, savings and loan institutions, and credit unions.
6. Bank holding company powers for commercial banks.

Perhaps we should discuss each of these areas and how it relates to the current evolution of banking which was and is going on and would continue I think even in the absence of the Hunt Commission Report.

First, branching. Strict limitations on a bank's right to operate outside of a narrow geographic area have been breaking down for years. In 1930, branching was prohibited in as many as 30 states. Today 19 states and the District of Columbia permit statewide branching, and sixteen states permit branching in the same county or contiguous counties, but today only 15 states provide for no branching or limiting services which include teller windows or military facilities. This, however, does not tell the whole story. In addition to branching the holding company device has been developed and is now being used ever more widely to provide the practical effects of branching both in states which limit branching, as well as in states which authorize branching.

Much of the current holding company development results from the legislation which we enacted in 1970 amending the Holding Company Act and giving the Federal Reserve Board the responsibility of determining appropriate activities which may be engaged in by holding companies. The Congress established only two basic guidelines to that authority: (1) that permissible activities be closely related to the business of banking, and, (2) that on balance the activities provide a public benefit. It has been suggested by some that the Federal Reserve Board has not followed the intent of Congress in its decisions under the Holding Company Act Amendments of 1970.

The fact is that the Board *has* followed the intent of Congress. We intended that there be flexibility effective within proper limits of service to the public and that a bank holding company's permissible activities not be too tightly proscribed. I believe that the Federal Reserve Board has followed that policy. In any event, there can be no doubt that through various means of their own devising, banking institutions are becoming more competitive through their use of branching and holding company organizations. The Hunt Commission did not bring about this trend any more than it brought about the trend from independent corner groceries to the present supermarkets.

2. Mandatory Federal Reserve membership for commercial banks has long been proposed by the Federal Reserve Board. The Board's desire for such membership in light of its monetary policy responsibility is understandable. The Congress, however, to date has not seriously considered this proposition. I personally doubt that the Hunt Commission recommendation will have much, if any, effect in bringing about such a membership requirement soon. I do not say, however, that compulsory Federal Reserve membership will not be required some time in the future.

3. The eventual removal of Regulation Q ceilings on interest on deposits has been recommended by many for years. While ceilings on interest rates payable on deposits do perform a function, there are many undesirable side effects. Consumer groups are very vocal about a regulation that limits the amount of interest that can be paid on their savings when the amount of interest they pay on loans from the same institutions is not under governmental control.

Regulation Q has been acceptable from a political point of view largely because those intermediaries whose activities are generally limited to housing would otherwise be unable to compete for funds in a tight money market. Banks, on the other hand, are able to compete because of the shorter term nature of their loan portfolio, and some of the large money market banks during the last stringent monetary policy period were paying as much as 13 percent on certificates of deposit in the Euro-dollar market. Such a situation, however, left non-monetary banks in the position of paying low rates for money and lending at high rates which appears to be profiteering during a period of crisis at the expense of borrowers. Our recent experience proves that something must be done to make it possible for institutions to compete for savings without relying on the artificial ceilings on rates paid on deposits unless we want to see more and more commercial institutions and individual bypass intermediaries and put their funds directly into market instruments. Of course, no banker wants to see rates on savings accounts swing with the short-term money market, but it is my opinion that such limitations cannot long be enforced without damage to the whole financial intermediary system.

4. Checking account services have long been limited to commercial banks. However, there has been a gradual eroding of this exclusive privilege recently. Today, Rhode Island permits credit unions above a certain size to offer checking account services. Mutual savings banks may offer checking accounts in Maryland, and third party payment programs very similar to checking accounts are now being used by savings and loan associations. Although the Hunt Commission has recommended authorizing checking accounts for other financial institutions, these developments were occurring before the Hunt Commission was established and would have continued without the Hunt Commission Report. This is one area, however, where the Commission Report may be used in persuading state legislatures to accelerate the trend.

5. Now, what about greater consumer loan powers for savings institutions as recommended by the Hunt Commission? These powers have been slowly increased every time we have a housing bill before the Congress (which is nearly every year) and nearly every time the Federal Home Loan Bank Board issues new regulations. Less than two weeks ago, on Thursday, May 11, the Federal Home Loan Bank Board proposed new regulations which would permit savings and loan associations to make loans for items such as chandeliers, dishwashers, draperies, phonographs, radios, television, and venetian blinds without being tied to the mortgage. Such loans are significantly different from those now made by savings and loan associations and will increase their competition with other financial institutions including yours. If one is concerned, however, with the flow of funds into housing from private rather than government sources, he is almost compelled to come to the conclusion that lending powers of savings institutions must be broadened into these types of loans to make them more competitive in times of monetary stringency. Again, this trend has been occurring and will continue with or without the Hunt Report.

6. The final item which I listed as a possible consideration for concern by independent bankers was bank holding company powers for commercial banks. It is only natural that commercial banks which are not part of a holding company organization would desire to be competitive with those which are. Under the bank holding company organization pattern, affiliated banks have a degree of independence which protects them from damage if some other unit of the holding company is unprofitable or suffers losses. If banks were allowed to engage in all activities which are permissible under the holding company organization, the independent bank could be more adversely affected by such losses. In my opinion, the Congress will need to carefully consider this difference before authorizing banks to engage in related non-banking activities.

The reactions to the report by various industry groups and government agencies are just about what one would have expected. Those who have been against the evolutionary trends which I have discussed would inevitably oppose the recommendations of the Commission. Those who think they can profit by these trends will be glad to see them recommended in the report.

The central theme of the Report, that there be an opportunity or freedom to com-

pete on equal terms so far as authorizing law, regulation and tax burden are concerned, is good news to some institutions, primarily those aggressive, efficient, expansionary institutions which are straining against present restrictions. To others, particularly those who have relied on regulations protection from competition in the past, it represents a shocking departure and perhaps a threat to their existence.

While most of us proclaim or believe in competition, in fact, we generally desire it for those from whom we purchase goods or services, and deplore it when we are on the selling side. Every business institution, whether financial or otherwise, would love to have just a little bit of a monopoly position and to persuade its customers that it has no real competitors for its goods or services. Independent bankers are no different in this regard.

Official statements from agencies and industries which would be affected by the recommendations made in the Hunt Report have been generally rather cautious. It appears to me that all segments of the financial community are still carefully studying the recommendations of the Report. There have, however, been some comments, both favorable and unfavorable, on some of the Report recommendations from the staff of the Federal Home Loan Bank Board and from some industry representatives. Mutual savings bank industry representatives are the only ones of which I am aware who have expressed strong support for the Report. There is no doubt of the fact that the Report recommendations are generally favorable to that segment of industry, and include its major legislative goal of Federal chartering for mutual savings banks. The reaction by independent bankers, on the other hand, has been generally quite critical, expressing the feeling that there is something for everyone else but nothing for independent banks except more and deeper inroads into your business. I cannot disagree with that general reaction as I have already said, but you and I both know that the general trend of evolution in the financial community has been unfavorable the independent bank for many years.

Let me move on to what can be expected so far as legislation based on the Commission Report is concerned. There are several very important reasons which lead me to conclude that there is little chance that legislation will be enacted this year on the basis of recommendations made in the Report. The first and most important is that this is an election year for all members of the House, one-third of the Senate, and for the President of the United States. Unfortunately, all legislative decisions in such a year tend to be politically motivated, and one does not need to be a superior political analyst to conclude that there is little if any vote appeal in changing the structure or operation of financial institutions. The average voter doesn't know very much about the complex structure of our banking system or about the differences between present financial institutions nor is he interested in the competitive postures of present institutions or the need for a realignment of supervisory agency responsibilities.

The Treasury is presently considering the Report recommendations and discussing its problems with various industry groups which feel the recommendations would hurt their industry. This exchange of views and search for answers will require some time. Furthermore, there is no immediate crisis which requires this legislation for its resolution.

In the longer run, I expect the legislative process will face all the recommendations but the process will be a long and difficult one. This is true for several reasons. First, the Commission's Report raises many questions so difficult which should be carefully and thoroughly considered by the Congress and by state legislatures. Hasty legislative action would be tragic.

While no one can argue with the recommendations of the Commission that the proposals be considered as a package, competing institutions can be expected, as they always have, to prepare for those recommendations which they believe to be in their competitive interest and oppose those which they believe may take away any special advantage they now have or grant advantages to their competitors. The bank regulatory agencies whose responsibilities may be changed by Commission recommendations can also be expected to oppose any diminution of their authority.

Conflicts like these will not be easy for the Congress and state legislatures to resolve. I think we have been moving toward the philosophy contained in the Report, there is by no means a unanimity among members of Congress that we should favor the creations more generalized institutions all covering the whole field as compared with the various specialized institutions which we now have.

Turning to the practical question of procedure, let me also suggest that it seems utterly impossible for Congress to consider at one time the whole package as recommended by the Commission. The recommendations cut across the jurisdiction of several Congressional Committees and will require action by both Federal and state legislatures. The very complexities of the proposals dictate that many of the recommendations must be considered separately.

With little competitive gain to be seen for most of the financial institutions involved, with bureaucratic inertia tending to support the status quo, and with no easily identifiable direct consumer benefits which consumer advocates might use to arouse public support, it appears that there will be little immediate pressure for legislation and, therefore, it may well be several years before any major segments of the Commission's recommendations will be enacted.

Obviously this is not altogether undesirable for those who may disagree with the Commission's recommendations. They could hope that enactments would either never occur or would at least be as long as possible in coming. On the other hand, if you support the recommendations, gradual change would be less likely to disrupt the present system and would allow existing institutions to adjust their operations to meet the emerging patterns.

Therefore, as to just what form legislation will take, I do not know. The Administration is now carefully studying them and it should decide to support the Commission Report or any major segments thereof, we can expect the Treasury Department to submit legislation to accomplish its objectives. Since in my opinion no omnibus bill could be drafted which could be handled by a Senate Committee it is most likely that the Administration would develop a package of separate proposals adjusted to fit the jurisdiction of the Committees involved.

It is altogether possible, of course, that various associations representing particular segments of the industry will not wait for the Treasury, but will draft bills to implement the recommendations they support.

In any event I believe it will be years before the major recommendations of the Report will be approved by the Congress. This has been our experience with other attempts to make significant changes in existing financial structures. The Financial Institutions Act proposed by former Senator A. Willis Robertson in the fifties, after passing the Senate, was not even considered by Mr. Patman's Committee in the House.

Most of the Robertson proposal, however, has been enacted piecemeal over the years since that time. So may it be with this attempt to restructure our financial institutions and their regulatory agencies.

With this in mind, it is only natural that you, as independent bankers, are concerned about what you can be doing to make sure that the legislation that is finally approved will benefit your individual institutions. On a legislative level, I would suggest that you begin now to develop a program which you would like to see adopted and to gather facts to support that program. In this effort, you may desire to seek an alliance with others who have interests close enough to yours so that with some give and take you can by joint effort develop proposals that can have broad support, and, of course, you must be prepared to defend your recommendations at hearings both before the Federal Congress and the state legislatures. In other words, what I am suggesting is that you start on your homework so that you can have a part in the process that will produce the legislation under which you will have to operate in the future. If your position can be shown to be in the public interest, I'm sure the Congress will be receptive to it. If it cannot, then you will have great difficulty getting it adopted.

Turning finally to the welfare of your own banks, I would recommend that you study the trends within the whole industry, as they affect all types of financial intermediaries in order to prepare contingency plans of your own should some or all of the Commission's concepts become laws and which, if adopted, will force you to change your present structure or policies. As you see such proposals move toward approval, be prepared to make the necessary changes to enable you to meet them, such as:

1. Reorientation of your service pattern.
2. Internal reorganization.
3. Merging—even with a savings and loan institution.
4. Changing your affiliation from state or national charter.
5. Selling out to another institution or holding company.

Finally, in conclusion, now that the Report is out, we discover that:

1. There is nothing new in it.
2. It recognizes, and within limitations, legitimizes current trends.
3. As one analyst said: "There is nothing in the Report that is not going to happen anyway." I think that may turn out to be a pretty shrewd observation—give or take a detail or two—and if I were you, I would try to be ready when it happens.

COMMENCEMENT ADDRESS BY SENATOR MAGNUSON AT GALLAUDET COLLEGE

Mr. COTTON. Mr. President, during most of my service in the Senate, it has been my privilege to be constantly associated with the distinguished senior Senator from Washington (Mr. MAGNUSON), 15 years on the Committee on Commerce, and I am the senior minority member. He is chairman of the Subcommittee on Labor, Health, Education, and Welfare of the Appropriations Committee, of which I am the senior minority member. Probably few Members of the Senate, even those on his own side of the aisle, have had a greater opportunity to observe his work and watch him in action. I have always marveled at his detailed knowledge of the many varied and complex subjects handled by both of these committees. I have always admired his devotion to the unfortunate and the handicapped in our society.

On the 22d of this month Gallaudet

College, located in this Capital City, and the pioneer of higher education for the deaf, which for more than a century with substantial support from the Federal Government has set the pace for education for the deaf throughout the Nation, held its 108th commencement.

The commencement exercises took place at the Cathedral Church of St. Peter and St. Paul. Some 190 degrees were awarded: 119 bachelor of arts, 45 bachelor of science, 24 master of arts, and 3 master of science in audiology. The graduates came from 34 States, the District of Columbia, Puerto Rico, Australia, Canada, Hong Kong, Norway, and Sierra Leone. Gallaudet is currently serving students from all the States and 14 foreign countries.

The guest of honor at this 108th commencement who delivered the commencement address and received an honorary degree was Senator WARREN G. MAGNUSON.

I believe that all of his Senate colleagues and the vast number of people both in his home State of Washington and throughout the Nation who are familiar with and have deep appreciation for his life of public service will be interested not only in his powerful commencement address but also in the remarkably appropriate and accurate remarks of Dr. Merrill, president of Gallaudet, in introducing him and the well-deserved citation of WARREN G. MAGNUSON as he was presented the degree of doctor of laws, honoris causa.

I therefore ask unanimous consent that these may be printed in the RECORD.

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

INTRODUCTORY REMARKS BY DR. EDWARD C. MERRILL, JR., PRESIDENT OF GALLAUDET COLLEGE

The Senate of the United States is the senior legislative body of our government. It consists of only 100 people who make decisions on major national policies affecting every aspect of our daily lives. When one thinks of the complexity of modern life and of the range of interests which Senators must consider, it is amazing that our speaker this morning could take a personal interest in Gallaudet College and its programs. He not only knows about us; he knows *everything* about us. He knows that we serve students from 48 states and 14 foreign countries. He knows that we are responsible for not only undergraduate and graduate programs but two demonstration schools of national significance. In fact, he even knows that we have a leaky roof here and there.

It would be flattering to believe that Senator Magnuson took a special interest in Gallaudet College, but this is not the case. He is interested in Gallaudet College but he is also interested in the National Technical Institute for the Deaf, the Seattle Community College Program for the Deaf, and deaf people throughout the land. He has provided nationwide leadership in developing a program of continuing education for deaf adults. Hopefully, this program will enable deaf adults to have access to many fine continuing education programs in various colleges and universities across the United States.

It is a privilege for me to introduce to you at this time a man who is committed to serving people. A man who is extremely perceptive of the needs of people. A man who works for the best interests of people. The Honorable Warren G. Magnuson will now present our Commencement Address.

COMMENCEMENT ADDRESS BY WARREN G. MAGNUSON, U.S. SENATOR

I was highly honored when Dr. Merrill extended your invitation to be your graduation speaker this year. That personal pleasure was magnified when I learned that the Board had voted to award me with an Honorary Degree. Now I can appreciate even more the pride that all of you justly feel about the degrees that you have earned.

In thinking about the remarks that might be appropriate today, for you and your parents, family and friends, who all share this day with you—I was tempted to address the particular mission of Gallaudet, the problems in educational programs for the deaf, the role of the Federal government in helping to meet this particular needs, and I do intend to comment on these issues. They are too well known to you and to me, and such programs always boil down to one thing: funding. Appropriations adequate enough to meet the needs and achieve the goals.

But today, you all join with thousands of other College graduates of 1972 and become members of that select group in our nation who have earned post-secondary degrees. You have proven your academic abilities. You have also overcome all those requirements that the faculty and society at large placed in your way. You've perservered, and you are about to receive a physical evidence of achievement: the time-honored sheepskin.

While I share the pride your family and friends have in your achievement, I am also a bit envious of you and all the 1972 graduates. Envious because you are just beginning your adult lives in what I believe will be one of the most constructive exciting eras in human history.

Truly exciting because I feel this is a time when society can shape itself into more practical patterns to achieve better results for all. In short: From here on human history can become more humane.

Your parents and I, the faculty by and large, we all witnessed at least part of the first half of the 20th Century that was a time of extreme troubles for man. A time of World Wars. The immediate post World War II years, were years of shock over the fact that man could be so self-destructive, and years of indecision over what to do about it.

More than ever, we must, you must, now begin the long trail to prove that there are better ways to solve problems in the world than killing people to prove a point that man only proves to be senseless.

We live in an age that has been characterized by many titles. It has been called the Atomic Age—the Jet Age—the Space Age—the Computer age. Each of those titles symbolizes a giant step in science and technology. That is the common characteristic of all those names: they revolve around things, rather than people—around gadgetry, however important, rather than the basic purposes which gadgets must serve: Man.

I do not intend to be critical, or to depreciate the value of scientific discoveries or technology. To do so would be to deny much of my own activities in the Congress of the United States and progress, even progress for the handicapped. But I prize most highly my personal role in helping to establish the National Cancer Institute, the National Science Foundation, and expanding Federal programs of bio-medical research and bioengineering at the National Institutes of Health.

To conquer diseases that haunt mankind and to bring the delivery of better health care to our people still remains one of the most important goals that we must have as a nation.

As we look ahead, we must conclude that man himself is our most precious resource. We must do that which can make man's life better, and we need more consciousness and dedication to leadership in the dark field of man's relationship to man.

Today, hundreds of millions of people in our world still have sickness that could be prevented; too many die before their time because they do not have access to adequate health care; far too many are ill-fed, ill-housed and ill-educated.

Our world is a world of great contrasts, and in those things that matter most to man: his health, the well-being of his family, the education of his children, the purity of the air he breathes and the water he drinks.

Man shares with all men some very real goals: peace—freedom—growth—fulfillment—security—happiness.

Peace—we must all recognize that there will never be enduring peace in this world until these great inequities among men and nations are moderated. To eliminate ignorance, bigotry, poverty, and disease are all preconditions to the elimination of war.

I am, and you should be, an optimist. All is not as bad as it may appear. Some of those clouds that have hung over man could be clearing. We could realize our fullest promise if we now direct our energies toward human goals, and you are uniquely equipped to help make society more humane.

I know it is an age old problem. What is new, is that we have the know-how and the resources to do something about man's problems. We either have the technology or know it can be developed, and with the proper utilization of our human and fiscal resources, we can solve those problems.

You are part of the promise those clouds will clear. You can help provide the leadership—not only the protests—and help provide the solutions, and above all, help establish the right order of priorities.

The challenges are enormous. We have stupid wars. In our natural environment we find man doing things that threaten the very pattern of nature. Man holds a dagger to the very heart of life. He jeopardizes not only our inheritance—political and otherwise—but our inheritors as well—the hopes and achievements of unborn generations.

Solutions can and must be found. In man's relationships to man, if peaceful revolutions are not possible, then violent ones will be inevitable.

In solving these problems, I do not know what your individual roles might be. However, I do know that with the training and education that you have received, you are now better equipped to assume more active roles in resolving them than your predecessors. But remember, whatever your role might be, you will never get away from that emerging responsibility—as an educated human—to help man get along better with man. Otherwise, your world will be no better than a pretty shoddy today!

In the pursuit of excellence in human endeavor there are some specific dangers that are ever present. Like the plagues of medieval days, these dangers attack not only the individual, but the body politic.

They attack the mind and the soul of man. For society, there is no vaccine—there is no antidote—unless we have a sensibly educated people. These dangers fester in a stagnant state of mind. They might change their attacks, their strategy, but the traits that animate tnem are always with us: Bigotry—Conformity—and Fear.

These are forces that block progress and could prevent the attainment of our goals. We must guard against them and attack them.

Bigotry is the noisiest and gaudiest of the three. In a time of profound changes at home and abroad, the forces of bigotry would

batten down the hatches against change, or even the exploration of change.

In a day of exploding knowledge and better informed people, the bigot reads history and economics, sociology and science, in terms of what has been—rather than what is, or what could be.

The bigot waits in the snug harbor of some America Past—bombarding every landing party of the present or the future. Bigotry attacks from every direction, and the future is in jeopardy whenever critical examination is thwarted or blocked whether it be from the right, left or center.

Anyone who limits inquiry for the sake of his own cluster of causes is a dangerous foe, and the bigot constantly stands in the pathway of progress.

Conformity is the second danger. Conformity arrives in drab, protective clothing. Whispering, rather than shouting, rarely making headlines or drawing attention of any sort.

Conformity argues its case with a variety of spurious reasons: prudence—good taste—"no sense in rocking the boat". But conformity is no less deadly than bigotry when, in its quiet fashion, it reduces honest dissent, divergence and difference within society. It is a state of mind which is deadening to free inquiry and to education upon which all growth ultimately rests.

We should protect non-conformity which leads to the ceaseless seeking of the Why of things, not merely the so-what of things. And you can be a non-conformist who still respects the opinions of others and does not violate decent procedures.

The third danger is Fear. A common retort of the Fear-mongers when their works are condemned, is to insist that there are indeed things to fear. They are right, of course.

There are causes of anxiety and concern in our world today. We live in a period of human history where the race is between civilization and catastrophe. We are called upon for wisdom and leadership unmatched in the past. We can provide leadership only out of a quality of mind which is open, and exploring, and free and sensible.

No one can provide this leadership out of fear. The fear-mongers would sow a whirlwind of panic.

Most of the fears they would post in our nightmares are vague and diffuse. Fears about hidden enemies so secret that we can't hope to see them. Fears about ideologies so insidious that they are said to infect Presidents and Supreme Court Justices, Members of Congress, teachers in our neighborhood schools, and professors in our colleges.

Those are the panic-born fears that Fear-mongers would peddle, while keeping the silence of the dead about the true dangers in our society—the dangers of smugness, and indifference, and complacency.

So, mount your chargers, because whatever your role in helping to meet the challenges of our time, you must expect to come up against bigotry, conformity and fear. I'm sure that you've already faced them—in your personal lives, and at a very early age. But you've all persevered. And in so doing you won over some of those who had doubts, and fears, and reservations about deaf people.

As you leave Gallaudet, you will be severely tested in the most vital quality that any college can encourage—your individuality and how you can fit into, and help make this a better world.

You are more formally entering a society in which you can trade your individuality for togetherness; your freedom of mind for conformity; your common sense for panic or pessimism.

There will be many pressures to do so. It will be easy to give in. Some of you might, but if you do you will default on the highest promise that is yours. But I know that you will not take the easy way.

That is why your parents, your home states, and the Federal government has made such a deliberate investment in each of you. That is why Gallaudet was established and became a national responsibility. As you know, only too well, Gallaudet is unique.

But again, you are all pretty typical of all 1972 college graduates because the public and private contribution towards the expense of these educational programs far exceeds the tuition and fees paid by students. On that count, Gallaudet only differs in the degree of that Federal support.

Along with other members of the Congress, I have been happy to be in a position to be of some assistance directly to Gallaudet; to assist the special programs on your campus at the elementary and secondary levels that are about ready to come into full bloom and that are setting a pace for the whole nation to follow; and recently, we've moved Gallaudet into an area of leadership that has been too long neglected—continuing education programs for deaf adults. We hope that program too will have an impact in communities all over the nation.

We want to do more, not just on the Gallaudet campus, but all over our nation. Right now there are three special pilot programs for the deaf underway at Community Colleges in Seattle, St. Paul and New Orleans. If the initial results of these efforts hold up, it is obvious we should have many more such programs in local communities across the land.

This brings me to a very personal challenge that I feel all of you graduates face. Historically it was the hearing who decided what was best for the deaf, and then did it. Granted, it was good that something was done.

Yet that was a very paternal, patronizing way of doing things. The fact that some successes resulted means that such an approach was not all wrong. But, it was not all right either.

The deaf can't be content to be told what they should do, and how they should do it, by their hearing brethren. The deaf must not only ask, but demand a voice in the private and public agencies concerned with deaf people.

As college graduates, you have an extra responsibility to carry the ball for your brethren. You must become active and involved citizens in your home communities—in civic and community affairs, and yes—in politics.

You must demand a voice in these decisions concerning programs for the deaf, and you must fight to see that the right decisions are made.

The right decisions that establish good programs to meet the needs of the deaf, and the right decisions in the perennial efforts to secure adequate funds to support those programs.

In closing, might I say again that it is you who have honored me by inviting me to be a participant in your graduation ceremonies. I know that feeling is shared by all of my colleagues from the Congress who are also here today.

It has been a special pleasure for me because I view each of you as a notch above the average college graduate. You have had special challenges in your lives. Each of you met those challenges head on, you persevered and overcame, and that speaks highly for each of you.

That confirms that fact that each of you has those qualities that our nation needs for our future, and that the future of our nation can be a better one.

My congratulations to you all—we wish you well.

Senator MAGNUSON was awarded a doctor of laws, honoris causa, by Gallaudet College and the following citation was presented during those ceremonies:

CITATION OF WARREN G. MAGNUSON ON BEING PRESENTED THE DEGREE OF DOCTOR OF LAWS, HONORIS CAUSA

Senator Warren G.. Magnuson is one of the great statesmen of American political life. Representing the people of the state of Washington in the United States Congress for the last thirty-five years, the Senator has proven his concern for the "little man." He has been a knowledgeable and influential advocate in the fields of environmental protection, health care, bio-medical research, voting rights, air safety, and consumer protection. Bringing his considerable experience and expertise to bear on these problems, he has authored major pieces of legislation and has become identified as the "father of the consumer movement." Senator Magnuson, who ranks fourth in seniority in the United States Senate, has several key committee assignments, including chairmanship of the Committee on Commerce. He is a member of the Senate Appropriations Committee and Chairman of its Subcommittee on Labor, Health, Education and Welfare. In this capacity, he introduced and guided through the Senate the Act establishing direct medical care to private citizens living in rural and urban poverty.

Continuing his interest in the neglected groups in American society, the Senator recently has sponsored the appropriation of funds for continuing education services for deaf adults in the United States. Deaf people have not often had a more effective champion than Senator Magnuson. We are pleased to recognize him today, not only for his services to the deaf, but for his broader contributions to the quality of life in the nation.

CONCLUSION OF MORNING BUSINESS

Mr. MANSFIELD. Mr. President, is there further morning business?

The ACTING PRESIDENT pro tempore. Is there further morning business? If not, morning business is concluded.

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 bill in which it requests the concurrence of the Senate:

H.R. 9669. An act to amend the Subversive Activities Control Act of 1950, as amended.

HOUSE BILL REFERRED

The bill (H.R. 9669) to amend the Subversive Activities Control Act of 1950, as amended, was read twice by its title and referred to the Committee on the Judiciary.

FOREIGN RELATIONS AUTHORIZATION ACT OF 1972

The ACTING PRESIDENT pro tempore (Mr. HUGHES). Under the previous order, the Chair lays before the Senate the unfinished business, which the clerk will state.

The legislative clerk read as follows:

A bill (S. 3526) to provide authorizations for certain agencies conducting the foreign relations of the United States, and for other purposes.

The Senate proceeded to consider the bill.

ORDER OF CONSIDERATION OF AMENDMENTS

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the pending amendments to the unfinished business be temporarily laid aside and remain in a temporarily laid-aside status until the amendments proposed by the Senator from Delaware (Mr. ROTH), the Senator from Virginia (Mr. HARRY F. BYRD, JR.), and the Senator from Illinois (Mr. PERCY) are disposed of.

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

In accordance with the previous order, the following amendments are to be considered in the following order:

Amendment No. 1202 of the Senator from Delaware (Mr. ROTH), on which there is a time limitation of 30 minutes.

Amendment No. 1196 of the Senator from Virginia (Mr. HARRY F. BYRD, JR.), on which there is a time limitation with the vote to occur not later than 12:15 p.m.

Amendment No. 1209 of the Senator from Illinois (Mr. PERCY), on which there is a time limitation of 1 hour in the event he wishes to call up that amendment.

The Senator from Delaware is recognized.

AMENDMENT NO. 1202

Mr. ROTH. Mr. President, I call up my amendment No. 1202.

The ACTING PRESIDENT pro tempore. The amendment will be stated.

The legislative clerk read as follows:

On page 27, after line 24, insert the following:

REPORT TO CONGRESS

SEC. 303. (a) The Arms Control and Disarmament Agency with the cooperation and assistance of other relevant Government agencies including the Department of State and the Department of Defense, shall prepare and submit to the Congress a comprehensive report on the international transfer of conventional arms based upon existing and new work in this area. The report shall include (but not be limited to) the following subjects:

(1) the quantity and nature of the international transfer of conventional arms, including the identification of the major supplying and recipient countries;

(2) the policies of the major exporters of conventional arms toward transfer, including the terms on which conventional arms are made available for transfer, whether by credit, grant, or cash-and-carry basis;

(3) the effects of conventional arms transfer on international stability and regional balances of power;

(4) the impact of conventional arms transfer on the economies of supplying and recipient countries;

(5) the history of any negotiations on conventional arms transfer, including past policies adopted by the United States and other suppliers of conventional arms;

(6) the major obstacles to negotiations on conventional arms transfer;

(7) the possibilities for limiting conventional arms transfer, including potentialities for international agreements, step-by-step approaches on particular weapons systems, and regional arms limitations; and

(8) recommendations for future United States policy on conventional arms transfer.

(b) The report required by subsection (a) shall be submitted to the Congress not later than one year after the date of the enactment of this Act, and an interim report shall be submitted to the Congress not later than six months after such date.

Mr. ROTH. Mr. President, the amendment I am offering to the Foreign Relations Authorization Act requires the Arms Control and Disarmament Agency—ACDA—to prepare a comprehensive report to the Congress on the international transfer of conventional arms from producing to recipient countries. I want to thank Senators BOGGS, CASE, HART, HUMPHREY, PROXMIRE, and SCHWEIKER for their cosponsorship of this amendment. The amendment spells out a number of topics that should be covered by this report, including the problems and possibilities of international agreements regulating and limiting the transfer of such weapons and recommendations for future U.S. policies in this particularly vital and sensitive area of arms control. Let me outline my reasons for offering this amendment.

In recent years there has been tangible progress toward controlling the testing, emplacement, and transfer of nuclear weapons. The most recent significant development is the United States-Soviet agreement announced Friday which limits the race in numbers of offensive and defensive nuclear missiles. It is important to continue to seek a fuller measure of nuclear arms control consistent with our national security requirements, but it is equally important to begin to explore seriously ways and means of reducing and regulating the massive international traffic in conventional armaments. Although all the wars occurring among the developing countries since World War II have been largely fought with foreign supplied weapons, little national or international attention has been given to the control of this traffic. Yet, the greatest danger to world peace may well lie not so much in the sudden outbreak of nuclear warfare between the superpowers, as in the step-by-step escalation of a local war fought with conventional weapons into an international war fought with nuclear weapons.

While there are no precise figures on the total magnitude of the traffic in conventional arms, all the estimates point to massive and growing dimensions. The total annual value of transferred weapons is estimated to be around $6 billion. Researchers at the Massachusetts Institute of Technology collected data for 52 developing countries for the period from 1945 through 1968. They estimated that during that period these countries acquired from foreign sources more than 8,000 combat aircraft; over 2,000 military transport aircraft; nearly 4,000 trainer aircraft; 1,300 light transport, observation, and liaison aircraft; 1,500 helicopters; nearly 14,000 tanks; 9,000 armored personnel carriers; 3,000 armored cars; 300 warships; nearly 500 landing ships and landing craft; and over 900 patrol craft.

The same study estimated that for these countries merely to maintain constant force levels by replacing this equipment as it wears out, their annual demand would be on the order of 850 aircraft, 500 tanks, 400 armored personnel carriers and armored cars, and 45 naval craft. These figures represent only a part of the total transfer of arms and military technology; they do not take into account small arms and ammunition which are the basic weapons required by insurgent groups, artillery, or the costs of transferring military expertise.

The expense of arming small countries is prodigious. The U.S. military assistance programs currently run around $1.5 to $2.5 billion annually. The Soviet Union also bears substantial costs and has expanded its military transfers to the developing world during the past decade. Even China, a comparatively much poorer country, has been a major source of military supplies for Pakistan. It is more and more difficult to ascertain benefits to these programs commensurate with their material, political, and human costs. Thoughtful Americans, for example, are increasingly questioning the traditional rationale for our military assistance programs.

They ask: Do the grants or the credit sales of military equipment by this country to developing nations help to defend incipient democracies against internal threats or do they alter the internal balance of power within these countries in favor of indigenous military elites? Do our military assistance programs help to stabilize regional balances of power or have they provided smaller nations with the capability to project their limited power beyond national boundaries and hence the means for aggression? Do military assistance programs reduce the likelihood of American involvement in local wars in developing countries by enhancing these countries' self-defense capabilities or do they provide the links and rationale for U.S. involvement where intrinsic American interests do not exist? Do such programs give the United States leverage over the military policies of its allies and customers and hence some power of restraint or do they make us the hostage of these countries as our honor becomes entangled with their military performance? Are our gifts used in ways consistent with our purposes in extending the aid or are they ultimately employed in ways quite different from those we intended?

The same questions might well be asked by Soviet policymakers. One sees very little evidence that the Soviet Union has acquired any tangible rewards from Indonesia or the United Arab Republic commensurate with the massive military aid programs it has extended to these countries. Nor can one discern any special benefits China has received from its military aid to Pakistan. The arming of developing countries has not led to any changes in the international balance of power. It does, however, carry within it the inherent threat of superpower confrontation as recent events in Southeast Asia so well illustrate. It may not have caused any wars that might otherwise have not taken place, but it certainly has made the wars in such places as Southeast Asia, South Asia, and Nigeria more bloody and destructive. The main results of the massive arming of developing countries have been stalemate and an increased level of international tensions.

I believe that it would be the beginning of wisdom for both superpowers to en-

gage in negotiations leading toward the regulation and limitation of supplies of military weapons to other countries. President Nixon, in his address to the Soviet people, spoke of the responsibility of the superpowers "to practice restraint in those activities—such as the supply of arms—that might endanger the peace of the developing areas." I very much hope that the Soviet Union will heed this call. At the same time I believe that we must look to our own part of this responsibility by developing an American policy toward the international transfer of conventional arms. I believe that the report required by this amendment would provide, in broad outlines, the basis for such a policy. And I believe that an expression of congressional interest in this subject and a public document of our intent will not only strengthen our Government's efforts to make progress toward limiting arms transfer, but may stimulate other governments—including the Soviet Union—to declare their intentions as well.

I am aware that the Arms Control and Disarmament Agency has prepared and sponsored a number of studies on the subject of conventional arms transfer. I am also aware that the United States has called for greater attention to this issue at the Geneva-based Conference of the Committee on Disarmament. But there is nothing yet approaching a cohesive set of American policy objectives, nor, to my knowledge, has the United States presented any specific proposals for limiting conventional transfer at any international forum.

The lack of progress in this area is partly a reflection of the many difficult and complex considerations that require the attention of our diplomats and executive departments before an American policy can even be formulated. Let me give some illustrations of the considerations which ACDA must grapple with in preparing the report required by this amendment.

What would constitute a reasonable level of military assistance to smaller countries? Obviously, these countries do have legitimate internal security needs, and some, like Israel, whose right to existence has not been acknowledged by her neighbors, also have legitimate external security problems. It would not be wise to stimulate the growth of many costly and inefficient arms industries in the developing world at the expense of economic progress by restricting the external supplies of weapons to levels below those required to meet legitimate security requisites. At the same time, the superpowers should halt the practice of aggressively peddling arms and emphasizing security threats to potential recipients that exist more in the imaginations of the donors than in the perceptions of their clientele.

What categories of weapons are most susceptible to international agreements? For example, a beginning might be made in sophisticated and conspicuous equipment such as warships, which could provide an impetus for further international cooperation dealing with other weapons systems much as the Limited Test Ban Treaty helped provide the psychological atmosphere which contributed to later agreements on nuclear arms.

What forums are appropriate for negotiations on the transfer of conventional arms? For some categories of weapons bilateral agreements between the superpowers may be enough to impose a reasonably satisfactory degree of control. For other weapons, a multilateral conference of the Committee on Disarmament at Geneva may be a more appropriate negotiating body.

What possibilities exist for limitations on arms supply to specific geographical regions? Would the countries within these regions have to initiate such limitations? Would an arms limitation agreement require a great power accord to underwrite it, for example, a neutralization agreement such as the one proposed by several Southeast Asian countries?

What can be done about the vast quantities of weapons that are considered obsolete by the superpowers? As the superpowers introduce more modern aircraft, ships, and small arms, the weapons these replace are often given to developing countries as military assistance instead of being scrapped. This practice tends to make the level of assistance linked more closely to the rate of weapons development in the donor countries than to the actual security needs of the recipient countries. Perhaps international agreements could be reached on the disposal of obsolete equipment.

How can middle-sized arms suppliers be induced to cooperate in efforts to reduce the traffic in weapons? This is a particularly difficult issue because the middle-sized suppliers incur fewer political risks from their activities than the superpowers, and may achieve significant economic benefits both in balance-of-payments terms and in support for maintaining profitable levels of production of more sophisticated weapons.

Other problems exist. How can we more effectively prevent the retransfer of weapons from our aid recipients to countries or groups whose interests may be entirely different from our own? Would the collection of statistics on conventional arms movements by the U.N. as proposed by several member governments facilitate greater international appreciation of the size and growth of this traffic?

There are no simple answers to these and the many other questions that must be considered when reassessing our policies toward the arming of smaller countries. But, we begin to examine these questions and formulate specific policy proposals. This is why I am asking for a report from the Arms Control and Disarmament Agency containing policy recommendations. A vote for this amendment is a request for a thorough evaluation of the policy options on conventional arms transfer open to this country. It is an exercise in responsible congressional participation in foreign policy. Certainly we can all agree that this would be a better and safer world if the number of instruments of coercion were reduced. And all can agree that the vast material and monetary resources we and other countries pour into weapons could be better used to enrich the quality of our lives and societies.

The ACTING PRESIDENT pro tempore. Who yields time?

Mr. FULBRIGHT. I yield myself 5 minutes.

Mr. President, I think the amendment by the distinguished Senator from Delaware is excellent. I certainly will support it. It is an area in which the Arms Control Agency has authority; but, so far as I know, it has never undertaken such a comprehensive review of conventional arms.

Hopefully, in view of the ending of the war in Vietnam, there will be great surplus there and elsewhere in the world.

I think it is an excellent amendment, and I would be pleased to accept it. If I had thought of it in committee, I would have offered it there. I congratulate the Senator for bringing it up. I think it is a worthwhile and timely amendment. We should encourage them to make a thorough review and a comprehensive report on the status of conventional arms all over the world. We ourselves have done a great deal in distributing the arms. It is our responsibility, I think, to review the situation. So I would be very glad to take the amendment and I certainly assure the Senator I will support it as hard as I can in conference because it is a good amendment.

I am prepared to yield back my time if the Senator from Delaware wishes and we can vote on his amendment at once.

Mr. ROTH. I thank the Senator for his kind comments.

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

Mr. FULBRIGHT. Mr. President, I yield back the remainder of my time.

The ACTING PRESIDENT pro tempore (Mr. HUGHES). All time on this amendment has now been yielded back.

The question is on agreeing to amendment No. 1202 of the Senator from Delaware (Mr. ROTH).

The amendment was agreed to.

AMENDMENT NO. 1196

The ACTING PRESIDENT pro tempore. Consideration of amendment No. 1196 by the distinguished Senator from Virginia (Mr. HARRY F. BYRD, Jr.) now recurs under the previous order.

The clerk will state the amendment.

The assistant legislative clerk proceeded to read the amendment as follows:

On page 30, delete lines 12 through 18.

The language sought to be deleted is as follows:

REPEAL OF RHODESIAN SANCTIONS PROVISIONS

SEC. 503. (a) Section 10 of the Strategic and Critical Materials Stock Piling Act, as added by section 503 of Public Law 92-156 (relating to military procurement authorizations for fiscal year 1972), is repealed.

(b) Section 11 of such Act is redesignated as section 10.

The ACTING PRESIDENT pro tempore. Who yields time?

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum and ask unanimous consent that the time not be taken out of either side.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered, and the clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. HARRY F. BYRD, JR. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. STEVENSON). Without objecton, it is so ordered.

Mr. HARRY F. BYRD, JR. Mr. President, I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator from Virginia is recognized for 5 minutes.

Mr. HARRY F. BYRD, JR. Mr. President, the pending amendment would keep the law as it is now insofar as the importation of chrome from Rhodesia is concerned. Last year the Senate and then the House of Representatives passed legislation which said that if a strategic material is being imported from a Communist-dominated country, the President could not prohibit the importation of that same strategic material from a non-Communist country.

The Senate adopted that provision and the House approved it by a vote of 251 to 100. The Foreign Relations Committee in the Foreign Relations Act of 1972 now seeks to eliminate that provision. The pending amendment which I have introduced would keep the law as it is.

Mr. President, it seems to me appropriate that if the United States finds it necessary to import a strategic material from a Communist-dominated country—which in this case is Russia—the same material should not be prohibited from being imported from a non-Communist country.

The situation that the United States found itself in—and the reason the legislation was enacted last year and became effective January 1 of this year after having been signed by the President—was that up to that point 60 percent of all the importation of chrome came from Communist Russia. That is another way of saying that the United States became dependent on Communist Russia for this vital raw material. And when the Congress considered the matter, it reached the conclusion that that was not a very logical situation to permit to exist.

I do not know why the Committee on Foreign Relations wants to repeal an act which just became effective this past January. Nevertheless, it has been proposed that this provision be repealed.

I want to emphasize that when the roll was called in the Senate and in the House of Representatives, taken together, representatives from 46 of the 50 States supported the provision which subsequently became law. So this is not a regional matter; it is a national matter. It is not a State Department matter; it is a national defense matter. Does the United States want to continue to be dependent on Communist Russia for a vital war material? That is the issue.

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

Mr. HARRY F. BYRD, JR. Mr. President, I reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time? If no one yields time, time will run equally against both sides.

Mr. McGEE addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Wyoming.

Mr. McGEE. Mr. President, I will take only a very few moments at this time. We have colleagues, I suspect, coming into the Chamber who wish to address themselves to this question.

Before I proceed I ask unanimous consent that the legislative director of my staff, Mr. Robert Bullock be permitted to join me on the floor during the course of this discussion.

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

Mr. McGEE. Mr. President, I wish to make two or three points quickly as we recapitulate the issues in connection with this question.

Considering where we are today some 8 or 9 months since the Senate acted on this question last October 6, it is vital that we have a look backward at what has happened in the wake of that Senate action. During the debate in October last year one of the points that was made repeatedly in this Chamber was that we should at least hold off with Senate action for about 30 days until the British and the Rhodesians could complete their negotiations, which were even then underway. They had been negotiating off and on for a considerable length of time to try to reach a compromise on their impasse in regard to the status of the Ian Smith government in Rhodesia, in its relationship to the United Kingdom, and most important of all, its proposals for effecting a transition into independence with an accord that would spell some hope for the 95 percent or more black Africans in Rhodesia's population.

The Senate in its wisdom chose not to suspend any action until those negotiations were over. In fact, we acted even as the talks between the British and the Smith government were reaching a climax. The result, in hindsight, is now very clear: The moment the Senate took the action it did, that vote was transmitted by the news services to Rhodesia, at which point we have the testimony of both Governments that it froze and hardened the Rhodesian Government's negotiating position. The upshot of it was that out of those talks came a less than equitable compromise. The Rhodesian government of Ian Smith was emboldened to resist even more firmly the pressures for compromise and its firmness in resisting them was triggered in large measure, we are told, by the action of the U.S. Senate on the sanctions.

I have just returned from a conference on the Isle of Jersey this month with our British contemporaries, many of our Canadian contemporaries, and an assortment of experts on Africa. The purpose of the conference was to examine the status of many African questions now, but the point made to me personally by leaders of the Labor Party in England and by the leaders of the conservative government, was that the bargaining in a realistic sense once the Senate took its action withdrawing from sanctions against Rhodesia; and the substance of this judgment is borne out now by the Pearce Commission report.

The Pearce Commission was set up to assess the consequences of the agreement that was reached between the British conservative government and the Ian Smith government in Rhodesia. What the Pearce Commission concluded after long, tortuous, and everyone agrees, fair hearings, was that the terms of the hardened agreement were unacceptable to the 95-percent-black population in Rhodesia. What this meant in very blunt terms is that the Senate of the United States, by its action in withdrawing its full participation in sanctions against Rhodesia, contributed to the sabotage of efforts to negotiate an equitable compromise between Rhodesia and Her Majesty's government in London.

That is a serious charge, Mr. President, but it is a charge that the Senator from Wyoming alone does not make; it is a charge contained now in the record of the history of those times that we are now privileged to examine in hindsight.

My petition here today is that the Senate soberly reconsider what it did. The British petitioners, the African petitioners, and the United Nations petitioners, too, request that action. They ask for one more chance to look at the question. Again and again, those persons coming out of Rhodesia and those who are more widely versed in connection with the entire vast continent of Africa are saying that the prospect of a violent settlement of these questions in that part of the world is greater now in the wake of the continued impasse in Rhodesia than before. I would be the first to point out that the United States single-handed cannot solve all the problems of the world, but we have influence and what we do and say makes a great difference to people all over this globe, and it makes a particular difference to people in Africa. I would stress that what looms even larger than it did last October is a second implication involved in the action that this body is now being requested to take.

That is the role of the United States itself in the Jnited Nations, and the role of the United Nations as man's only remaining hope of something just a little bit better for our world.

Let me spell out why the U.N. looms very large this morning as we share our thoughts on this troublesome problem. At the point away back in 1966 when relations between Great Britain and Rhodesia had reached their crisis, when it appeared at that time as though the only likely recourse was a shoot-out in Rhodesia, the United States interceded as an honest broker and begged the British not to take a precipitous position; begged the Rhodesians not to respond in a precipitous way, and said, "Let us give it one more chance." We urged that the issue be taken to the United Nations, where it had not been lodged until that time. Partially at our behest, through our persuasion as the honest broker in that dispute, the question was turned over to the U.N.

My friend from Virginia has often reiterated his strong support of the United Nations. I have reiterated mine. That is why I think it is important that we look at the U.N. role in this question and what is at stake, because by the judgment of the United Nations, a program of sanctions was ordered against Rhodesia.

A program of sanctions, in the modern world with modern communications, is always a complication. As we well know, there were numerous asserted violations of the sanctions once they were imposed by the United Nations; but, even so, it was a serious enough matter that the Ian Smith government still today squirms under the worldwide question mark that is thrown over the legitimacy of that regime by this official U.N. sanctions program, and Smith is still striving to get out from under the program.

It is also well to note that even the Republic of South Africa, even Portugal, two nations that might have been expected to be more or less sympathetic with the Rhodesian question, have not formally acted to break the sanctions program.

The irony of it is that the United States of America, one of the principal architects of the original document that came out of San Francisco at the end of World War II, the United States within whose boundaries this great international body is lodged, the United States which at its own initiative persuaded the British to turn this matter over to the United Nations rather than go to the next stage, which could have been force, which both sides feared—the United States became the one member of the United Nations which, by the action which this body initiated, formally and openly broke faith with a United Nations commitment.

That, Mr. President, is what our country is going to be on the line for. That is the judgment that we shall have to account for as we stand before the bar of history when we profess in our rhetoric and in our profuse oratory about how we believe in the U.N. and how important it is that the U.N. succeeds. I say here it is going to take a great deal more than rhetoric to reestablish our own integrity in the U.N. It is well enough to say we pay more than anybody else in the U.N., but you do not buy principles with dollars; you support principles with the integrity of your deeds. That is why the whole question of the U.N. is a paramount issue here as this body debates this question today.

The United Nations has been in a low state for the past few months, for many complicated reasons. The big powers have been on the front pages and the front line, trying to resolve the differences of the world. But, Mr. President, let us not be the one that gives up the last ray of hope for collective action through an organization of all of the nations, not just some of them. We have committed a great deal of that faith.

We now have a new Secretary General of the United Nations. The United Nations is now seeking to get off the ground again, in its effort as peacemaker and honest broker; in efforts to resolve the differences of man around the world. This is an hour when a constructive action in this body, reinstituting the good faith of the Senate of the United States in our commitments under the Charter of the United Nations, would be a veritable shot in the arm to that sometimes beleaguered body in New York.

Mr. President, that is the case that I wanted to make this morning in these brief remarks and to say that we are being judged all over the world by where we stand now. We are being judged in black Africa as to the sincerity, as to the credibility of our oral commitments to equality among all peoples around the world; by these same black Africans who predominate in that vast continent—we are not talking about a minority; they are the majority; they are the majority; they are the minority only in a few governments—who are looking to us for some flickering gesture at the very least to give them some hope for following our lead.

President Nixon is in foreign lands today—has been for over a week—leading in an effort to ease the tensions of the world. The President has scored some breakthroughs in China, in the East, and still more breakthroughs in the trip to Moscow, and now in Iran, and today he goes to Poland. But I say, Mr. President, the world is round. It is not flat. In is not elongated. It is round, and a part of that round is the second largest continent in the world, the continent of Africa. And we are being judged in Africa today.

So I say, Mr. President, that I think it is of the utmost importance that, without risk, without compromising the security of this country, without contravening in any way the President's heroic efforts to bring peace in the world, but, in fact, complementing them and implementing them, this body would do well to rejoin the United Nations in its action in enforcing sanctions against the Government of Rhodesia for the duration of the judgment of the U.N., which until now at least has been conditioned on the negotiating efforts between the British Government and the Rhodesian Government to work out a livable compromise of their differences.

Mr. President, I yield the floor.

Mr. BROCK. Mr. President, will the Senator from Virginia yield me 5 minutes?

Mr. HARRY F. BYRD, JR. I am glad to yield 7 minutes to the distinguished Senator from Tennessee.

Mr. BROCK. Mr. President, perhaps I might be accorded the privilege of sort of wondering aloud at some of the comments made by the Senator from Wyoming.

He has mentioned the rhetoric of this debate. I would agree that it has wandered far afield on occasion. But when he begins to talk about the United Nations, about a consistency of philosophy and a consistency of position, perhaps I might be permitted a response, and perhaps even an evaluation of the consistency of that remarkable body.

There is not a Member of the Senate or a Member of Congress who does not hope that the United Nations will play a role in creating a greater chance for peace in this world. But if they are going to do that, they are going to have to develop a consistency of philosophy, a consistency of position, a consistency of integrity as well as this Nation, and this they have not demonstrated.

When one talks about the United Nations and its right to impose sanctions, it should be remembered that a part of the United Nations Charter says that body shall not interfere in the affairs of another nation, it shall not determine the form of government of any nation. Yet that is exactly what they are attempting to do in this particular instance.

It has the perfect capacity to recognize and create all kinds of nations if it likes them, if it wants their vote in the United Nations. But if it does not like them, as it apparently does not like Rhodesia, it does not recognize them, it just says, "We are going to impose sanctions on you and keep you from existing."

I marvel at the people in this country who talk about integrity of principle, and who say that the United States should not be a world policeman. I agree with that. But then what are they doing meddling with Greece? What are they doing coming before Congress and saying that we should not have any relationship with Greece because that nation does not fit their own personal standards of majority rule?

Look at the utter hypocrisy, the sheer, rank hypocrisy of the United Nations in the instance of Taiwan. They did not happen to like the country of Taiwan. They happened to decide they wanted to play the power game, so they chose a big guy over a little guy, and said, "We are going to bring Red China into the United Nations, and at the same time we are not going to give the 14 million people on that island representation; we are going to throw them out." What a bunch of garbage there is in that position. Consistency? It is not consistency, it is hypocrisy, pure and rank.

Talk about the equality of all people. That is an objective we all share. I guess you can say that the people of Eastern Europe are equal in terms of the degree of slavery they suffer. But where were these people who speak out for equality when the people of Poland, the people of Hungary, or the people of Czechoslovakia sought their own freedom? Where were they then?

You see, it depends on whose ox is being gored. The shoe does not seem to fit on both feet. There is no consistency of position here. It just depends on which side you are on. You do not like Rhodesia, so you say, "impose sanctions," and then you plead and cry about wanting to increase trade with Eastern Europe and with the Soviet Union.

I do not think that is an unfair objective. I think trade can create an interdependency that will enhance the prospect of peace. But let us be honest about it. People who talk about one country and one standard should apply that standard around the world, or they should shut up.

I do not think the people of this country are being treated honestly. I do not think they are being treated honestly in the United Nations, and I do not think they are being treated honestly by some of our political leadership, who have the remarkable talent to select those areas where we are going to have principles and to select other areas where we will not have principles.

If there is any kind of principle in this country, if we are going to meddle in the affairs of men and nations, if we are

going to say, "We are not going to deal with your country because we do not like your form of government," then let us talk about dictatorships wherever they exist. Let us talk about inequality wherever it exists. Let us be honest about it, and have a common and consistent approach to that particular problem.

But do not come to me and say, "Well, we do not like dictatorships, but we will accept some because they are liberal and we will not accept others because they are repressive," or whatever derogatory term they want to use about them. Are they dictatorships or are they not? Is there equality or is there not?

Does a Russian Jew have equal treatment? Does a Russian Baptist have equal treatment? Does a Russian Catholic have equal treatment? Does a Russian black have equal treatment? Does a Ukrainian have equal treatment? Does someone in Czechoslovakia, or Hungary, or Poland, or Rumania, or Bulgaria, or Albania? Are they equally treated? Are they?

If we are going to say, as I think we should, that it is for the people of a country to determine their own destiny, that it is not for this Nation to try to impose its will, that this is a consistent principle which we are going to adhere to, it would require that that principle apply in all areas, not just in Eastern Europe, not just in Vietnam or Asia. It would apply in Rhodesia and Africa as well.

But let us decide which angle we are going to take. Let us decide where the consistency is, where the principle is, where the integrity is, and then let us adhere to it. And I would be perfectly willing to do that. You see, I happen to agree with a lot of those people in this country who have been critical of our actions in Southeast Asia, in one instance, when we say we have got to make a decision whether an action we take is in our national self-interest first, because this Nation cannot really be the guardian of the peace if it is not strong, and if we destroy ourselves, we are not going to be very effective in saving anyone else.

Where is the American self-interest in this particular question? I think it is fair to ask. Is it in our self-interest to leave ourselves totally at the whim and wish of one nation, the Soviet Union, for our supply of a terribly strategic material like chrome? Is it? Or should we not have an alternative source of supply?

Is it in our national interest to pay double the world price for chrome? Because that is what happened the day we put the embargo on. The world price went up by two, and the American housewife, the American consumer, the American defense industry, and the American taxpayer are paying the difference.

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

Mr. BROCK. May I have 2 additional minutes?

Mr. HARRY F. BYRD, JR. Mr. President, I yield the Senator from Tennessee 5 additional minutes.

Mr. BROCK. The American taxpayer pays for the policies of the Government that decided it wanted to impose its will upon other governments. What is the real difference between military intervention and imperialistic intervention by an economic device? It is the same thing. It is an imposition of will, an infringement upon the free process.

I happen to think that our national interests are very much at stake in this particular matter. I happen to think the United States cannot afford to be dependent upon the Soviet Union for its sole source of chrome. I happen to think the U.S. taxpayer, the U.S. consumer, has a right to expect his Government to allow him to buy any material he wants, any place he can, at the best price he can possibly buy it for. If that means we can buy it in Rhodesia or Canada or South Guam, I do not care. But to say otherwise is to violate his freedom, and that is not the prerogative of this body. It is not the prerogative of this body to infringe upon the free process of Americans wherever they be and whatever activity they want to undertake, so long as that activity does not infringe upon the rights of others.

We have a basic question before this body. The question is whether or not this country is going to be consistent, whether it is going to be impartial, whether it is going to have integrity of principle, or whether it is going to play the game of catering, catering to a few in the intellectual world or in the press who say, "We want to select whom we are going to deal with. We are going to select those people we want to associate with. We are going to make the American people pay for it whether they like it or not."

Well, it is wrong. I support the Senator from Virginia.

Mr. McGEE. I yield myself 5 minutes.

Mr. President, I respond to the Senator from Tennessee by way of making sure that the record stands correctly in accord with at least the best facts on which we can lay our hands.

First, in regard to the allegation that we are meddling in the internal affairs of another government, an independent government. Mr. President, I challenge that, as a matter of fact. Southern Rhodesia is a part of the British Empire. Rhodesia has not been set up legally as an independent entity. That is what part of the negotiations are all about. It is a member of the British Empire by international law. We did not interfere in Rhodesia. The British requested that this matter be turned over to the United Nations. We are a member of the United Nations. We are participating as a member of that collective body that has voted to take collective action on the sanctions question. This is not meddling in the internal affairs of an independent nation.

Part of the problem is how to bring about the legal transition of Rhodesia, a member of the empire, into some kind of status of independence, and that is basically Britain's question. This phase of it she sought to turn over to the United Nations, as many colonial questions have been, in the hope of finding a solution to it.

The second fact that needs to be kept clear on the record has to do with the Soviet Union and our dependence on it for chrome we need. Let us set that record straight. First of all, the President of the United States happens to have believed that our security was enough at stake to go to Moscow. The President of the United States believes that we can negotiate a deescalation of the tensions of the world by dealing with the Russians, not by fighting them or by isolating from them at the moment.

Let me say to the Senator that, in addition, the Senator no doubt is aware of the fact that since our dialogs here last October, the trade figures for last year, 1971, are now a matter of record and have been submitted to the President by the U.S. Bureau of Mines. Last year, the imports of chrome from the Soviet Union fell almost by half. In 1970, almost 2 years ago, we were importing 58 percent of our chrome from the U.S.S.R. Last year we imported 36 percent from the Soviet Union. Where did we get the difference? Our imports from Turkey last year—and may I submit that Turkey is an ally of the United States—were 39 percent.

I think we ought to lay to rest the factor of where we are getting our chrome, even in terms of its price.

We ought to remind ourselves, as well, that this body, after our action last fall, passed S. 773. That measure authorizes the disposition of 1,300,000 tons as excess to our chrome ore strategic stockpile. That in itself should remind us that there is no great sense of urgency in national security and defense needs, if, by the best judgment of those whose responsibility it is to maintain that stockpile—and by the judgment of the Armed Services Committee we passed this release of 1,300,000 tons—we can afford to do that without risk to this Nation. I agree with that.

What it does put back into perspective is the issue of the sources of our chrome ore. Some of our chrome ore, Mr. President, is coming from the Soviet Union, from whence it has come for a good many years. It is coming even more from Turkey now. For that reason, I sought to inject these modifications of the suggestions that were being made by the Senator from Tennessee.

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

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

Mr. HARRY F. BYRD, JR. I yield to the Senator from Tennessee such time as he desires.

Mr. BROCK. Let me say, first, that there is no Member of this body for whom I have greater respect, affection, and regard, in terms of protecting our national interest, than the Senator from Wyoming. I know of his integrity and his ability in this matter. We happen to be thoroughly in disagreement on this issue, and I respect him for that as well.

But let me point out that when we are able to release some chrome from our stockpile, it is because we have alternative sources of supply, because the Senate authorized the purchase of chrome from many sources.

If we did not have alternative sources of supply, if we were totally dependent, as the Senator's position would leave us, on the Soviet Union, then we could by no

means have any confidence that we should reduce our stockpile of chrome.

Second, why do we buy chrome from Turkey? One reason is that the Soviet Union jacked up the world price so high that it made it possible for inefficient producers to get into the market, and we can begin to see higher prices elsewhere. As a matter of fact, we were paying double the world price because the Soviet Union put it there, and we had no choice but to buy chrome there.

With respect to the President's trip to Moscow and the fact that the Senator believes the President went to Moscow because he had confidence in our ability and our strength to negotiate with the Soviet Union from a sincere position on both sides, I think the President's trip to Moscow was one of the greatest steps toward peace in my lifetime, and I support the President in his effort. But I point out to the Senator from Wyoming that the President did not go to Moscow and sign a treaty which turned over to the Soviet Union the responsibility for our collective defense. He did not ask the Soviet Union to defend America. He did not ask them to put their missiles in front of our shores to protect this country from attack. He went over there to negotiate an arms limitation on both sides, so that neither would fire at the other.

What the Senator from Wyoming is asking us to do is to put our defense in their hands, at their disposal; because if we are dependent, in fact, upon the Soviet Union at some future date because of his amendment, if we are dependent upon them as the sole source of chrome, then he is saying that we might as well put our entire collective security at their disposal and say, "Protect us from harm." The Senator obviously knows that we are not going to do that sort of thing. That is why I think it is terribly dangerous for this country not to afford itself of any source of supply we must have in order to maintain our security.

Mr. McGEE. I thank the Senator for his further development of this matter.

I would hasten to add two things. The first is that this administration has endorsed my position. The President of the United States has said that they approve of this section of the bill. This is the same President the Senator has been alluding to, who went to Moscow, and he is not about to let our defenses down.

I certainly agree that anything we might reduce is on a quid pro quo basis. It is negotiated. That is the only sensible thing. But let me add to that what the release of the stockpile really represents. 1.3 million tons is being authorized in this pending legislation. What is coming in from Rhodesia in the so-called new source of supply if the present rate continues for the full year, will be 50,000 tons. The Senator cannot tell the Senator from Wyoming that that was the reason for our releasing 1.3 million tons from our own strategic reserves. The real reason is, if I may point out, this was recommended by the President even before the issue came up a year ago.

We have enough reserves left excess to the stockpile, 2.2 million tons, to meet the defense needs for 20 years at the present time, according to the emergency stockpile board. We have enough for 2 years if diverted totally for commercial use without touching the basic stockpile. Keeping this record straight and in perspective, the amount of ore we will be getting from Rhodesia by letting down our sanctions and giving away a principle, sabotaging United Nations policy and calling into question our own commitment to the United Nations, injuring our image in a vast continent where we hope to improve our relations and protect our flanks if need be, and would amount to about 50,000 tons from Rhodesia. That is the anticipated sum for this year. The President has endorsed this proposal of mine to resume sanctions with our Government officially pledged to full compliance. I say to my good friends from Tennessee it begins to look like a pretty thin case to argue that our strategic interests are at stake.

Mr. BROCK. With regard to the President of the United States, I could say that he can be wrong, too.

Mr. HARRY F. BYRD, JR. Mr. President, the distinguished Senator from Wyoming says that we want to set the record straight, and I think it is a good thing to do. It is important that we set the record straight.

The expert on the stockpile situation is the distinguished Senator from Nevada (Mr. CANNON), who is the chairman of the Stockpile Subcommittee of the Armed Services Committee. He will be here in a few minutes to discuss the stockpile situation.

But I will say at this point that the record will show the Senator from Nevada stated last year, in debate on the floor of the Senate, that his subcommittee and presumably the Armed Services Committee as a whole, would not recommend the release of this stockpile of 1.3 million tons were the proposals which I made last fall to be rejected. It was because of what Congress did last year that the Stockpile Subcommittee recommended the release of 1.3 million tons from the stockpile.

The stockpile today has roughly a 3-year supply of chrome. There are probably some Senators who do not believe in a stockpile. Maybe they would say to take it all out. But the purpose of the stockpile is to protect the United States in the event of an emergency.

It has been concluded that the United States needed a 3-year supply in the event of an emergency. That is approximately what the United States has today.

As I say, the distinguished Senator from Nevada (Mr. CANNON) will be here shortly to give the exact figures. The figures I have given are close to being the precise figures.

The Senator from Tennessee raised several important points. One is that the United States has no business interfering in the internal affairs of another country. That is what it is doing.

Whether Rhodesia should be dependent on Great Britain, a colony of Great Britain, or whether it should be independent of Great Britain, is a matter to be decided by those countries. The United States has no business getting involved in that. We have been involving ourselves in too many things all over the world. Certainly we have no business getting involved in that matter, as to whether Rhodesia should be independent of Great Britain.

The fact is that the only thing Rhodesia is doing is what the United States did in 1776, seeking their independence——

Mr. HARRY F. BYRD, JR. I do not say on the floor of the Senate whether they should have independence, but I think they should have the right to obtain that independence if that is their desire. I do not think the United States should seek to prevent that from being done.

The able Senator from Tennessee raised another point about the cost of this material having been substantially raised as a result of unilateral action by the President of the United States some years ago.

You know, Mr. President, Congress never put these sanctions on. It was done unilaterally by the President. As a result of those sanctions, the price has skyrocketed. It is affecting jobs all over America.

Mr. President, I hold in my hand a telegram from William J. Hart, director of District 19 of the United Steelworkers of America. The telegram is sent from Tarentum, Pa. It reads:

> Once again I urge you to oppose repeal of the Byrd amendment as contained in section 503 of S. 3526. This matter is of great concern to the specialty steel industries and as a consequence is directly involved in the continued employment of United Steelworkers of America members.

So, Mr. President, that is another reason why the action taken by Congress last year should not be overturned. There are many jobs at stake.

The distinguished Senator from Wyoming (Mr. McGEE) mentioned my strong support for the United Nations. That is correct.

I came back from Okinawa in the Pacific in May of 1945 at the time the United Nations was being formed. I felt it would be a world organization which would make it unnecessary for persons like myself in future years to have to be sent into battle on foreign soil in faraway areas.

I had great hopes for the United Nations, but I must say that it has not lived up to those hopes. It is a different United Nations today from what it was then. There were 51 members at that time, all with long-established governments. Today there are 131 member nations, very few of which have a history of established governments.

But, be that as it may, my concern is for the United States. That should be our foremost concern. We certainly want to help the United Nations if we can but I, for one, do not want to put the affairs of this country in the hands of the United Nations.

Mr. President, just why an effort should be made here to repeal a law which passed and became effective only in January is not entirely clear to me.

You know, Mr. President, under existing law, the President can prevent the importation of chrome from Rhodesia.

All he has to say is that we shall not import any chrome from Russia and then, under the terms of existing law, it will be impossible to import chrome from Rhodesia.

It is obvious, however, that if we do not need chrome ore, the President would do just that. He would say that it is not necessary to import chrome from Russia. Therefore, under the law it is not possible to import chrome ore from Rhodesia.

So there is a means under the present law to uphold the action of the United Nations if this is what the Government wants to have done. We do not have to change the law. It can be done under the present law.

The President signed this into law last December. So I do not know why we have all of this concern about the United Nations being so heavily involved.

The sanctions were put on unilaterally by the President of the United States, President Johnson, some years ago. And the only time that Congress has had an opportunity to express itself on this issue was last fall. Both the House and the Senate then voted to make it possible to lift the sanctions insofar as this one strategic material was concerned.

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

The PRESIDING OFFICER (Mr. MONDALE). The Senator from Virginia has 30 minutes remaining.

Mr. HARRY F. BYRD, Jr. Mr. President, I reserve the remainder of my time.

Mr. McGEE. Mr. President, I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator from Wyoming is recognized for 5 minutes.

Mr. McGEE. Mr. President, I would like to respond to my good friend, the Senator from Virginia and cooperate with him and try to get along until the Senator from Nevada (Mr. CANNON) gets here. We have a commitment with him regarding his speech. I want to respond to some of the points raised by the distinguished Senator from Virginia.

Mr. President, I think we ought to keep the record clear on where the steelworkers of America stand on this issue, since the Senator from Virginia raises that point.

During the debate last fall we submitted the testimony of Mr. Abel, the president of the United Steelworkers of America. The president of the United Steelworkers of America said that under no circumstances have the steelworkers of the United States endorsed the Byrd amendment. Mr. Abel said they believe in the United Nations and they want the record to be straight. Nor does Mr. Hart, Mr. Abel went on to say, speak for the steelworkers. Mr. Hart, a member of the executive board, speaks for himself. The steelworkers go on record as stressing the fact that American jobs are not at stake with regard to this issue. And we believe that is one of the important facets of American policy.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a letter from Mr. I. W. Abel, president of the United Steelworkers of America, that stresses once again, as this matter comes up for a vote, that they want to make it clear that the steelworkers go on record as being in favor of the sanctions imposed against Rhodesia.

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

UNITED STEELWORKERS OF AMERICA,
Pittsburgh, Pa., September 29, 1971.

Hon. GALE W. MCGEE,
Washington, D.C.

DEAR SENATOR MCGEE: Recently the Senate debated a provision of the Military Procurement Authorizations Act, 1972 (H.R. 8687), reported out by the Senate Armed Services Committee, which would permit the United States unilaterally to breach the United Nations' embargo against Rhodesia for the purpose of importing chrome ore or chromite. Because of the official social and racial injustices perpetrated by the Rhodesian government against its citizens, the UN applied the economic solution of an embargo until such time as that government through negotiations would correct such indignities. The impact of the embargo, as far as chromite is concerned is that the American ferroalloy producers have increased their purchases of Russian chrome ore from a level of 33 per cent in 1966 to a level of 58 per cent in 1971.

During the floor debate on your amendment to delete this morally indefensible section and to maintain the embargo, Senator Harry Byrd (Va.) read a telegram from a Mr. William Hart, who specifically identified himself as a member of the executive board of the United Steelworkers of America, in support of the effort to destroy the effectiveness of the embargo. Let me assure you that his telegram neither was endorsed by the executive board of nor does it reflect the position of the Steelworkers.

The United Steelworkers of America supports the intent of the embargo and its continuation. We feel that as a nation, and in conjunction with other nations, we must be socially concerned about basic human justice and, if need be, sustain an economic price for that conviction. Furthermore, this is one of the few occasions on which the United Nations acted as the moral conscience of the world. Its effort, therefore, should continue to have the support of this country if the purpose of a United Nations organization is to be meaningful. To break the embargo on this item will surely lead to a breaking of the embargo on other items.

Arguments on the floor indicated that the Senate Foreign Relations Committee had previously rejected this measure; that fully three years before the embargo we were already importing almost 40 per cent of chromite from Russia (49 per cent in 1963); and that there is a governmental request to release 1.3 million tons of chrome from the strategic stockpile, thereby belying any charge of strategic shortage of this mineral.

However, as regards to the threat of job loss in the specialty steel industry in Pennsylvania or elsewhere, it is in no way affected by the importation of chromite from Russia. Our problem in that industry is due to the inordinate levels of specialty steel imports from Japan and Europe and not to the source of chromite imports. To correct the specialty steel trade imbalance we have supported steel quota legislation and/or voluntary agreements. However, the importation of chrome ore from Russia does not aggravate the importation of specialty steel. It certainly did not do so in the three years prior to the embargo.

The ferroalloy industry is also beset by ferroalloy imports. We have supported their contention before the Office of Emergency Preparedness for quota relief. But the relief was to be directed against ferroalloy imports, for example ferrochrome, and not the ferro ores, for example chromite, upon which the industry depends. The lack of access to Rhodesian chrome ore fields does not affect the volume of chrome ore imports. The fact that some ferroalloy producers own properties in Rhodesia should not away the United States decision to maintain the embargo.

Our problems, therefore, in the specialty steel industry and the ferroalloy industry can be solved by quota controls and not by breaking the Rhodesian embargo on chrome ore. We hope that this untimely and socially indefensible provision of H.R. 8687 will be dropped either in conference or by further action by the Senate. The price of human dignity should not be measured in terms of the cost of chromite in the United States market.

Sincerely yours,

I. W. ABEL,
President.

Mr. McGEE. Mr. President, I ask unanimous consent to have printed in the RECORD a letter from John J. Sheehan, legislative director of the United Steelworkers of America.

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

UNITED STEELWORKERS OF AMERICA,
Washington, D.C., May 4, 1972.

Hon. GALE W. MCGEE,
U.S. Senate, Washington, D.C.

DEAR SENATOR MCGEE: The United Steelworkers of America has maintained that upholding the United Nations embargo against Rhodesian chrome ore does not affect jobs of American Steelworkers. The recent release of excess chrome from the strategic stockpile further indicates that it is not necessary for the United States to continue to violate the embargo.

A February 22, 1972 article in the *American Metal Market* stated that, "Uncertainties continue to surround the Rhodesian chrome ore picture with respect to prices and supplies moving to the United States . . . The Rhodesian government has controlled the production and sale for all mines in Rhodesia since the sanctions were imposed by the United Nations. At the present time, the Rhodesian government has not indicated to Union Carbide how much ore will be available in 1972 [except for] an immediate shipment of about 20,000 tons of ore." Such uncertain circumstances would seem to place in question any assertion that the opening of Rhodesian imports would provide insurance against a real or potential crisis.

Surely we do have some commitment to prevent political exploitation of minorities and we should express that commitment through economic sanctions rather than ultimately being involved, directly or indirectly, in bloodshed.

We, therefore, support and urge your support of Section 503 of the Foreign Relations Authorization Act of 1972 (S. 3526), which would rescind the previous action of Congress which resulted in a breaking of the embargo.

Sincerely,

JOHN J. SHEEHAN,
Legislative Director.

Mr. McGEE. Mr. President, I ask unanimous consent to have printed in the RECORD a copy of the Steelworkers legislative appeal under date of May 30, 1972.

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

CHROME ORE IMPORTS

The issue of the United Nations-sanctioned embargo of Rhodesia, as it applies to chrome ore, will again be before the Senate very shortly. The debate which has swirled about this issue has brought to the fore many

claims of undue hardship to the American speciality steel industry and threats of job loss to American steelworkers.

As the union which would be directly affected by this alleged adversity, let me again emphatically state that the United Steelworkers of America fails to see any credence in these claims. Furthermore, we have always supported the embargo in the past, and we support its reinstatement now.

A number of points concerning competition on the affected marketplace must be made clear:

(1) *Voluntary Trade Restraints*—On May 6, 1972, the White House announced that new import accords had been reached with the Japanese and European steel producers. These agreements are designed to prevent any further erosion of the domestic steel market by imports, explicitly including the specialty steel market (which is the market sector affected by chrome ore). In other words, our domestic production of specialty steel, for domestic consumption, will not be adversely affected because of different prices of chrome ore from different sources.

(2) *Price to the American Consumer*—A picture has been painted by some that the American consumer is being gouged because of the removal of the Rhodesian supply as a competitive factor. *Barron's* magazine, for example, states in its May 29, 1972 issue that the "sanctions cost United States consumers of stainless steel an estimated $100 million per annum. . . ." The inference is that the cost of Russian chrome ore rose dramatically after the imposition of the embargo, with a resulting $100 million windfall being charged off onto the American consumer. But State Department figures reveal the following:

U.S.S.R. CHROME ORE IMPORTS INTO THE UNITED STATES

	Tonnage	Percent of total U.S. chrome ore imports	Value
Year:			
1969	299,000	57	$7,800,000
1970	409,000	58	13,700,000

With the dollar value of over half of the imports being at the amounts listed in the above chart ($7.8 and $13.7 million), it is inconceivable that excess profits on the Soviet imports or even on the total imports could be $100 million.

Prices may indeed be somewhat higher for non-Rhodesian ore. But we find no assurances from Rhodesia from which to gauge what we might expect from them in the future. A February 22, 1972 article in the *American Metal Market* stated that, "Uncertainties continue to surround the Rhodesian chrome ore picture with respect to price and supplies moving to the United States . . . The Rhodesian government has controlled the production and sale for all mines in Rhodesia since the sanctions were imposed by the United Nations. At the present time, the Rhodesian government has not indicated to Union Carbide how much ore will be available in 1972 [except for] an immediate shipment of about 20,000 tons of ore." Such uncertain circumstances would seem to place in question any assertion that the opening of Rhodesian imports provides any panacea for American consumers.

(3) *Steel Market Fluctuation*—The rapid increase in price of USSR chrome after the imposition of the embargo has been exploited as an example of the loss of competition in the market. But another factor must also be considered. The period of this price increase coincided with boom years in the world steel market. That market has now deflated, and so has the Soviet price of chrome ore (down 15 per cent from the 1971 price).

(4) *Reliance Upon the USSR*—In the years of 1969 and 1970, we did in fact import the majority of our chrome ore from Russia. In 1971, however, Turkey became the leading importer at 39.4 per cent, with the USSR falling back to 35.8 per cent—almost its pre-embargo level.

* * * * *

We feel that the economic arguments against the embargo are unfounded. But more important, we feel that the Rhodesian embargo must rest on its own social, not economic merits. This nation owes a deep moral commitment to the objectives of that embargo.

We, therefore, support and urge your support of Section 503 of the Foreign Relations Authorization Act of 1972 (S. 3526), which would rescind the previous embargo-breaking action of Congress.

* * * * *

Mr. McGEE. Mr. President, the suggestion has been made repeatedly here that somehow the Steelworkers have copped out on this question, because they are concerned about jobs. The United Steelworkers of America point out that American jobs are not at stake. They are not concerned about jobs. They are concerned about the higher principles that are involved. They do not see that any jobs are affected by the sanctions on chrome from Rhodesia. The jobs may be Rhodesian jobs, but they are not jobs in the United States of America.

Mr. President, I think this ought to be spread on the RECORD as part of the true perspective of where the Steelworkers, who theoretically would have the most at stake in the Senator's proposal, stand. They support a return to this program of sanctions.

Mr. President, I return once more to the reminder that the President of the United States has endorsed this approach because this approach is simply another one of the facets of the international policy to help strengthen the American hand. It was his emergency board that made the decision, with all due respect to the Armed Services Committee, that 1.3 million tons of chrome were in surplus. Yet, my friend, the Senator from Virginia, and the Senator from Tennessee, would have us believe here that by the purchase of 50,000 tons of chrome from Rhodesia, we justify the release of 1.3 million tons from our stockpile. That is nonsense. No one who can examine the implications of that statement can believe it. It says that we have more chrome in the stockpile than we know what to do with, and by releasing the excess we are insuring ourselves of enough for our entire defense and domestic needs for 2 or 3 years ahead, besides what remains in the stockpile, which is far more.

The decision says that chrome is not in any critically short supply.

It further says that the price of ore is set in the world market and not in the machinations that go on in terms of Rhodesia.

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

Mr. McGEE. Mr. President, I ask unanimous consent that an editorial from the New York Times of today, entitled "Atoning on Sanctions" be printed in the RECORD.

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

ATONING ON SANCTIONS

The Senate will get an opportunity, probably today, to start pulling the United States back from a violation of international legal obligations and the United Nations Charter. It will vote on Senator Gale McGee's bill to repeal a 1971 provision that had the effect of breaching sanctions twice invoked against Rhodesia's white minority Government by the U.N. Security Council.

Prospects for repeal improved greatly with a strong declaration of support from the Administration, which made no fight against Senator Harry F. Byrd's 1971 amendment. In a letter to Mr. McGee, Acting Secretary of State John N. Irwin demolished arguments for the Byrd amendment, particularly the charge that by barring Rhodesian chrome imports the United States left itself dependent on the Soviet Union for strategic material.

"There was no chrome shortage last year and there is none now," Mr. Irwin said. In fact, there are 2.2 million tons of excess top-grade chrome ore in the strategic stockpile. Months before Mr. Byrd submitted his amendment the Administration had asked Congress for permission to sell off 1.3 million tons—sufficient to supply this country's total chrome requirements for eighteen months or to meet defense-related needs alone for fifteen years.

The United States imported more chrome in 1971 from its ally, Turkey, than from Russia. The Administration also refutes the rumor that Russia itself is violating the sanctions and reselling Rhodesian chrome to this country. Tests of Soviet ore by the Bureau of Customs have produced no evidence of this whatever.

When Congress passed the Byrd bill it seemed probable that Britain would soon settle the Rhodesian problem with the white regime, making sanctions academic. But Rhodesia's black majority rejected the settlement and Britain perseveres with the sanctions. By passing the McGee repealer, Congress can bring the United States back into line with most of the international community and restore its traditional position in support of the United Nations, the rule of law and majority rule in southern Africa.

Mr. HARRY F. BYRD, JR. Mr. President, I yield myself 2 minutes.

The PRESIDING OFFICER. The Senator from Virginia is recognized for 2 minutes.

Mr. HARRY F. BYRD, JR. Mr. President, the Senator from Nevada (Mr. CANNON) is the chairman of the Stockpiling Subcommittee of the Committee on Armed Services. In the CONGRESSIONAL RECORD under date of September 30, 1971, the Senator from Nevada said:

> We have 4.4 million tons in the stockpile. We held hearings on that and determined that we should not release it.

They did not release it until this legislation was enacted last fall.

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

The PRESIDING OFFICER. Who yields time?

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum and ask unanimous consent that the time be taken equally from each side.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HARRY F. BYRD, JR. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. HARRY F. BYRD, JR. Mr. President, I yield 10 minutes to the Senator from Nevada (Mr. CANNON), chairman of the Stockpile Subcommittee of the Armed Services Committee.

Mr. CANNON. Mr. President, I thank the distinguished Senator for yielding to me.

I wish to comment on the repeal of the Rhodesian sanctions on chrome ore since I was personally involved last year as the chairman of the Senate's Stockpile Subcommittee.

As we all know, section 503 of S. 3526, the Foreign Relations Authorization Act of 1972, provides for the repeal of the Rhodesian chrome amendment—the Byrd amendment—enacted last year as section 503 of the Military Procurement Authorization Act. In order to put the issue in proper perspective, the following review may be helpful in connection with the Rhodesian sanctions provision.

The Byrd amendment, enacted last year as section 503 of Public Law 92–156, provides, in effect, that the President may not prohibit the importation into the United States of a strategic commodity unless imports of such commodity from Communist-dominated countries are also prohibited by law. In practical effect, the section would permit U.S. imports of chrome and other strategic and critical materials from Rhodesia despite the U.N. sanctions against Rhodesia and the U.S. Executive order enforcing the U.N. sanctions.

CHROME AND ITS USES

The principal commodity affected by the Byrd amendment is chrome. "Chromium is one of the top strategic metals and in 1939 along with three other metals, it was the first to be designated for stockpiling"—Mineral Facts and Problems, Bureau of Mines Bulletin 650, 1970 edition. The U.S. consumption of metallurgical grade chrome was 911,000 tons in 1970, the bulk of it going into stainless steel and other types of high performance steels.

There is no adequate replacement for chromium in the manufacture of these steel products. About 10 percent of the domestic production went directly into military and defense applications—but a large percentage of chrome is devoted to other essential applications. In the electric power generating industry, stainless steel is required for steam turbine blades because of its corrosion and heat-resistance properties. Stainless steel is essential for many transportation uses, in addition to its application in jet engine components. Industries where cleanliness and sanitation are critical also use substantial quantities of stainless steel because of its corrosion resistance—it does not chemically react with other materials to which it is exposed and hence will not contaminate those materials. Hospitals, food-processing facilities, and pharmaceutical production are examples. Household appliances and kitchen tools also use chrome—but in 1968 only about 5 percent of U.S. chrome usage went for these purposes, according to U.S. Bureau of Mines data.

NATIONAL SECURITY CONSIDERATIONS

There are important national security considerations involved in our current reliance on the Soviet Union for the bulk of our national needs for chrome. There is no domestic production of chrome ore. The only domestic source for chrome comes from disposals from the U.S. stockpile of strategic and critical materials. The Soviet Union was the source of nearly 60 percent of U.S. chrome imports in 1969 and 1970. The Russians supplied more than 40 percent in 1971. The other major suppliers were Turkey and South Africa.

It would defeat the very purpose of the stockpile if the United States were to rely on it as a major source of chrome in the future, as it has in recent years. While there is currently a surplus of chrome in the stockpile, the surplus is not large enough to meet our needs for very long.

"POLITICAL" CONSIDERATIONS

Like other minerals, chrome must be mined where it is found. With the exception of Turkey, all of the other major sources of metallurgical grade chrome ore are located in countries which the United States may have moral or political differences. Rhodesia and South Africa are both under the control of governments which practice discrimination against blacks. The Soviet Union, of course, discriminates against Jews and many other racial and religious groups. The United States, to put it plainly, would cut off its nose to spite its face if we refused to buy chrome produced in countries whose policies we do not agree with.

THE ECONOMIC CONSIDERATIONS

As the dominant world suppliers of chrome, the Russians have driven the price from a presanction level of about $25 per ton to a 1971 high of more than $61 per ton. Witnesses from the American Iron and Steel Institute testified before Congress that this increase in the price of chrome cost U.S. consumers of stainless steel more than $100 million a year.

Foreign producers of stainless steel, some of whom have benefited from the Rhodesian sanctions—because they, in fact, bought lower cost Rhodesian ore in defiance of the U.N. sanction—have increased their penetration of the U.S. steel market. In 1971, imports of cold rolled stainless steel sheets accounted for 32.9 percent of the domestic supply, imported stainless steel wire for 48.3 percent of domestic supply, and imports of stainless wire rod accounted for 56.3 percent of the domestic supply. Imports at this level clearly have a serious impact on employment and production in the domestic steel and ferroalloys industries.

EFFECT ON RHODESIA

The enactment of the Byrd amendment last year, at best, has had only a token effect on the economy of Rhodesia. In the presanction era, chrome exports accounted for only 2 percent of Rhodesia's export trade. In 1964, for example, Rhodesia's total exports were valued at $354 million, but only $7 million came from chrome.

There is some reason to believe that the U.S. action in permitting chrome imports may not have benefited the Rhodesian economy at all. This is so because:

First. Rhodesia has never stopped producing or marketing chrome ore and the Byrd amendment did not make more chrome ore available on the world market than was available before its enactment. It only enabled U.S. firms to legally import chrome that would otherwise have gone, in secret, to other steel-producing countries.

Second. The Byrd amendment has helped produce a reduction in the world price of chrome ore. The published price of Russian chrome ore today is from $7 to $9 per ton lower than the 1971 price. The 1972 published Russian price is from $52.82 to $54.24 per ton, delivered to a U.S. port, down from $61.50 in 1971—Rhodesian ore in 1972 is $48.36 per ton, delivered to a U.S. port.

Third. This reduction in the price of chrome is likely to reduce the amount of foreign exchange received by Rhodesia for the sale of chrome ore, and the Byrd amendment will, therefore, not benefit its government.

EFFECT ON U.N. AND A RHODESIAN SETTLEMENT

The U.N. sanctions against Rhodesia can probably be regarded as a failure, regardless of what Congress does about the Byrd amendment. Economic sanctions have never been a particularly successful diplomatic weapon. The Rhodesia sanctions have been in effect almost 5½ years without, apparently achieving their objective. The sanction also have been frequently violated. More than 110 cases of sanctions violations have been reported to the U.N. Sanctions Committee, including 32 which deal with chrome.

Congressional action on the Byrd amendment, either last year or this, is not likely to affect the effort to reach a settlement between the United Kingdom and Rhodesia. The United Kingdom Government reached an agreement with the Rhodesian Government after the congressional passage of the Byrd amendment, but there is no evidence that the action of Congress had any effect whatsoever on the agreement. One of the features of that agreement called for appointment of a British commission which would attempt to determine the views of the blacks in Rhodesia with respect to the agreement. That commission, the Pearce Commission has completed its work in Rhodesia and was scheduled to submit its report to the British Government by April 30, 1972. The report, however, is not expected to be made public for a month or more, to allow the British Government time to review it. There is no sign that any action by Congress will affect the course of action with the United Kingdom and Rhodesia may take in the future.

It might also be noted that the U.N. sanctions were imposed by the Security Council and cannot be lifted without a vote by the Security Council and that the Soviet Union can veto the lifting of sanctions. I, therefore, recommend that the Byrd amendment be kept intact and that the section 503 of the Foreign Relations Authorization Act of 1972 which provides for the repeal of the Byrd amendment be defeated.

Mr. HARRY F. BYRD, JR. Mr. President, I thank the able Senator from Nevada for the excellent presentation

he has just made and the facts which he has brought out. I think it is very important that the facts be made available, and the Senator from Nevada, as chairman of the Stockpile Subcommittee of the Armed Services Committee, is in a unique position to present to the Senate the facts in this case, which he has just done.

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

Mr. HARRY F. BYRD, JR. I yield.

Mr. CANNON. I may say that last year, when we were considering this matter, we had before us in the Stockpile Subcommittee a proposal to release or permit the sale of chrome from the stockpile on the ground that it was in excess.

The Stockpile Subcommittee held up that release, because we felt that we needed some source of supply other than from a Communist dominated country, and it was only after the Byrd amendment passed last year that the release of the chrome was agreed to by the Stockpile Subcommittee. And I may say for myself that we certainly would not have permitted the release of chrome from the stockpile had not the Byrd amendment been adopted by the Senate. If we were to go back to that position, it would be my position, certainly, that we make a mistake in not withholding from disposition from the stockpile of any of the chrome that we now have.

Mr. HARRY F. BYRD, JR. That is a very important point the Senator from Nevada has made, and I am glad he brought it out at this point in the debate.

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

The PRESIDING OFFICER. Who yields time?

Mr. McGEE. Mr. President, I yield myself 5 minutes to respond to a couple of points the Senator from Nevada has developed here.

The first is a repetition on my part of a point I made as we were discussing this question before the Senator from Nevada arrived to make his speech. It is simply that the best estimate that we can get from our own Government is that the rejection of these sanctions, or withdrawal from the sanctions on chromium, at the very most this year will bring in about 50,000 tons of ore. That is the estimate of our own agencies.

It is inconceivable to me that the release of 50,000 tons of ore by lifting the sanctions is going to permit even the Armed Services Committee to change its point of view, let alone the board that controls the strategic reserve, so that they would release 1,300,000 tons.

I think the Senator will recall with me that last year when we were debating this question, the decision had already been made by the board itself that that 1,300,000 tons was not needed with or without sanctions against Rhodesia, and that this action had been confirmed and has now been confirmed by the Armed Services Committee in releasing that 1,300,000 tons in exchange for the 50,000.

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

Mr. McGEE. I will on the Senator's time. I am trying to husband my time.

Mr. HARRY F. BYRD, JR. I yield the Senator 2 minutes.

Mr. CANNON. Mr. President, that is simply not a fact. The Armed Services Committee released that ore on the basis that the Byrd amendment had been adopted. That amount would remain in the stockpile as of now had not the Byrd amendment been adopted. So this was not a decision of the Armed Services Committee independent of the Byrd amendment.

It is a fact that the administration did propose the release from the stockpile, and we went into the matter and did not agree with them.

Mr. McGEE. But the Senator is missing my point. That is my very point: It is not what the Armed Services Committee chose to do, it is how they equate 50,000 tons of chrome ore now, this year, from Rhodesia, as an excuse for releasing 1,300,000 tons, which the Senator said we could not release while the Byrd amendment was pending and until the Senate had acted upon it. That does not hang together for me, or I would think for others. You do not agree to the release of 1,300,000 tons because, through breaking the sanction, you make available 50,000.

But I wonder whether the Senator has taken into account the second factor; namely, that the whole stress has shifted dramatically in the last year, and that our importation from the Soviet Union, which was always a critical factor, amounting to nearly 60 percent—I believe 58 percent, according to the figures supplied us—in 1970, has dropped to 36 percent this year, according to the Bureau of Mines.

Where are we getting the new ore? Not from Rhodesia, in spite of the lifting of the sanctions. We are getting it instead from Turkey, an ally of the United States.

However, all of this is really a little bit beside the point. I want to turn to another point that the Senator from Nevada made: that there is nothing in the record to suggest anything happened because of the action of the Senate of the United States last October 6 when it adopted the Byrd amendment lifting sanctions. Again, earlier in the day I detailed with great care my own visit in England with the labor party members who are out of power but were the government at the time all this began, and with the conservative government which is in power now, and which is involved in the negotiations and had been involved in the negotiations last October.

The leadership of both parties made it undeniably strong that their negotiations hit a stone wall the moment the Senate of the United States took that action. I have since had occasion to talk with political groups on both sides in Rhodesia, the one group, the Ian Smith government, saying, "We jumped with joy the night we got the news of the Senate's action lifting the sanctions," and the other group saying, "We came apart, because that was the one remaining hope we had for an equitable solution."

The record is now clear. The Senator suggests that there has been a Pearce Commission meeting and we are still waiting for the report. Well, I have the report. This is the Pearce Commission report. It was the subject of our conference earlier this month with the British parliamentarians, the Canadian parliamentarians, and all the African experts we could corral at that time.

What the report says is that the forced negotiation was inequitable and would be unacceptable, by their judgment as a result of their hearings, as a settlement in Rhodesia. I shall be glad to share this report with my friend from Nevada. That is the Pearce Commission study. But it says further that the role the U.S. Senate took last October 6 hardened and toughened the Rhodesian negotiating position, and the result was that the negotiations came up short of the kind of thing that would be acceptable to all the groups in Rhodesia.

I yield the floor, Mr. President. That is all I will take the time to say at this point.

Mr. CANNON. Mr. President, will the Senator yield me 2 minutes?

Mr. HARRY F. BYRD, JR. I yield the Senator 2 minutes.

Mr. McGEE. Let us go ahead with the colloquy, yes.

Mr. CANNON. Is it the Senator's position that we should seek, by our actions on the Senate floor, to assist factions of foreign governments in their dealings with each other? I do not see that at all.

Mr. McGEE. No, I agree.

Mr. CANNON. We did not seek such results initially, and should not now.

Mr. McGEE. No, the Senator is absolutely right.

Mr. CANNON. If we are going to reverse our position now, we would be getting right into the middle of negotiations again, as the Senator has suggested we were in the middle of them before.

Mr. McGEE. No, if the Senate stands on its position there may be no new negotiations. There is no reason for Rhodesia to negotiate.

But let me add this one factor that he leaves out. That is that our action was no interference in Rhodesia. Our role was as the middleman and the broker between Great Britain and one of its territories, a relationship that was seeking to negotiate a way to independence for another member of the old British Empire.

The British then took this matter to the United Nations, and our action on sanctions had nothing to do with backing the British; it had to do with living up to our responsibility, our commitment, if you will, in the United Nations.

The United Nations voted the sanction. Britain alone did not vote it. The United States alone did not vote it. The United Nations did, and we are a signatory member of that body. We did it in good faith. We followed through in good faith, and the Senate of the United States initiated the action that took the United States of America, as the only member of the United Nations, officially out of a commitment by the U.N. We formally broke our commitment. Nobody else broke it that way; we did it here.

Mr. CANNON. Well, Mr. President, I simply say that if we broke our commitment, we are one of many. There are

many, many members of the United Nations that are completely disregarding the Rhodesian chrome sanctions against Rhodesia.

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

Mr. CANNON. I ask for half a minute more.

Mr. HARRY F. BYRD, JR. I yield the Senator an additional minute.

Mr. CANNON. As a matter of fact, Russia is a member of the United Nations, and we are buying Rhodesian ore from Russia, which is highly suspected of being shipped from Rhodesia to Russia and processed back to us at a higher price.

Mr. McGEE. Mr. President, I yield myself 2 more minutes. That charge has been made before, that the Russians are buying Rhodesian ore and smuggling it into the United States as Russian ore. The only one making that charge is one of the members of the steel industry, because they are trying to groom their own horse.

Our own Bureau of Mines, our own Government agencies, our own geologists have verified, upon examining the ore, that it is an entirely different ore, that it is Russian ore. I am not a great geologist. I do not know what those differences are. But they point out that Russian ore is superior in grade, that it has a different coloration, and that it has other characteristics which are identifiable, if one wants to be objective about it.

The Russians, in fact, are sending us less ore—almost half the amount they were sending us a year ago. That is the reason why it is important that we keep the record straight. Let us not plunge into this for the wrong reasons, with misinformation. That is the latest information that the Bureau of Mines of the Government of the United States has at its fingertips. It is a summary of what happend last year.

I say to the Senators who differ with me on this measure that I am afraid that what this is boiling down to is the powerful influence of two or three powerful corporations, multinational corporations, who have sought this for the importation of chrome. Labor does not want it. The U.S. steelworkers have said, "No go. We want to support the United Nations. Our jobs are not at stake in this."

This administration, the President of the United States, has endorsed this proposal. They believe that this is the way to go. I cite from the administration's statement on it.

> We opposed the Byrd amendment last fall. We oppose it for many relevant reasons this year.

This comes at a time when the President of the United States has been in Russia, negotiating with the Russians, and is now on his way home by way of another Communist country, Poland.

I think we ought to quit dragging red herrings across the stage, because it is important that this area in Africa, which means so much to many people, including the United States, not be penalized.

I would add to this the role of other American business groups in Africa. While we take this step of lifting sanctions against Rhodesia, at the same moment we have prejudiced the activities of other American business interests in Africa. This endangers American business in over three-fifths of our African trade and two-thirds of our permanent investments all over independent black Africa. These are the interests, too, that require representation here by the actions of this body. What do we end up doing? We pass a measure that is of particular interest to Union Carbide, to Foote Mineral, and one or two other companies.

I do not mind trying to protect the American interests. But the larger American interest, the administration confesses and says to this body, is in the elimination of the Byrd proposal now.

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

Mr. McGEE. I yield myself 1 additional minute.

The shift of our imports of ore from Russia—we have cut it almost in half and are now buying more chrome ore from Turkey, our ally, than from the Soviet Union—is a dramatic shift that occurred last year, according to our own Bureau of Mines.

These are factors, Mr. President, that I think require that we try to reverse an action many took in good faith last fall. The history of events since has suggested that this matter carries with it more complications and more problems than the small gains of 50,000 tons of ore that are coming in this year, if all the schedules are kept, from Rhodesia.

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

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

Mr. HARRY F. BYRD, JR. I yield 2 minutes to the Senator.

Mr. CANNON. Mr. President, the economic consideration was raised that this is benefiting some big companies. This is not the fact. The benefit is to the consumers of the stainless steel products in this country.

This is at a time when the administration is trying to institute price controls, to get at the problem of inflation. The estimate is that $100 million was saved by consumers last year by the removal and thus the lowering of the price, because the price has lowered very dramatically since the Byrd amendment was adopted last year. It is important to me if we can find areas in which we can reduce prices $100 million, in effect, to the American consumer.

Mr. McGEE. I yield myself 1 minute.

In response to that, may I say to the Senator from Nevada that, indeed, the price of chrome ore on the world market has dropped 15 to 18 percent in the last year. It has nothing to do with the release of chrome ore from Rhodesia, 50,000 tons, when by the action of the Armed Services Committee we are preparing to release 1,300,000 tons from the American strategic stockpile. There was the great factor, that was the explanation for part of the drop in this price, as all the money markets in New York will confirm.

The second reason for the drop had to do with the shift of the market. Russian chrome is the highest grade chrome and commands a higher price than most other sources on the world market. The shifting of the chrome imports from Turkey simply reflects that what Russia is producing and Turkey is producing and other countries are producing has satisfied the chrome market. This is what brought down the price of chrome some 15 percent.

It is relevant when one remembers the admonition from the United Steelworkers and from the AFL–CIO. Both organizations say, "If anybody has a stake in keeping the steel industry going, it is us. We find no relevance to the lifting of sanctions and importing chrome ore to our jobs or our chance for jobs. Our best chance lies in restoring the dignity of the United Nations, in not undercutting the President at this time, while he is underway with his mission to Europe and tc Asia so recently."

So, Mr. President, I ask that the Senate reject the pending amendment of the distinguished Senator from Virginia.

The PRESIDING OFFICER. Who yields time?

Mr. HARRY F. BYRD, JR. Mr. President, what is the situation with regard to time?

The PRESIDING OFFICER. The Senator from Virginia has 7 minutes remaining, and the Senator from Wyoming has 10 minutes remaining.

Mr. HARRY F. BYRD, JR. I may say to the Senator from Wyoming that, as a result of a technicality, when the distinguished Senator from Nevada yielded to him, he was yielding on my time.

Mr. McGEE. And I was yielding on my time. The Senator from Nevada was on the Senator from Virginia's time, and I was on my time.

Mr. HARRY F. BYRD, JR. No. The response of the Senator from Wyoming was taken out of my time.

Mr. McGEE. Mr. President, if the time for my response was taken out of the time of the Senator from Virginia, I ask that it be taken out of my time instead. I apologize.

The PRESIDING OFFICER. One minute will be transferred.

Who yields time?

Mr. HARRY F. BYRD, JR. I yield myself 2 minutes.

Mr. President, I think the Senator from Nevada made a very important point, in that the consumers of this country have been affected to the extent of $100 million—$100 million on an annual basis. That is a very significant point to me.

The Senator from Wyoming spoke of what Mr. Abel, of the United Steel Workers, sitting in his top office, thinks about this matter. But if one will talk to the Members of the House of Representatives who represent steel districts in Pennsylvania, who represent the steel workers themselves, as elected officials of this Government, he will find out how concerned they are about this matter.

One of the finest speeches I have heard in the House of Representatives was by Representative JOHN DENT of Pennsylvania, last October, when he was arguing the effect the ban on Rhodesian chrome had had on the jobs of the steelworkers of the United States.

I think it is fine to think about the situation in England and how it might

be affected by what we do or do not do in the U.S. Senate, but I think, first, we want to think about the United States, the people of our own country. I submit that we should not put this country in a straitjacket in regard to a vital defense material.

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

The PRESIDING OFFICER (Mr. CHILES). Who yields time?

Mr. McGEE. Mr. President, I will yield whatever time may be necessary to keep this about equal. How many minutes would that be?

The PRESIDING OFFICER. The Senator would have to yield himself 3 minutes.

Mr. McGEE. Mr. President, I yield myself, then, 3 minutes, in that circumstance.

We have been discussing here the consequences of our action to lift sanctions and what it means for the chance of some successful negotiation.

I did not add in my colloquy with the Senator from Nevada the fact that again and again groups who have to live in Rhodesia came before our parliamentary meeting there in British territory, from both sides, saying that this hardening of the position that our action induced on the part of the Rhodesian Government brings it dangerously close to the violent stage. If that unleashes itself in Rhodesia, it would be difficult to say how it could be stopped short of the Republic of South Africa. Therefore, it is imperative that we not, in even a small way, contribute by our actions to a sharpening, or a harshening, or a worsening of prospects to avoid a blood bath in all of southern Africa. Yet that is precisely what they fear. That is what has surfaced—but only a part of it has surfaced.

I quote now from a Johannesburg newspaper, in the Republic of South Africa, where they say that with the publication of the Pearce Commission Report reflected the negative consequences of the action of this body—the iceberg is not only blocking a settlement in Rhodesia but stating that a real hazard to peaceful settlement in all of black Africa is a real one indeed. Considering the source of that particular publication, I think it should lay stress on what has happened, in their judgment, in this regard.

I point out once more that neither the Republic of South Africa, which might be regarded as a friend of Rhodesia, nor Portugal, another friend, has formally violated the sanctions in any action by their governments, nor have they recognized the independence of Rhodesia. One might have expected them to do so, but they have not. They are obviously living up to their commitment.

I say once again that only the United States of America formally broke its commitment to the United Nations. That is a pretty serious charge in times like these, when the President of our country is seeking to heal the wounds of many nations.

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

Mr. HARRY F. BYRD, JR. Mr. President, I yield myself 1 minute. I point out that Portugal did report noncompliance with sanctions to the Secretary General of the United Nations. It appears in the U Thant report on sanctions, 1970–71.

I will point out also, since the Senator from Wyoming mentioned the defiance of the United Nations embargo, that the U.S. delegation to the United Nations, in a formal presentation, said that virtually every member of the Security Council has violated the sanctions.

Mr. McGEE. I yield myself 1 minute or 2 to respond to the Senator's comments. I must say that I misspoke myself in a technical sense in regard to Portugal, and I appreciate the Senator's correction.

The Portuguese Government never accepted the sanctions at the beginning. What I should have said was that the Portuguese Government has never taken that last step which should follow if they were believers; that is, that they recognized the independence of the Rhodesian Government. This they have not done. Neither has the Republic of South Africa, the point of it being that they still see this as competition within the British Empire—the British Commonwealth of Nations.

I should add to my friends from Virginia and Nevada that, of course, sanctions have not been perfect. Of course they have not been. There are 110 violations charged at the present time. But those violations have not yet been established. Obviously, some must take place.

The question is: Is the United States supposed to be as bad as the other guy, or is the United States supposed to be the leader in the world, trying to set a good example?

The total amount of ore to come in under the lifting of sanctions is still a mere trickle. For that reason, I think we should return to the sanctions program and restore American participation through the United Nations.

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

The PRESIDING OFFICER. The Senator from Wyoming has 4 minutes remaining.

Mr. McGEE. I yield 3 minutes to the distinguished Senator from Massachusetts (Mr. KENNEDY).

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

Mr. KENNEDY. Mr. President, I support the position of the Senator from Wyoming. I think it is eminently sound, and for a wide variety of reasons.

The American people must be pondering the action we are considering today when we have our President just returning from the Soviet Union, who is talking about expanding trade, and expanding areas of cooperation with the Soviet Union. We have had trade with them on chrome ore already. The Soviet Union has lived up to its requirements in the past.

Here, in effect, we are providing a roadblock in what has been an area of successful trade in the past.

Thus, this does not make any sense in terms of what the President is trying to do regarding our relations with the Soviet Union. It also does not make any sense from the point of view of the strategic position of the United States, which is more basic and more fundamental.

In reviewing the record and the testimony given before the committee, I have been impressed with the fact that the United States, with its present chrome reserves, has sufficient chromite on hand for some 40 years to meet our defense requirements. So it does not make any sense from the strategic position of the United States.

We have seen, with the action taken by the House and the Senate, that lifting the sanctions for the sake of chrome ore has been a vehicle to open up a wide variety of opportunities for trade with Rhodesia. The licenses granted under the provisions last year provide not only for imports of chrome but for 72 different items.

What we are effectively doing is opening up a wide variety of trading opportunities with Rhodesia at a time when they clearly have violated the fundamental Charter of the United Nations.

I think, Mr. President, that one of the fundamental difficulties with American foreign policy is that it has failed to live up to the kinds of values, the kinds of interests, and the kinds of concerns that we like to think are basic to our system and to what the American people desire.

When we violate the fundamental Charter of the United Nations, I fail to see why the United States, which stands for the principles of democracy and freedom for all the world, should be out there championing a violation of the United Nations Charter.

In summary, it does not make any sense from our strategic point of view, and it does not make any sense from the point of view of expanded opportunities for good relations with the Soviet Union. But the removal of sanctions against Rhodesia does violate the United Nations resolutions which the United States has agreed to. I do not want to see the United States in the lead of those countries which are violating United Nations resolutions.

I therefore hope that the position of the Senator from Wyoming will be sustained.

Mr. President, once again I wish to express my strong opposition to U.S. trade with Southern Rhodesia. For that reason I intend to vote against amendment No. 1196 offered by the distinguished Senator from Virginia as an amendment to S. 3526, the Foreign Relations Authorization Act of 1972. As proposed, the Senator's amendment would delete section 503 of Public Law 92–156, thereby permitting U.S. industry to continue flaunting a United Nations ban on trade with Southern Rhodesian companies.

The issue at this time is essentially the same as it was last summer when, through a series of votes, the Senate failed to uphold the provisions of a United Nations resolution banning U.S. trade with Southern Rhodesia. America voted with other Security Council members in December 1966 to impose selective mandatory sanctions in response to

the rebel Rhodesian regime's withdrawal from the British Commonwealth.

But we violated that resolution last year by withdrawing sanctions against Rhodesia. At that time it was a serious matter. Now it is even more serious, because this country can no longer claim that Rhodesian chrome is required in order to reduce America's dependence on chromite from the Soviet Union. Senate supporters of trade with Rhodesia insisted that, because the United States purchases chrome ore from Russia, American industry is threatened by relying on communism for a strategic material. Moreover, it was claimed that the jump in price of Russian chromite from $58 per ton in presanction days to $71 per ton in 1971 was inflationary. It is unbearable, therefore, to those who supported the clamor for Rhodesian chrome, that the United States should continue its reliance on Russian sources. Yet, the President's current visit to Russia seeks not only to establish arms agreements, but also involves our Nation's mutual concerns regarding trade. Where is the logic in halting shipments of chrome ore from Russia while at the same time we explore other trade possibilities with the Kremlin? If it is at all right for the Treasury Department to support American industry negotiations on a $6 billion deal for liquefied natural gas from Russia what is so risky about a $14 million deal for Russian chromite?

Mr. President, although I can appreciate the irritation of those who oppose our heavy purchase of Russian chromite because of the price, that argument is not ample justification for refuting America's pledge to support the struggle for human decency wherever it is made.

Southern Rhodesia's 250,000 whites are moving closer toward apartheid—the dehumanizing system of race hate that would enslave the Nation's 5.3 million black citizens. There is no reason for the United States to profit in the exploitation of black Rhodesians.

A full look at the issue of purchasing chromite from Southern Rhodesia makes it clear that arguing for Rhodesian chromite is a farce of the cheapest sort. Last July when the Senator from Virginia testified before the Committee on Foreign Relations—regarding the matter of Rhodesian chrome—he asserted that:

> The United States today faces an imminent and serious shortage of chrome. This material is essential in the manufacture of such critical defense items as jet aircrafts, missiles, and nuclear submarines.

Yet, in those same hearings, State Department officials testified that the U.S. inventory of metallurgical grade chrome as of May 31, 1971, amounted to 5,344,000 tons. The Department verified that our stockpiles of chromite had thereby accumulated an excess of 2,244,000 tons.

In other words, the United States not only had no shortage of chrome ore, we enjoyed a substantial over abundance of this so-called critical, strategic material.

Clearly, it is nowhere close to the mark to insist that chromite is in serious shortage or that the manufacture of strategic materials is threatened. David D. Newsom, Assistant Secretary of State for African Affairs, told the Foreign Relations Committee last year that:

> Approximately 10 percent of our chrome imports go to direct defense requirements.

That leaves the other 90 percent to be consumed in the manufacture of kitchen knives, automobile trimmings and for other consumer products.

What then, can be a justifiable excuse for permitting imports of Rhodesian chrome to enter this country?

I submit that there is no such justification. There is simply no reason why the United States should purchase chrome ore from Southern Rhodesia. Moreover, the Senate and the American public must understand the folly of the situation in which we have placed ourselves regarding imports of Rhodesian chrome.

Last week, on May 23, the Pearce commission reported that the terms of the proposed settlement of Rhodesia's 6-year dispute with Great Britain was rejected by the people of Rhodesia. As a result, Sir Alec Douglas Home, announced that Britain would continue its economic and diplomatic boycott of the white rebellious Rhodesian Government. Thus, in spite of U.S. action lifting the ban on trade with Rhodesia last year, Great Britain has steadfastly maintained sanctions against the rebel government.

The Foreign Relations Committee recognized the need to maintain sanctions against Rhodesia and refused last year to report out Senator BYRD's provision to lift the ban on trade with Rhodesia. But the Senate got an opportunity to vote on the issue anyway—because it reached the floor last September as part of the military procurement bill.

The Senate voted five times on that measure. In one instance, by a vote of 45 to 43, the Senate approved the Fulbright amendment authorizing presidential discretion in granting trade with the Government of Southern Rhodesia.

Ultimately, however, the Senate lifted the ban—voting 38 to 44 in favor of the Byrd amendment on October 6, 1971.

On November 1, the House accepted the Senate approved conference report by a 151 vote margin, and on November 17, 1971, the President signed the $18 billion Military Procurement Act with the Byrd amendment included.

The administration took quick action. The Treasury Department on January 25, 1972 issued a general import license authorizing "imports of strategic and critical materials of Southern Rhodesian origin." Somehow that was interpreted to permit 72 different commodities including goose down, to enter American ports from Rhodesia.

With a license in hand—it was clear sailing for Foote Mineral Corp. They received a 25,000-ton shipment of Rhodesian chromite on March 20, 1972. Not to be outdone, the Union Carbide Corp. received a similar shipment days later. Now, I am told, other shipments are due in this country shortly.

Thus, last year, the Congress, apparently bought the argument that Rhodesian chrome is vital to our national defense and that we were running out of reliable sources for the material. But, on March 21, 1972, 1-day after the first shipment of Rhodesian ore docked at a Louisiana port—the Senate approved S. 773—a bill that allows U.S. industry to obtain chrome ore from our vast inventory of excess stockpile ore, Excerpts from Committee Report No. 92-698—describe the purpose of S. 773 and why disposal of the stockpile was proposed:

> PURPOSE OF THE BILL
>
> The proposed bill is a part of the legislative program of the General Services Administration for 1971. It would authorize the disposal of approximately 1,313,600 short dry tons of metallurgical grade chromite from the national stockpile and the supplemental stockpile and would waive the 6-month waiting period normally required before such disposal could be started.
>
> WHY DISPOSAL IS PROPOSED
>
> The material to be disposed of is excess to stockpile needs. The total inventory of the material in the national and supplemental stockpiles as of October 31, 1970, was 5,390,373 short dry tons. The stockpile objective established March 4, 1970, is 3,100,000 short dry tons, leaving an excess of 2,290,323 short dry tons, of which 978,000 short dry tons were previously authorized for disposal.

As expressed in the report language "the material, chrome ore—to be disposed of "is excess to stockpile needs."

If the chromite in the stockpile is excess to our needs then why do we need to purchase chromite from Southern Rhodesia? Even more baffling is the following report language justifying the release of "stockpiled chromite:"

> RHODESIAN ORE
>
> At the time this measure was originally considered by the committee in April 1971, sanctions against Rhodesia precluded the importation of Rhodesian ore, formerly one of the principal sources. With the enactment of section 503, Public Law 92-156, the Treasury Department has granted a general license under the Rhodesian sanctions regulations authorizing imports of strategic and critical materials of Southern Rhodesian origin. In light of this, the committee believes that the release of metallurgical grade chromite from the government stockpiles will not be detrimental to the interests of national defense.

According to the report, stockpiled chromite can be released because we voted to lift the ban on Rhodesian ore and—

> The release of metallurgical grade chromite from the government stockpiles will not be detrimental to the interests of national defense.

Who are we kidding? American industry consumes 900 thousand tons of chromite annually. We obtain that amount from the world market—without buying from Rhodesia.

Under the new authority permitting disposal of 1.3 million tons of stockpile ore—we would not need to buy chrome ore for 18 months. And even then, our remaining stockpiles of 4 million tons would sustain our defense needs for 40 years or more.

Mr. President, I submit that this Senate must not overlook these facts. The legislative history on his matter clearly shows that we failed to act properly on the merits of this matter last year.

The United States did not need Rhodesian chrome on March 29, 1971 when the Senator from Virginia introduced S. 1404, to lift the ban on Rhodesian trade. The Foreign Relations Committee knew that and refused to report the bill. The United States did not need Rhodesian chrome last September or October as the

Senate debated the Military Procurement Act. We demonstrated that at one point by voting against the Senator from Virginia. Predictably, the United States has still failed to demonstrate a need for chrome from Southern Rhodesia.

And so it is, that today we have one more opportunity to deny shipments of Rhodesian chrome or any other Rhodesian commodity from entering American ports. I can see no legitimate reason for continuing to admit chrome ore shipments into this country. All evidence shows that our national requirements can be and are being satisfactorily met from other sources.

Those who would insist otherwise can be motivated only by the insensitive claws of racism.

Supporting Rhodesian chrome imports lends support to the cruelly repressive doctrine of the white minority-ruled Rhodesian regime. Southern Rhodesia broke away from Great Britian in 1965 because it could not win approval of its national system to persecute over 5 million black Africans who deservedly seek to enjoy basic human rights and privileges. Even the British Government has reaffirmed its opposition to Rhodesia's repressive policies.

After the Senate's vote last October, it was believed that the Rhodesian premier, Ian Smith, had gained considerable leverage in his delicate negotiations to gain legal independence for the rebel government. But the Pearce Commission was obviously more impressed by the fervent expressions of rejection by African people than by the desire to reopen economic trade channels.

I am firmly opposed to trade with Southern Rhodesia as long as that nation persists with its inhuman racist policies. Bishop Abel Muzorewa, the African Methodist bishop, readily dispels any notion that sanctions are damaging to the welfare of black Rhodesians. In my talks with the bishop on May 4, I was deeply impressed with this one man's mighty conviction to stand up against the rigidity of the ruling Government. He knows that the terms of the Pearce Commission are a sellout of the African people. He also knows that the world's powers must be held accountable for their dealings with his country's rulers. If the United States is not prepared to do the right thing regarding Rhodesia, then we should do nothing—12,000 participants in last week's African American National Conference on Africa emphasized that the "right thing" can only be an end to America's complicity with the Rhodesian rulers whose distorted views violate America's pledge to seek human justice for all.

Congressman CHARLES DIGGS, the distinguished chairman of the House Subcommittee on African Affairs, could not be more exact in saying that nothing gives African people greater concern than our position of mere lipservice against the evils of apartheid and minority rule.

I believe that if we fail to replace sanctions against Rhodesian trade we will completely destroy any credibility we may have with other African nations and we will erode the faith of concerned citizens—here at home—both black and white—who see our Nation increasing its support of countries that officially maintain racist policies.

It is time that we in the United States act to affirm the claim that all people must be granted personal rights, self-determination, and fundamental freedoms without regard to race.

It is clear that violating our United Nations resolution to ban trade with Rhodesia is totally inexcusable.

Mr. President, I shall vote to defeat the Byrd amendment, and I urge each Member of the Senate to vote against the amendment.

Mr. MONDALE. Mr. President, will the Senator from Massachusetts yield?

Mr. McGEE. This is all on the 3 minutes now, otherwise we are out.

Mr. KENNEDY. I yield.

Mr. MONDALE. Mr. President, I am sure that our country would not directly pursue a foreign policy which would be a common, ordinary foreign policy. I think it is our dream——

The PRESIDING OFFICER. The 3 minutes have now expired.

Mr. MONDALE. That we have something special, that we have higher standards in this country that would dictate—it would seem to me—a rejection of the amendment of the Senator from Virginia (Mr. HARRY F. BYRD, JR).

Mr. HARRY F. BYRD, JR. Mr. President, I yield myself 1 minute. The distinguished Senator from Massachusetts said that this proposal would throw a roadblock in the way of trade with Russia. It would do no such thing. All the proposal says is that the United States can trade with Rhodesia as well as with the Soviet Union. It keeps Russia from having a monopoly. It does do that. I do not suppose anyone wants to argue that Russia should have a monopoly on things.

Mr. KENNEDY. Do we not also get chrome from Turkey as well?

Mr. HARRY F. BYRD, JR. Yes.

Mr. KENNEDY. So, we do not have a monopoly with the Soviet Union.

Mr. HARRY F. BYRD, JR. The bulk of the imports have been from the Soviet Union.

Mr. KENNEDY. The Senator is correct.

The PRESIDING OFFICER. The Senator's 1 minute has expired.

Mr. HARRY F. BYRD, JR. Mr. President, I yield myself one-half minute.

Mr. President, this does not prevent the importation of chrome from Russia. It does not affect trade with Russia. It says that Rhodesia can also be traded with.

Mr. President, I yield 2 minutes to the Senator from Alabama.

The PRESIDING OFFICER. The Senator from Alabama is recognized for 2 minutes.

Mr. ALLEN. Mr. President, I rise in support of the pending amendment by the distinguished Senator from Virginia (Mr. HARRY F. BYRD, JR.).

The bill before the Senate would deny the United States the right to import certain stockpiled minerals considered essential to our national defense from non-Communist nations but permit importation from Communist nations.

Mr. President, whether or not the Senate should agree to the amendment must be considered in the light of unavoidable consequences of its rejection.

From the standpoint of consequences, it is crystal clear that enactment of the bill without the amendment would benefit the Soviet Union and other Communist nations. A second consequence is that the United States might well become dependent upon the Soviet Union and Communist-bloc nations for a strategic defense material. Other adverse consequences relate to our domestic industry which, unless the amendment is agreed to, will be compelled to use inferior-grade chrome ore and pay almost twice the price of a superior grade of chrome available from the independent nation of Rhodesia.

Furthermore, it would seem that the motive underlying the pending bill is punitive in that it is intended to damage the economy of Rhodesia and eventually force that nation to alter its constitution.

Mr. President, let us sum up the consequences: First, the provisions of the bill would benefit the Soviet Union and Communist nations; second, they would seriously impair our national defense; third, they would impose unnecessary burdens on our domestic industry; and fourth, proclaim our intention to damage the economy of Rhodesia and help nullify the constitution of that nation.

Mr. President, it is reasonable to ask what the proponents of the bill as pending offer to justify these adverse consequences. Since the State Department is the chief proponent, the Department's positions are instructive. It is said that the American people and Congress are bound by the United Nations treaty to uphold a specific decision by the United Nations Security Council that Rhodesia constitutes a threat to world peace. Incidentally, the mere suggestion that Rhodesia is a threat to world peace is an absurdity. It is even ludicrous when suggested by an organization vested with a responsibility for maintaining international peace and security of nations.

Nevertheless, we are asked to believe that on the basis of this determination we are obligated to implement the Security Council's decision to impose economic sanctions against Rhodesia in order to suppress the supposed threat of that nation to international peace and security.

Mr. President, let us put aside the ridiculous and purely fictitious idea that Rhodesia is a threat to world peace, which is the basis for asserting United Nations jurisdiction and thus the basis for asserting the power to impose economic sanctions on that nation. Instead, let us turn to the more fundamental argument that the American people and Congress are bound by the United Nations treaty to "gee and haw" on command of the United Nations Security Council.

Mr. President, why should the people of the United States and this Congress be bound by the United Nations Security Council with respect to measures which we must take against other nations, including the use of Armed Forces? Does the Soviet Union feel bound by the same

treaty to accept the dictation of the United Nations Security Council? It does not. Do Communist bloc nations feel bound in the same manner? They do not. Does Red China feel bound to obey the dictates of the United Nations Security Council? It does not. Why, then, should we feel bound when other nations do not?

Is it not true that the United Nations is now insolvent or at least on the brink of insolvency for the sole reason that the Soviet Union, Communist bloc nations and France refused to be bound by United Nations Security Council dictates in its so-called "peace-keeping" efforts in Nigeria?

It was almost 2½ years ago that the United Nations Security Council launched its great "peace-keeping" venture against Biafra. One result of that mission was the loss of 2 million lives in Biafra through starvation and malnutrition alone, apart from the casualties of battle. Close to 5 million people were uprooted and settled in refugee camps during the "peacekeeping" efforts of that monumental tragedy which eventually cost approximately $594 million. Most of the casualties in this great "humanitarian" effort were innocent women and children.

Whether or not the United Nations war in Nigeria was justified is not the question. The question is whether or not the American people and this Congress are bound by a treaty which does not bind other member nations to the treaty.

Mr. President, the administration, through its State Department, takes the position that we should be bound by the determinations of the United Nations Security Council even though other nations are not bound. The reasons advanced for this position were clearly set out by Richard F. Pederson, Counselor of the Department of State, in a speech delivered before the United Nations Association in Stockton, Calif., on April 21, 1972.

In substance, the administration position is that the United States should be bound by Security Council decisions even in the matter of committing our Armed Forces. Further, that neither the United States nor any other nation has the right to veto or to avoid Security Council determinations including those to the use of our Armed Forces and those which call upon us to participate in economic boycotts against other nations.

The argument begins with the assumption that we must make the United Nations work as an instrument to maintain international peace and security. It is readily admitted on all sides that it has not.

The greatest obstacle to this goal, according to this argument, is the reluctance of member states to respect the authority of the Security Council—particularly among permanent members of the Council.

Therefore, it is argued, if we are to make the United Nations Security Council work, we must take advantage of and I quote:

> Ad hoc pragmatic opportunities to make use of peace keeping arrangements as political circumstances permit.

Under present political circumstances, Communist nations have agreed to sanctions imposed against Rhodesia by the United Nations Security Council. Accordingly, we must take advantage of this political circumstance and follow suit because such opportunities, and I quote:

> Are more important for the United Nations effectiveness than any other factor. It is contended that, it could well turn out that this is the only way for it—the United Nations—to continue to develop.

Mr. President, it boils down to a very simple proposition. The State Department is advocating the surrender to the United Nations of the sovereignty of the United States over decisions respecting the use of our Armed Forces and lesser measures such as economic boycotts and sanctions. In fact, the Soviet Union has been criticized by the State Department because it has not been able to persuade what the Department refers to as "a sovereignty—conscious and conservative Soviet Union," to surrender its sovereignty over decisions affecting the extent of the use of troops and armed forces and economic sanctions and the like which may be demanded by the Security Council.

Mr. President, it must be clear that there is a great contradiction in the positions of those who contend, on the one hand, that the President of the United States does not have the power to commit the Armed Forces of the United States in defense of this Nation and the position, on the other hand, that the United Nations should have that power without the right of veto on the part of the Government of the United States.

It will be extremely interesting to compare the votes of those who insist on handcuffing the President in the use of our Armed Forces in Vietnam during the present process of disengagement and those who vote in support of the contention by the State Department and this administration that all such decisions should be vested in the United Nations without the right of veto by our Government or by Congress.

Mr. President, the issue presented by this proposed amendment is whether or not we are bound by the Security Council dictates in the imposition of economic sanctions against Rhodesia. The precedent to be established or rejected is one that involves the larger issue of commitment of our Armed Forces by the United Nations in actions around the world. A vote against this amendment is a vote for the proposition that we are bound by such Security Council determination. I urge that Senators reject that proposition by voting for the amendment.

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

The PRESIDING OFFICER. Who yields time?

Mr. McGEE. Mr. President, how much time remains?

The PRESIDING OFFICER. One minute remains to each side.

Mr. KENNEDY. Mr. President, might I ask the Senator from Wyoming a question?

Mr. McGEE. I could only yield for 10 seconds. I have 1 minute remaining, which is a slightly short time for me.

Mr. KENNEDY. That is perfectly all right.

Mr. McGEE. Mr. President, there is one issue here that has not been discussed very fully. It concerns the role of some of the multinational, giant corporations. It leaves out Allegheny Ludlum and Union Carbide. It leaves out all of the other economic interests affected, all of which would benefit from this action. It likewise raises the prospect that the British themselves may lift their sanctions.

Mr. President, today this body votes on an issue which will test the faithfulness of this Nation to its commitment to the United Nations and to that organization's future importance and influence.

I am referring to an amendment which is being offered by the distinguished senior Senator from Virginia, Mr. BYRD. That amendment would delete section 503 from the State Department-USIA authorization bill. Section 503 would reverse action taken by this body last year which allowed us to import chrome ore and other strategic materials from Rhodesia in violation of sanctions imposed by the United Nations.

Rather than repeating the mistake we made last year, I strongly urge this body to give the United Nations a chance at survival. The organization has a new leader in Mr. Kurt Waldheim of Austria who assumes his post at a time when the U.N. is in very low status. Whatever slight hopes we may have of the United Nations becoming an effective organization must not be dashed by a repeat performance of last year. We must give the U.N. a chance rather than taking action which can only undermine both the organization and Mr. Waldheim.

There is one critical point which proponents of violating the U.N. sanctions have conveniently chosen to overlook in presenting their case. One of the complications associated with the action of the U.S. Senate last fall—and we warned of that danger during the debate at that time—was that we were taking action at a time when the British and Rhodesian Governments were in the midst of negotiations to arrive at an equitable settlement. All the direct reports from the Rhodesian capitol, the morning after the Senate took its action, stated that the Smith government's attitude had hardened completely. The spirit of give and take which had marked the negotiations up until our action had been completely destroyed.

These reports were substantiated when I consulted with the leaders of both the British Labor and Conservative parties during my trip to the Isle of Jersey earlier this month to participate in the Anglo-American Conference on Africa. The leaders of both parties were adamant in reporting to me that the action of the Senate, coming when it did, hardened the Rhodesian Government position and resulted in a proposed settlement far less equitable than what everyone had hoped for. This, in turn, resulted in the predictable negative response the Pearce Commission received

in determining the sentiment for or against the proposed settlement. Just last week the Pearce Commission report was issued and the Commission rejected the proposal because a vast majority of the blacks, who comprise 95 percent of the Rhodesian population, opposed the settlement.

Again, I emphasize, this was a direct consequence of action taken by this body last October. We urged the Senate, last fall, to hold off on consideration of the Rhodesian chrome ore issue until the negotiations were completed. But the U.S. Senate chose to ignore this plea, and, as a result, we literally sabotaged any chance for a livable compromise to be worked out between the two governments. The British have announced they will continue to abide by the sanctions until a workable settlement can be ironed out and they are hopeful that we will do the same. It, therefore, becomes even more imperative that the U.S. Senate reserve the action it took last fall and vote to reimpose our observance of the sanctions.

Another point which is essential to a realistic assessment of the issues involved in the Senate vote today centers around our role in attempting to find a nonviolent solution to the British-Rhodesian problem in 1966. At that time, the British and Rhodesian Governments were on the brink of armed conflict. We goaded the British into going to the U.N. as an alternative to armed conflict—at least give the U.N. a chance to come up with an alternative to violence. We interceded as an honest broker. Now we have become the only country to formally break the sanctions. As a result, this issue becomes more than just honoring our commitment to the U.N. It has become a matter of honoring our own commitment in acting as an honest broker. Our integrity as an honest broker is at stake.

In light of these circumstances, it becomes all the more important that the United States detach itself from policies which convey the impression that we are prepared to put up with and profit from the exploitation of Rhodesian blacks. By continuing to violate the sanctions we are thus conveying this very impression.

The Senate vote also comes at a time when the President has completed his summit talks with the Soviet Union in Moscow. One of the primary purposes of the President's meeting was that of hammering out an agreement for expanding trade between our two nations. By tossing the outworn scare tactic of trading with a Communist nation into the arena of debate on the Rhodesian chrome issue, the U.S. Senate is only serving to undermine the President's efforts to seek a relaxation of tensions around the world.

The Senate is now in a position to restore our international leadership in the United Nations. Section 503 would return the United States to a position where it obeys international law and fulfills its obligations under the United Nations Charter. If we wish to see peaceful change take place in southern Africa, we will have to recognize that the sanctions program, for all of its inadequacies, has had a detrimental effect on the Rhodesian economy. In spite of the known violations of the sanctions, the proponents of violating the sanctions against Rhodesia have yet to explain how the failure of other nations to enforce the sanctions releases the United States from its obligations in terms of the international law of treaties.

There have been allegations made by those who advocate we violate international law that our defense needs require that we not be dependent on Russian chrome to meet these needs. This is nothing more than a deliberate hoax. Events since the vote last October have served only to bear out the misleading innuendo and phoniness associated with this allegation. None of the chrome which is now being imported from Rhodesia is going into our strategic stockpile. Our national defense was never imperiled by our observance of the United Nations boycott. To further compound the phoniness of this issue, the Senate, on the recommendation of the Armed Services Committee, recently passed S. 773 releasing from the national stockpile 1,313,600 short dry tons of metallurgical grade chromite.

The critical point to keep in mind is that Rhodesian chrome is not going into the strategic stockpile. Government authorities have assured us that there are 2.2 million tons of excess chrome in our national stockpile. The 1.3 million tons proposed to be drawn out under S. 773 will meet our total defense and industry needs for 2 years, and our defense needs alone for almost 20 years.

It should be further pointed out that contrary to statements by proponents of our violating the sanctions, we actually imported less chrome ore from the Soviet Union in 1971 than we did from one of our allies—Turkey. The imports from Russia declined from 58 percent in 1970 to 36 percent in 1971, according to data from the U.S. Bureau of Mines. Imports from Turkey totaled 39 percent of our total imports in 1971.

It has been alleged that the Russian ore is really Rhodesian ore. From all the evidence available to us, this also appears to be nothing more than a fabrication. Russian ore is clearly different in color, substance, and character from Rhodesian ore and is of considerably higher grade. Authorities at the Department of Commerce and the U.S. Geological Survey find no evidence that Russian ore is really Rhodesian ore transshipped. Proponents of our violating the U.N. sanctions have brought forward no scientific proof to support this allegation.

Those who oppose the U.N. sanctions ignore a very important economic factor relating to other U.S. business interests exclusive of such companies as Union Carbide, Foote Mineral Co. and Allegheny Ludlum, in those African nations which are not dominated by white governments. Independent black Africa, which views our position on southern African issues as a test of our commitment to self-determination and equality, have been seriously disturbed by our violation of the sanctions. This has endangered our economic and political interests in those nations which account for over three-fifths of our trade and nearly two-thirds of our investment in Africa. It would hardly be equitable to those American business interests which would be on the receiving end of economic retaliation on the part of those African nations because we were shortsighted in not adhering to the sanctions.

This brings me to another important point. I am very much concerned over the growing influence of multinational corporations on this Nation's foreign policymaking. In fact, the Senate Foreign Relations Committee is so concerned about the growing number of incidents in this area that we will be holding hearings into that question in the near future. Yet, Foote Mineral Co. and Union Carbide have been very instrumental in pressuring for congressional approval of our violating the U.N. sanctions to serve the economic interests of these two companies. They have been very instrumental in distorting the truth and the real issues involved in our adherence to the sanctions. These two companies have been very instrumental in fabricating the case for our ignoring the sanctions. It is, indeed, a sad day when the U.S. Senate falls victim to a ploy as reprehensible as this and allows foreign policy considerations to be determined by two corporations which have significant holdings in Rhodesia. I can tell you right now that both Union Carbide and Foote Mineral Co. will have some tough questions to answer as to their role in the Rhodesian chrome issue when these hearings open.

To allow sanctions to be broken for some American corporations and not for others creates injustices and places the Government in the anomalous position of prosecuting fertilizer manufacturers. It is interesting to note that American tobacco companies have profited handsomely from the exclusion of Rhodesian tobacco from the British market by the sanctions program, yet I have not seen a proposal offered which would lift the sanctions on Rhodesian tobacco.

In conclusion, I would like once again to refer to the letter I received from John Irwin III, Acting Secretary of State, who outlined the administration's support for section 503 of the State Department authorization bill.

Mr. Irwin stated:

> Repeal now would serve to make us less vulnerable to unfavorable international reaction. As a result of the legislation now in force, our international interests have suffered in other respects. In Africa, where our position on Rhodesia has heretofore been seen as a test of our commitment to self-determination and racial equality, our credibility has suffered. The depth of African concern has been particularly strong in some nations where our interests far outweigh those in Rhodesia. In the United Nations, we will face, with each shipment of chrome or other commodity, an increasing erosion of our position. While we have sought and continue to seek means of making the existing sanctions against Rhodesia more effective, and less liable to circumvention by others, our ability to do so is seriously limited by the legislation now in effect.

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

Mr. McGEE. Mr. President, I simply conclude by saying to my colleagues that

I have heard of selling one's birthright for a mess of potage, but never for a crock of chrome.

Mr. HARRY F. BYRD, JR. Mr. President, the amendment which we are about to vote on would leave the law as it is now and as Congress passed it last year.

Mr. President, I yield whatever time I have remaining to the Senator from Nevada.

The PRESIDING OFFICER. The Senator from Nevada is recognized.

Mr. CANNON. Mr. President, we have heard a lot about how this action would damage the results of the President's recent visit to Russia. However, it is very interesting to note that we have not heard one word from Russia that they have negotiated their policy toward the Soviet Jews. Yet we are dealing with that nation and buying chrome from them at the same time that we are trying to invoke a sanction against Rhodesia. The policy of Russia with respect to the Soviet Jews is equally abhorrent to me.

This is a very specious argument. It is an argument that does not hold water. We would save $100 million here for the American consumers.

Mr. MOSS. Mr. President, the United States must not forfeit its long-term interests in Africa for a few more boatloads of Rhodesian chrome.

Today I ask the Senate to reject the amendment offered by the Senator from Virginia. I urge its rejection, not out of blind repugnance toward Ian Smith's racist purposes, but as a matter of pragmatic national policy. Our continued purchases of Rhodesian chrome, which this measure would permit, is simply not worth the price we would have to pay in terms of our international position.

The State Department has quite understandably urged rejection of this amendment. The administration's reasoning is sound. To accept the Byrd measure would be to deny our country's international treaty obligations and to renege on our historic record of a 100-percent support for the U.N. Security Council. Moreover, it would mean a U.S. rejection of world peace through law at the time in which we are trying to construct such a framework.

These last few days have seen major breakthroughs in the development of world law. The United States and the Soviet Union have taken major steps toward substituting peaceful for military competition.

In no part of the world is there such a ground for peaceful competition among economic systems as in Africa.

Africa, itself, has not yet felt the curse of the cold war. Hopefully it never will. The long battle against colonialism, however, continues. If the United States is to maintain its good relations with independent Africa, it must be an ally in this great crusade.

Rhodesia is a symbol of that struggle. It stands as a living memory to the centuries of European colonialism in Africa. Its racist policies stand as a sharp indignity to the people of that continent, an indignity which touches them daily.

Rhodesia is an indignity to the United States as well. Here is a country ruled by less than 5 percent of its population, which sees itself as a part of the free world. It longs for membership in the Western non-Communist world. It especially seeks the economic and moral support of the United States. That support must be denied.

Today the Senate must take a firm position on the Rhodesian question. It must state to the Rhodesian people, black and white, that the United States will not sell out its principles for short-term economic gain. It will not forsake international law, its hope for peaceful development in Africa, even its essential belief in the equality of man just to get a better deal on chrome.

Mr. BROCK. Mr. President, once again the actions of this Senate's Committee on Foreign Relations appear to have been formulated in a vacuum.

I have reference to the committee's steps to restrict importation of chrome from Rhodesia and thus restore the Soviet Union to a virtual monopoly position on sales of critical chromium ore to the United States.

The illogic of this move is deepened by the fact that on September 23 of last year during deliberations on the military procurement authorizations bill, the Senate decidedly rejected attempts to restrict U.S. purchases on this one vital element from this tiny African nation.

Moreover, because of crucial negotiations between Britain and Rhodesia which were pending at the time the Senate affirmed its support of ending purchase restrictions on chrome, I offered an amendment to delay implementation of section 503 until January 1, 1972. This amendment was accepted and, therefore, the section has only been in effect little more than 5 months.

It may be worthwhile to recount some of the reasons why we found ourselves in the predicament of having to support the most powerful Communist nation with chromite purchases at a price artificially controlled by the Soviets.

In late 1966, the U.N. Council, in which we hold the right of veto, imposed selective sanctions on Rhodesia. Later, the embargo became total.

Following the action by the United Nations, President Johnson ordered an embargo on trade with Rhodesia. This action was unilaterally taken by the President without allowing the Congress the opportunity to express itself.

Prior to President Johnson's decree, the United States had imported the vast majority of strategic chromite from Rhodesia. Since there is no domestic production of the metal in this country, this action and subsequent approval by our U.N. representatives of the Security Council embargo forced the United States to turn to the U.S.S.R. for about 60 percent of its chrome ore.

During last year's debate to permit the purchase of this single strategic commodity from Rhodesia, the Subcommittee on National Stockpile and Naval Petroleum Reserve found that, since Russia became the chief U.S. source of chrome ore, she had increased the price per ton from $25 to $72 on an increase of 188 percent.

We were being had.

Mr. President, in our zeal to show our disapproval of Rhodesia's declaration of independence from Britain and minority rule over a majority, we were in actuality perpetuating a far more inequitable situation in the U.S.S.R., the domination of a tiny Communist minority over some 240 million Russians.

Furthermore, the Rhodesia sanctions have proved to have little or no effect on her economic viability.

It is foolhardy to limit ourselves to purchases of chrome from the Russians when we can purchase the same ore at a lower price from an ally; especially, when the total sanctions against Rhodesia have had little effect in altering the policies which we disapproved.

There is a double edge to the sword of economic sanctions imposed on Rhodesia. Intended to topple the existing government, they also deprive the black Rhodesians of jobs and opportunity which result from trade. Once such sanctions prove ineffective for their political motive, they should be lifted so as not to prolong the deleterious effects on the general populus.

From practically every angle the United States would be cutting off its hand to spite its face were the Senate to reinstitute restrictions on ore purchases from Rhodesia. We pay a higher price for the commodity when purchased from U.S.S.R. We create a dependency for strategic material. We harm the people of Rhodesia while doing nothing which alters the political structure of the country. By reinstituting a Johnson policy which seek to interpose ourselves in the internal affairs of another state, we perpetrate the same arrogant philosophy which sank us into our involvement in Southeast Asia.

In my judgment, there is no redeeming justification to support a renewed embargo on chromium imports from Rhodesia. Most importantly, Mr. President, there is no reason so compelling to justify our dependency for a strategic defense material on a Communist-dominated state.

I hope the Senate again reaffirms its early position that when we have the option to purchase a strategic material from a free-world nation at a competitive price that there should be no legislated impediments to exercising the option when it would require us to purchase the same commodity from the Communists at an inflated rate.

Mr. BROOKE. Mr. President, I strongly oppose the pending amendment to strike section 503 from the State Department-USIA authorization bill. This section of the bill, as drafted, would undo the unfortunate action which Congress took last year in lifting the embargo on importing Rhodesian chrome into the United States.

Many of the issues raised during last year's debate are involved today. These arguments concern national security, our relations with the United Nations and Africa, and the basic question of whether the United States should implicitly sanction the continuance of the racially repugnant policy of the current Rhodesian Government. If these were the sole points under discussion, then I would expect

that the Senate vote today would reflect last year's tally.

However, I firmly believe that the Senate has an even greater obligation this year to oppose Rhodesian chrome importation. The political situation in Rhodesia is at a most sensitive point. A proposed British settlement with the Rhodesian Government has been rejected by the majority of the Rhodesian blacks who constitute 95 percent of that country's population. As a result, the future international economic policy toward Rhodesia, as well as the continued viability of the Ian Smith regime, remain open questions.

In 1966, a minority white government proclaimed its independence from British colonial rule, at a time when the British were attempting to work out a fair policy for permitting Rhodesia's black majority to participate in the political process of that country. The blatantly racist rule that has characterized that Government during the intervening 6 years has been a dark blemish in the overall record of growth for African independence and majority rule.

The imposition of economic sanctions, adopted by the United Nations General Assembly with only two dissenting votes, has represented an effort by the world community to register its opposition to the continuation of the apartheid policy. Because of these sanctions, Rhodesia cannot now freely trade with the world community.

Last year's congressional action was a direct refutation of that international agreement. By stating that the United States can import chrome from Rhodesia, Congress violated a policy which our own Government had initially advocated and which the administration still supports.

It is of the utmost necessity that the United States respect its international commitments.

We should also be responsive to world opinion. The peoples and nations of Africa in particular have expressed deep concern with the recent American action in reopening trade with Rhodesia. It has been difficult, indeed, for our Government to attempt to explain to these governments why the United States has lifted the sanctions on chrome at the same time that it has encouraged self-determination and racial equality for all African people.

In addition, it should be clear that the United States and our Nation's businesses do not need Rhodesian chrome. The amount already in the stockpile, as well as that authorized for disposal in legislation approved this year by the Senate, would fulfill our domestic needs for about 18 months. And, according to the State Department, defense requirements amount to only 10 percent of our total domestic needs.

There are also available large amounts of chrome from other nations, including the Soviet Union. At a time when President Nixon is returning from that nation with the announced intention of opening up additional trade avenues with the Soviets, it seems counterproductive for the Senate to continue to place itself on record against the importation of chrome and related minerals from Communist nations. Also, adequate chrome resources remain available from Turkey and the Philippines, allies with whom we maintain active and mutually beneficial trade relations.

In short, Mr. President, there exists no sound or logical purpose for the United States to continue to flaunt the United Nations' economic sanctions against Rhodesia. The Senate Foreign Relations Committee recognized that fact by recommending a halt to last year's resumption of trade. I hope that the Senate will agree to retain the committee's provision.

The PRESIDING OFFICER. All time has expired. The question is on agreeing to the amendment of the Senator from Virginia. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. GRIFFIN (when his name was called). On this vote I have a live pair with the Senator from Tennessee (Mr. BAKER). If he were present and voting he would vote "yea." If I were permitted to vote, I would vote "nay." I withhold my vote.

Mr. RIBICOFF (when his name was called). On this vote I have a live pair with the Senator from Arkansas (Mr. MCCLELLAN). If he were present and voting he would vote "yea." If I were permitted to vote I would vote "nay." I withhold my vote.

Mr. CANNON (after having voted in the affirmative). On this vote I have a pair with the Senator from Maine (Mr. MUSKIE). If he were present and voting he would vote "nay." I have already voted "yea." I withdraw my vote.

Mr. ROBERT C. BYRD. I announce that the Senator from New Mexico (Mr. ANDERSON), the Senator from Mississippi (Mr. EASTLAND), the Senator from North Carolina (Mr. ERVIN), the Senator from Oklahoma (Mr. HARRIS), the Senator from Indiana (Mr. HARTKE), the Senator from Minnesota (Mr. HUMPHREY), the Senator from North Carolina (Mr. JORDAN), the Senator from Arkansas (Mr. MCCLELLAN), the Senator from South Dakota (Mr. MCGOVERN), the Senator from Montana (Mr. METCALF), the Senator from Maine (Mr. MUSKIE), and the Senator from West Virginia (Mr. RANDOLPH) are necessarily absent.

On this vote, the Senator from Minnesota (Mr. HUMPHREY) is paired with the Senator from Mississippi (Mr. EASTLAND). If present and voting, the Senator from Minnesota would vote "nay" and the Senator from Mississippi would vote "yea."

On this vote, the Senator from South Dakota (Mr. MCGOVERN) is paired with the Senator from North Carolina (Mr. ERVIN). If present and voting, the Senator from South Dakota would vote "nay" and the Senator from North Carolina would vote "yea."

On this vote, the Senator from Indiana (Mr. HARTKE), is paired with the Senator from West Virginia (Mr. RANDOLPH). If present and voting, the Senator from Indiana would vote "nay" and the Senator from West Virginia would vote "yea."

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

Mr. GRIFFIN. I announce that the Senator from Tennessee (Mr. BAKER), the Senator from New Jersey (Mr. CASE), the Senator from Hawaii (Mr. FONG), the Senator from Wyoming (Mr. HANSEN), the Senator from Oregon (Mr. HATFIELD), and the Senator from Iowa (Mr. MILLER) are necessarily absent.

The Senator from Maryland (Mr. MATHIAS) is absent on official business.

The Senator from Arizona (Mr. GOLDWATER) and the Senator from South Dakota (Mr. MUNDT) are absent because of illness.

If present and voting, the Senator from New Jersey (Mr. CASE) would vote "nay."

The pair of the Senator from Tennessee (Mr. BAKER) has been previously announced.

On this vote, the Senator from Arizona (Mr. GOLDWATER) is paired with the Senator from Oregon (Mr. HATFIELD). If present and voting, the Senator from Arizona would vote "yea" and the Senator from Oregon would vote "nay."

The result was announced—yeas 40, nays 36, as follows:

[No. 193 Leg.]

YEAS—40

Allen	Cotton	Roth
Allott	Curtis	Saxbe
Beall	Dole	Schweiker
Bellmon	Dominick	Smith
Bennett	Ellender	Sparkman
Bentsen	Fannin	Spong
Bible	Gambrell	Stennis
Brock	Gurney	Taft
Buckley	Hollings	Talmadge
Byrd, Harry F., Jr.	Hruska	Thurmond
Byrd, Robert C.	Jordan, Idaho	Tower
Chiles	Long	Weicker
Cook	Montoya	Young
	Pearson	

NAYS—36

Aiken	Hughes	Packwood
Bayh	Inouye	Pastore
Boggs	Jackson	Pell
Brooke	Javits	Percy
Burdick	Kennedy	Proxmire
Church	Magnuson	Scott
Cooper	Mansfield	Stafford
Cranston	McGee	Stevens
Eagleton	McIntyre	Stevenson
Fulbright	Mondale	Symington
Gravel	Moss	Tunney
Hart	Nelson	Williams

PRESENT AND GIVING LIVE PAIRS, AS PREVIOUSLY RECORDED—3

Griffin, against.
Ribicoff, against.
Cannon, for.

NOT VOTING—21

Anderson	Hansen	McClellan
Baker	Harris	McGovern
Case	Hartke	Metcalf
Eastland	Hatfield	Miller
Ervin	Humphrey	Mundt
Fong	Jordan, N.C.	Muskie
Goldwater	Mathias	Randolph

So the amendment of Mr. HARRY F. BYRD, Jr., was agreed to.

Mr. HARRY F. BYRD, JR. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. CANNON. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENTS NO. 1209

Mr. PERCY. Mr. President, I call up my amendments No. 1209.

The PRESIDING OFFICER. The clerk will please state the amendments.

The assistant legislative clerk read the amendments offered by Mr. PERCY

(for himself and Mr. TUNNEY), as follows:

S. 3526

On page 3, line 10, insert "(1)" immediately after "(a)".

On page 3, line 14, strike out "two Deputy Under Secretaries of State" and insert in lieu thereof "an Under Secretary of State for Political Affairs, an Under Secretary of State for Economic Affairs, a Deputy Under Secretary of State".

On page 3, between lines 15 and 16, insert the following new paragraph (2):

"(2) Section 2(b) of the Act of May 26, 1949, as amended (22 U.S.C. 2652), is repealed."

On page 4, between lines 23 and 24, insert the following new paragraphs:

"(2) Section 5314(9) is amended by striking out 'or' before 'Under Secretary of State for Economic Affairs' and inserting in lieu thereof 'and'.

"(3) Section 5315(10) is amended to read as follows:

"'(10) Deputy Under Secretary of State.',"

On page 4, line 24, strike out "(2)" and insert in lieu thereof "(4)".

The PRESIDING OFFICER. The time of the amendment is under control. Who yields time?

Mr. PERCY. Mr. President, I yield myself such time as I require. For the information of the Senate, I shall not use all of the time allotted to me, and probably will complete my comments in only 5 or 10 minutes.

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

The PRESIDING OFFICER. The yeas and nays have been ordered heretofore.

Mr. PERCY. Mr. President, at the present time the Department of State is headed by a Secretary and an Under Secretary. S. 3526 proposes changing the title of the Under Secretary to Deputy Secretary to reflect the fact that the No. 2 officer in the Department acts as the full deputy and alter ego to the Secretary.

The No. 3 position in the Department is now authorized to be either an Under Secretary for Political Affairs, as it is now, or an Under Secretary for Economic Affairs, as it has been at times in the past. With the increasingly complex nature of the foreign affairs process, the Department should have officers at the full Under Secretary level in both the political and economic areas. It has requested legislation authorizing such a position, a request that has the full support of the Office of Management and Budget. The amendment which Senator TUNNEY and I are offering would make this possible. We cite the following reasons in support of this amendment:

First, having economic affairs raised to the importance of political affairs would reflect the fact that the Department is increasingly concerned with the economic side of foreign policy and international relations.

Second, as an agency vitally concerned with foreign economic policy, and providing important support to the President's Council on International Economic Policy, the State Department should and wishes to play a major role in correcting present shortcomings in this field. For this an Economic Under Secretary would be a significant help.

Third, to play the role envisaged for him, the Department requires a man of great skill, experience and stature, a man who is recognized and respected both within the Government and in the business community. Such an individual could not be attracted unless he were assured of a position, rank, and salary just below the Secretary and the Deputy Secretary. As we are aware, the current incumbent, Mr. Nathaniel Samuels, has resigned his position after more than 3 years of loyal and diligent service in support of this Government's efforts to strengthen its international economic position.

Fourth, while the Secretary and Deputy Secretary may from time to time become involved in economic affairs, the man in day-to-day charge of the Department's activities in this area should be able to deal, himself, with other Cabinet and sub-Cabinet officers. This would be difficult without having the requisite rank in the Department.

Fifth, the negotiations that lie ahead in trade, monetary, and commercial matters are of such extraordinary importance to the United States that the Department of State should normally be represented by an official at the sub-Cabinet level as this would permit. Needless to say, the complex East-West trade issues that combine so many political and economic considerations will require a very significant Department of State input which such an official could provide. In addition, the chief economic official in the Department is the alternate Governor of the World Bank and of certain of the regional development banks. He often heads delegations to meetings of these institutions in place of the Secretary of the Treasury, who is the Governor.

I believe that this amendment will be an effective piece of legislation to strengthen our Government's team in the vitally important field of international economic relations.

I ask unanimous consent that the complete text of a letter dated May 31, 1972, from the Acting Secretary of State, John Irwin, be incorporated in the RECORD at this point.

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

THE UNDER SECRETARY OF STATE,
Washington, D.C., May 31, 1972.

Hon. CHARLES H. PERCY,
U.S. Senate,
Washington, D.C.

DEAR SENATOR PERCY: I write in response to your request for an explanation of the need for establishing the position of Under Secretary of State for Economic Affairs.

As you know, your amendment to S. 3526 would enable us to upgrade the importance of international economic affairs in the Department of State. At present the senior Department official exclusively responsible for economic and commercial matters is the Deputy Under Secretary for Economic Affairs, at the fourth level of our organization. We wish to raise economic and commercial affairs to the third level, at which we now have an Under Secretary for Political Affairs.

The need for this restructuring derives from several pragmatic considerations arising from the Secretary's determination to give greater stress to our economic and commercial responsibilities.

First, is the problem of recruiting an outstanding authority to replace Mr. Nathaniel Samuels, who is resigning as our Deputy Under Secretary for Economic Affairs, effective May 31. I have found that the possibility of our securing the services of a man of this stature will be very much enhanced if he can be assured a position at the full Under Secretary level.

Second, the negotiations that lie ahead in trade, monetary and commercial matters are of such extraordinary importance to the United States that the Department of State should normally be represented by an official at the sub-Cabinet level as this would permit. Needless to say, the complex East-West trade issues that combine so many political and economic considerations will require a very significant Department of State input which such an official could provide.

Third, the strengthening of the Department's economic organization will assure other agencies of the most authoritative level of cooperation in our common efforts to improve our balance of payments and to expand our exports.

The Office of Management and Budget advises that the creation of this position is consistent with the objectives of the Administration for the general organization of the Department of State.

With kindest regards,

Sincerely,

JOHN N. IRWIN, II,
Acting Secretary.

Mr. PERCY. Mr. President, for the benefit of my colleagues, I should simply like to point out that Secretary Irwin indicates that the Office of Management and Budget advises that the creation of this position is consistent with the objectives of the administration for the general organization of the Department of State.

Mr. TUNNEY and Mr. FULBRIGHT addressed the Chair.

The PRESIDING OFFICER. Who yields time?

Mr. PERCY. May I yield to my distinguished colleague from California?

Mr. TUNNEY. Mr. President, does the Senator from Arkansas wish to speak on this amendment?

Mr. FULBRIGHT. Yes.

Mr. TUNNEY. I have a statement in favor of the amendment, but if the Senator wishes to proceed, he may do so.

Mr. FULBRIGHT. If the Senator does not mind, I would like to do so.

Mr. President, the committee considered and rejected a proposal to create a new Under Secretary position in the Department of State.

There is no need for a new position. The statute already provides for an Under Secretary position for economic affairs, if the President wants to designate a nominee as such. The position, by statute, can be designated as either "Under Secretary for Economic Affairs" or "Under Secretary for Political Affairs." It so happens that the present incumbent, U. Alexis Johnson, was designated as Under Secretary for Political Affairs. But over the years there have been a number of Under Secretaries for Economic Affairs—Thomas C. Mann, George W. Ball, C. Douglas Dillon, and William L. Clayton. There is nothing to prevent the President from sending up tomorrow the nomination of a person to be Under Secretary of State for Economic Affairs—if he is willing to replace Mr. Johnson. Or, he can change Mr. Johnson's title to Under Secretary for Economic Affairs.

I might point out that in addition to having this authority to designate the

existing Under Secretary position as one for economic affairs, there are now two other high-level positions in the Department dealing with economic affairs—a Deputy Under Secretary for Economic Affairs, Mr. Nathaniel Samuels, and an Assistant Secretary for Economic Affairs, Mr. Willis Armstrong. So I think the Department's capacity—personnelwise—to look after our economic interests in foreign affairs is there, if the President chooses to emphasize this facet of the Department's work.

I wish to make one other observation. The Department of State is probably the most top-heavy Department in the executive branch. This amendment would make it more so. The State Department has 17 positions at the Assistant Secretary level and above. Next in rank is the Department of Justice with 12 positions; the Department of Defense has only 10. The principal reason the committee rejected the Department of State's plan for additional top-level positions was because what the Department has now in the way of top level positions is so far out of line with other departments of our Government.

I urge that the amendment be rejected.

I ask unanimous consent that there be included as a part of my remarks a list of the number of top level positions, Assistant Secretary level and above, at other State departments.

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

NUMBER OF TOP-LEVEL POSITIONS BY DEPARTMENT, ASSISTANT SECRETARY LEVEL AND ABOVE

State (17 positions): Secretary, Deputy Secretary (title to be changed by this bill), Under Secretary, Coordinator of Security Assistance (Under Secretary level), 2 Deputy Under Secretaries, 11 Assistant Secretaries.

Treasury (9 positions): Secretary, 2 Under Secretaries, 1 Deputy Under Secretary, 5 Assistant Secretaries.

Defense (10 positions): Secretary, Deputy Secretary, 8 Assistant Secretaries.

Justice (12 positions): Attorney General, Deputy Attorney General, Solicitor General, 9 Assistant Attorneys General.

Interior (9 positions): Secretary, Under Secretary, Deputy Under Secretary, 6 Assistant Secretaries.

Agriculture (7 positions): Secretary, Under Secretary, Deputy Under Secretary, 4 Assistant Secretaries.

Commerce (8 positions): Secretary, Under Secretary, Deputy Under Secretary, 5 Assistant Secretaries.

Labor (8 positions): Secretary, Under Secretary, Deputy Under Secretary, 5 Assistant Secretaries.

HEW (10 positions): Secretary, Under Secretary, Deputy Under Secretary, 7 Assistant Secretaries.

Housing and Urban Development (9 positions): Secretary, Under Secretary, Deputy Under Secretary, 6 Assistant Secretaries.

Transportation (8 positions): Secretary, Under Secretary, Deputy Under Secretary, 5 Assistant Secretaries.

The PRESIDING OFFICER. Who yields time?

Mr. PERCY. Mr. President, I yield the distinguished Senator from California such time as he may require.

Mr. TUNNEY. I thank the distinguished Senator from Illinois, and compliment him on his leadership in bringing this amendment to the floor. I feel that it is a very important amendment.

Mr. President, I am certain that we all share the concern that America's economic interests should be accorded the same dignity abroad as her political interests. The passage of the Percy-Tunney amendment creating the position of Under Secretary of State for Economic Affairs will help insure that such importance is underscored for our economic affairs.

The State Department should be given the opportunity to play an important role in first, elevating the priority of America's foreign economic affairs, and second, insuring that those matters are integrated as effectively and as smoothly as possible with other foreign affairs of the United States. Creating the position of Under Secretary of State for Economic Affairs will help the State Department to elevate that priority as well as to integrate these matters smoothly and effectively.

The creation of this position will also: First, help the Department attract capable men to fill these positions related to economic affairs. As the Senator from Illinois has stressed, such individuals could not be attracted unless they were assured of the position, rank, and salary just below that of the Secretary and the Deputy Secretary.

Second, this position will help enable the person responsible for economic matters to deal personally with other Cabinet and subcabinet officers. He will be assured of the position which will help him to make the necessary personal contacts.

Third, the creation of this position will help the representative of the Department of State to deal with economic officials of comparable rank in foreign countries.

As some of us know who have had the opportunity to travel abroad and meet with officials of other nations, they put great stock, in many European countries, in a man's title and the position that he holds in his government. There is a very clearly defined pecking order, and we must have a person of substantial rank representing the United States when he meets with European officials and officials of other nations as well, who put such great stock on a person's position when there are negotiations.

Finally, and most importantly, it will help insure that the Department of State itself will be increasingly concerned with the economic and commercial implications of foreign policies of the United States.

Accordingly, Mr. President, I am pleased to join with my colleague from Illinois in introducing this amendment which should be a significant contribution to the coordination and elevation of the economic side of our foreign policies.

I think the Senator from Illinois is to be congratulated for the extensive work he has done in this area, and for giving the Senate the opportunity to vote to make such a position available in the State Department. I personally feel that this amendment should be adopted. It would be most beneficial to the United States at this time when we are having great difficulties with our balance of trade and great difficulties with our economy here at home, and need to promote exports.

The PRESIDING OFFICER. Who yields time?

Mr. PERCY. Mr. President, I wish to express my appreciation to my distinguished cosponsor. I think his comments certainly underscore the very important role that this position will have.

We have now come to a very unusual stage in our economic history. We are challenged as we have never been challenged before. We have the first trade deficit in the United States since 1888, and we have not had it for just one quarter: we had it in the last quarter last year and the first quarter this year. It now looks as if the trade deficit this year may be larger than last year, exceeding $2 billion. Therefore, the role that the Under Secretary of State for Economic Affairs can play in the future is far more important than it has been in the past, and that is not meant to underestimate its importance in the past.

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

The PRESIDING OFFICER. On whose time?

Mr. PERCY. I ask unanimous consent that the time for the quorum call be divided between the two sides.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER. Without objection, it is so ordered. Who yields time?

Mr. PERCY. I yield back the remainder of my time.

Mr. JAVITS. Mr. President, on behalf of the Senator from Arkansas, as a member of the committee, I yield back the remainder of his time.

Mr. PERCY. I ask unanimous consent that the order for the yeas and nays be rescinded.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Illinois? Without objection, the order for the yeas and nays is rescinded.

The question is on agreeing to the amendment offered by the Senator from Illinois and the Senator from California.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

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

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

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

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

MESSAGE FROM THE HOUSE—ENROLLED BILLS SIGNED

A message from the House of Representatives, by Mr. Berry, one of its reading clerks, announced that the Speaker

had affixed his signature to the following enrolled bills:

H.R. 1915. An act to provide for the conveyance of certain real property of the United States;

H.R. 5199. An act to provide for the disposition of funds appropriated to pay judgments in favor of the Miami Tribe of Oklahoma and the Miami Indians of Indiana in Indian Claims Commission dockets numbered 255 and 124–C, dockets numbered 256, 124–D, E, and F, and dockets numbered 131 and 253, and of funds appropriated to pay a judgment in favor of the Miami Tribe of Oklahoma in docket numbered 251–A, and for other purposes;

H.R. 8116. An act to consent to the Kansas-Nebraska Big Blue River Compact; and

H.R. 13361. An act to amend section 316(c) of the Agricultural Adjustment Act of 1938, as amended.

The PRESIDENT pro tempore subsequently signed the enrolled bills.

THIRTY-MINUTE RECESS

Mr. ROBERT C. BYRD. Mr. President, I move that the Senate stand in recess for 30 minutes.

The motion was agreed to, and at 12:50 p.m. the Senate took a recess for 30 minutes.

The Senate reassembled at 1:20 p.m., when called to order by the Presiding Officer (Mr. SPONG).

QUORUM CALL

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. 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.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 9580) to authorize the Commissioner of the District of Columbia to enter into agreements with the Commonwealth of Virginia and the State of Maryland concerning the fees for the operation of certain motor vehicles; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. MCMILLAN, Mr. STUCKEY, Mr. NELSEN, and Mr. BROYHILL of Virginia were appointed managers on the part of the House at the conference.

The message also announced that the House had agreed to a concurrent resolution (H. Con. Res. 625) providing for a joint session of the two Houses of Congress on June 1, 1972, to receive such communication as the President of the United States shall be pleased to make to them, in which it requested the concurrence of the Senate.

JOINT SESSION OF THE TWO HOUSES TOMORROW

Mr. MANSFIELD. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on House Concurrent Resolution 625.

The PRESIDING OFFICER laid before the Senate House Concurrent Resolution 625, which was read as follows:

H. CON. RES. 625

Resolved by the House of Representatives (the Senate concurring), That the two Houses of Congress assemble in the Hall of the House of Representatives on June 1, 1972, at 9:30 p.m., for the purpose of receiving such communication as the President of the United States shall be pleased to make to them.

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

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. MANSFIELD. Mr. President, what time is the joint session to be held tomorrow?

The PRESIDING OFFICER. 9:30 p.m. tomorrow, June 1, 1972.

The question is on agreeing to the concurrent resolution.

The concurrent resolution (H. Con. Res. 625) was agreed to.

QUORUM CALL

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. MANSFIELD. Mr. President, are we operating on a time limitation at the moment?

The PRESIDING OFFICER. We are not operating on a time limitation, and the pending amendment is the amendment of the Senator from Michigan (Mr. GRIFFIN), amendment No. 1200.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that I be recognized for 1 minute.

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

FIFTY-FIFTH ANNIVERSARY OF BIRTH OF LATE PRESIDENT JOHN FITZGERALD KENNEDY

Mr. MANSFIELD. Mr. President, Memorial Day, May 29, marked the 55th anniversary of the birth of this Nation's 35th President, John Fitzgerald Kennedy. I simply wish to note the occasion in this fashion. It is a reminder of the legacy of this great man, cut down in his prime so violently, so cruelly, so senselessly. It is a legacy of ideas, designed to heal over wounds that had been left open to fester in this Nation after years and years of inattention and unconcern. Even more, it is a legacy of inspiration and idealism that in my judgment will live as a monument to a man whose achievements unfortunately cannot be measured in years of service. An assassin's bullet made that impossible.

His achievements can and will be measured, however, by the hope he engendered for a better world, a world without fear, without suffering, without war, devastation and destruction. If mankind does reach these goals—and I pray that one day it will—it will be said then that along the way John F. Kennedy made a significant contribution.

FOREIGN RELATIONS AUTHORIZATION ACT OF 1972

The Senate continued with the consideration of the bill (S. 3526) to provide authorizations for certain agencies conducting the foreign relations of the United States, and for other purposes.

Mr. GRIFFIN. Mr. President, have the yeas and nays been ordered on the pending amendment?

The PRESIDING OFFICER. They have not.

Mr. GRIFFIN. Is it in order for the junior Senator from Michigan to withdraw his amendment without unanimous consent?

The PRESIDING OFFICER. It is.

Mr. GRIFFIN. Mr. President, at this time I withdraw my amendment, and I ask what is now the pending question?

The PRESIDING OFFICER. The pending question, the Senator from Michigan having withdrawn his amendment, is the Church-Case amendment, as amended.

The question is on agreeing to the amendment, as amended.

The amendment, as amended, was agreed to.

Mr. GRIFFIN. Mr. President, what now is the pending question before the Senate?

The PRESIDING OFFICER. The pending question now recurs on the amendment of the Senator from Mississippi, amendment No. 1175. The amendment is on page 38 of the pending legislation, to strike out lines 1 through 12, inclusive.

Mr. GRIFFIN. I thank the Chair.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that on the motion to be made by the distinguished Senator from Mississippi there be a time limitation of 10 minutes, the time to be equally divided between the distinguished Senator from Mississippi and the distinguished senior Senator from Idaho (Mr CHURCH).

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

Mr. CHURCH. Mr. President, if the Senator from Mississippi will yield to me, I need only 1 minute.

Mr. STENNIS. Mr. President, I yield the Senator from Idaho 2 minutes of his time.

Mr. CHURCH. Mr. President, in view of the action that the Senate took by

a rollcall vote adding the addendum offered by the distinguished Senator from West Virginia (Mr. ROBERT C. BYRD) to the original Church-Case amendment, it is no longer acceptable to the sponsors, and for that reason I will not oppose—indeed, I intend to support—the motion soon to be made by the Senator from Mississippi to strike the entire provision from the bill.

I think we will have an opportunity later, on a different bill, to take up the question of how the Senate should best proceed to try to bring this endless war in Southeast Asia to a conclusion; but under the circumstances, now is not the time.

I simply want the RECORD to make clear that I will not oppose the motion of the Senator from Mississippi to strike this language from the bill. I thank the Senator for granting me this time.

Mr. STENNIS. Mr. President, I yield myself 3 minutes of my time.

This amendment was filed for two reasons on my part. I am opposed to the merits of section 701, which undertakes to cut off the funds on a date certain with reference to military matters in Vietnam.

Additionally, at the time it was filed, it was just prior to to the summit conference that the President was going to have in Moscow. Preliminary preparations and the atmosphere of preparations in Moscow and here were consuming the time, primarily of the governments, and I was determined that, so far as I was concerned, this section not be passed, if avoidable, during the pendency of those highly important matters. Now they have already occurred.

I want to say that I was very much impressed, as well as pleased, that the sponsors of section 701, after it has reached this stage, were willing to defeat this section. That includes the Senator from Idaho. I remember the Senator from Arkansas had some sentiments to that effect. I commend them and others of the same opinion. In fact, I think it is the overwhelming sentiment of this membership not to pursue this matter under the circumstances.

We still have the war on our hands. It is a serious matter. I am as anxious as others that it be concluded. There is merely a difference of opinion as to how it should be done. Section 701 has taken its final form.

A parliamentary inquiry, Mr. President. Amendment No. 1175 is now the pending order of business. Is it not?

The PRESIDING OFFICER. The Senator from Mississippi is correct.

Mr. STENNIS. If that amendment is adopted now, it will strike out the entire section, including the parts that have been amended. Is that correct?

The PRESIDING OFFICER. The Senator from Mississippi is correct.

Mr. STENNIS. Mr. President, I am glad to yield back the remainder of my time, unless some other Senator wants to use some of it, and we can have the vote now.

The PRESIDING OFFICER. The time of the Senator from Mississippi is yielded back.

Mr. CHURCH. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time on the amendment has been yielded back.

The question is on agreeing to the amendment of the Senator from Mississippi.

The amendment was agreed to.

Mr. STENNIS. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. ROBERT C. BYRD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. ROBERT C. BYRD. Mr. President, I wish the RECORD to show that I voted "No" on the adoption of the amendment by Mr. STENNIS.

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

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

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be discharged from further consideration of H.R. 14734, an act to authorize appropriations for the Department of State and the U.S. Information Agency, and that the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. The bill will be stated by title.

The legislative clerk read as follows:

A bill (H.R. 14734) to authorize appropriations to the Department of State and the United States Information Agency.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Arkansas that the committee be discharged? The Chair hears none, and it is so ordered.

Is there objection to the present consideration of the House bill?

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

Mr. FULBRIGHT. I ask unanimous consent that all after the enacting clause of H.R. 14734 be stricken, and that the language of S. 3526, as amended, be substituted therefor.

The PRESIDING OFFICER. Is there objection?

The Chair hears none, and it is so ordered.

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

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

The bill was read the third time.

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

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

The yeas and nays were ordered.

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

Mr. ROBERT C. BYRD. I announce that the Senator from New Mexico (Mr. ANDERSON), the Senator from Mississippi (Mr. EASTLAND), the Senator from North Carolina (Mr. ERVIN), the Senator from Alaska (Mr. GRAVEL), the Senator from Oklahoma (Mr. HARRIS), the Senator from Indiana (Mr. HARTKE), the Senator from Minnesota (Mr. HUMPHREY), the Senator from North Carolina (Mr. JORDAN), the Senator from Arkansas (Mr. MCCLELLAN), the Senator from South Dakota (Mr. MCGOVERN), the Senator from Montana (Mr. METCALF), and the Senator from Maine (Mr. MUSKIE), are necessarily absent.

I further announce that, if present and voting, the Senator from Mississippi (Mr. EASTLAND), the Senator from North Carolina (Mr. ERVIN), the Senator from Indiana (Mr. HARTKE), and the Senator from Minnesota (Mr. HUMPHREY), would each vote "yea."

Mr. GRIFFIN. I announce that the Senator from Tennessee (Mr. BAKER), the Senator from New York (Mr. BUCKLEY), the Senator from New Jersey (Mr. CASE), the Senator from Hawaii (Mr. FONG), the Senator from Wyoming (Mr. HANSEN), the Senator from Oregon (Mr. HATFIELD), and the Senator from Iowa (Mr. MILLER) are necessarily absent.

The Senator from Maryland (Mr. MATHIAS) is absent on official business.

The Senator from Arizona (Mr. GOLDWATER) and the Senator from South Dakota (Mr. MUNDT) are absent because of illness.

The Senator from South Carolina (Mr. THURMOND) is detained on official business.

If present and voting, the Senator from New York (Mr. BUCKLEY), the Senator from Hawaii (Mr. FONG), and the Senator from South Carolina (Mr. THURMOND) would each vote "yea."

The result was announced—yeas 76, nays 1, as follows:

[No. 194 Leg.]

YEAS—76

Aiken	Eagleton	Pearson
Allen	Ellender	Pell
Allott	Fannin	Percy
Bayh	Fulbright	Proxmire
Beall	Gambrell	Randolph
Bellmon	Griffin	Ribicoff
Bennett	Gurney	Roth
Bentsen	Hart	Saxbe
Bible	Hollings	Schweiker
Boggs	Hruska	Scott
Brock	Hughes	Smith
Brooke	Inouye	Sparkman
Burdick	Jackson	Spong
Byrd, Harry F., Jr.	Javits	Stafford
Byrd, Robert C.	Jordan, Idaho	Stennis
Cannon	Kennedy	Stevens
Chiles	Long	Stevenson
Church	Magnuson	Symington
Cook	McGee	Taft
Cooper	McIntyre	Talmadge
Cotton	Mondale	Tower
Cranston	Montoya	Tunney
Curtis	Moss	Weicker
Dole	Nelson	Williams
Dominick	Packwood	Young
	Pastore	

NAYS—1

Mansfield

NOT VOTING—23

Anderson	Gravel	McClellan
Baker	Hansen	McGovern
Buckley	Harris	Metcalf
Case	Hartke	Miller
Eastland	Hatfield	Mundt
Ervin	Humphrey	Muskie
Fong	Jordan, N.C.	Thurmond
Goldwater	Mathias	

So the bill (H.R. 14734) was passed.

Mr. FULBRIGHT. Mr. President, I move to reconsider the vote by which the bill was passed.

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

The motion to lay on the table was agreed to.

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that the title of H.R. 14734 be amended so as to read "An act to provide authorization for certain agencies conducting the foreign relations of the United States, and for other purposes."

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

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that the Secretary of the Senate be authorized to make appropriate technical corrections in H.R. 14734.

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

Mr. FULBRIGHT. Mr. President, I move that the Senate insist upon its amendments to H.R. 14734 and request a conference with the House, and that the Chair be authorized to appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. FULBRIGHT, Mr. SPARKMAN, Mr. MANSFIELD, Mr. CHURCH, Mr. AIKEN, Mr. CASE, and Mr. COOPER conferees on the part of the Senate.

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

Mr. FULBRIGHT. I yield.

Mr. MANSFIELD. Will the Senator name a junior Democrat to serve in my place?

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that the Senator from Virginia (Mr. SPONG) be substituted for the Senator from Montana (Mr. MANSFIELD).

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

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that S. 3526 be indefinitely postponed.

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

ORDER FOR PRINTING OF H.R. 14734

Mr. ROBERT C. BYRD subsequently said: Mr. President, I ask unanimous consent that the text of H.R. 14734 which passed the Senate earlier today be printed as it passed the Senate.

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

ANNOUNCEMENT OF POSITION ON VOTE

Mr. MILLER subsequently said: Mr. President, earlier today, I was absent for the votes on the Byrd Amendment No. 1196 to S. 3526 and final passage of H.R. 14734.

I wish to be positioned "aye" on both votes.

TRIBUTE TO SENATOR FULBRIGHT, SENATOR AIKEN, AND OTHER SENATORS

Mr. MANSFIELD. Mr. President, I wish to commend the able and distinguished Senator from Arkansas (Mr. FULBRIGHT) for his handling of the State Department-USIA authorization proposal. As always, his advocacy and great skill contributed to the overall success of the measure. In the end, this measure did not serve as a vehicle for congressional efforts concerning the war in Southeast Asia, but in no way, may I say, have those efforts been diminished—not as far as the Senator from Montana is concerned, not as far as the Senate is concerned.

There were many other issues involved in this proposal and it is well, indeed, that they were finally resolved. It was due in large measure to Senator FULBRIGHT's leadership that, at long last, the Congress retains the capacity to review the State Department and its many programs and policies from an authorizing standpoint. The Senate is deeply grateful.

The Senate is grateful as well to the distinguished senior Senator from Vermont (Mr. AIKEN) whose splendid cooperation and assistance was vital to the disposition of this proposal. As the ranking minority member he has joined consistently to aid the efficient handling of all such legislation.

It should be noted that many Senators contributed to the discussion on this measure over a long period. The distinguished Senator from Kentucky (Mr. COOPER) and the distinguished Senator from Indiana (Mr. BAYH) deserve commendation for their efforts. The distinguished Senator from New Jersey (Mr. CASE) and the distinguished Senator from Idaho (Mr. CHURCH) deserve equal praise. Their interest and concern about the tragedy in Vietnam is unsurpassed in this body.

Many other Senators should be singled out for their contributions and cooperation. The Senators from Wyoming (Mr. MCGEE), from Illinois (Mr. PERCY), and Massachusetts (Mr. BROOKE) should be included, together with many other Senators.

To the Senate as a whole I wish to extend the thanks of the leadership for its action today achieved through the joint efforts of every Member of this body.

AUTHORIZATION FOR THE COMMITTEE ON FOREIGN RELATIONS TO HAVE UNTIL MIDNIGHT TONIGHT TO FILE ITS REPORT ON S. 3390

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that the Committee on Foreign Relations have until midnight tonight to file a report on S. 3390, a bill to amend the Foreign Assistance Act of 1961, and for other purposes.

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

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate go into executive session to consider the nomination of Richard G. Kleindienst, of Arizona, to be Attorney General, and other nominations.

The motion was agreed to, and the Senate proceeded to the consideration of executive business.

DEPARTMENT OF JUSTICE

The assistant legislative clerk read the nomination of Richard G. Kleindienst, of Arizona, to be Attorney General.

Mr. MANSFIELD. Mr. President, this debate will take some time.

Mr. ROBERT C. BYRD. Mr. President, the Senate is not in order.

The PRESIDING OFFICER (Mr. SPONG). The Senator will suspend. The Senate will please be in order. The Senate will suspend until all Senators take their seats.

The Senator from Montana may proceed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the pending nomination be temporarily laid aside and that the Senate proceed to the consideration of nominations beginning with New Reports, on page 2.

The PRESIDING OFFICER. Without objection, the pending nomination will be temporarily laid aside and the Senate will proceed to the consideration of nominations, beginning with New Reports, on page 2 of the Executive Calendar.

U.S. DISTRICT COURTS

The assistant legislative clerk read the nomination of Norman C. Roettger, Jr., of Florida, to be U.S. district judge for the southern district of Florida.

The PRESIDING OFFICER. Without objection, the nomination is considered and confirmed.

U.S. ARMY

The assistant legislative clerk proceeded to read sundry nominations in the U.S. Army.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that these nominations be considered en bloc, except the last one, on page 6 of the Executive Calendar, Lt. Gen. George Irvin Forsythe.

The PRESIDING OFFICER. Without objection, it is so ordered, and the nominations, except for Lt. Gen. George Irvin Forsythe, are considered and confirmed en bloc.

Mr. MANSFIELD. Mr. President, will the Chair now call up the nomination of Lieutenant General Forsythe?

The PRESIDING OFFICER. The clerk will report the nomination.

The assistant legislative clerk read the nomination of Lt. Gen. George Irvin Forsythe, major general, U.S. Army, to be lieutenant general.

Mr. MANSFIELD. Mr. President, it is with some degree of pride that I note the name of Lt. Gen. George Irvin Forsythe, major general, U.S. Army, to be promoted to lieutenant general.

Lieutenant General Forsythe used to be a student of mine while I was on the

faculty at the University of Montana. It is with regret that I note this distinguished soldier and citizen is retiring from the Army. The Senate should be aware of the fact that General Forsythe has been the moving force behind the possible creation of an all-volunteer Army.

Mr. President, I have known General Forsythe for more years than I care to remember. I knew his family quite well. I know the area where he was raised—in the Gregson-Hot Springs area—between Butte and Anaconda. He was an outstanding student. He is an outstanding soldier.

I wish for Lieutenant General Forsythe all the best in retirement. He is a good man.

The PRESIDING OFFICER. Without objection, the nomination is considered and confirmed.

U.S. NAVY

The assistant legislative clerk proceeded to read sundry nominations in the U.S. Navy.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations are considered and confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations are considered and confirmed en bloc.

NOMINATIONS PLACED ON THE SECRETARY'S DESK

The assistant legislative clerk proceeded to read sundry nominations in the Air Force, which had been placed on the Secretary's desk.

The PRESIDING OFFICER. 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 all these nominations.

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

NOMINATION OF JEFFREY M. BUCHER—UNANIMOUS CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that today, at approximately 2:30 p.m., the nominaton of Jeffrey M. Bucher, of California, to be a member of the Board of Governors of the Federal Reserve System for a term of 14 years from February 1, 1972, be taken up; that there be a time limitation of one-half hour on the nomination, to be equally divided between the Senator from Utah (Mr. BENNETT) and the Senator from Wisconsin (Mr. PROXMIRE).

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

PROGRAM

Mr. SCOTT. Mr. President, as in legislative session, I rise to ask the distinguished majority leader, now that the Kleindienst nomination is pending, to say, first, that I shall have something to say on it later. Of course I support the nomination. I hope that the debate will not take too long because we have other nominations following it.

I should like to ask the distinguished majority leader, what is the prognosis for other legislation at this time?

Mr. MANSFIELD. Clear, may I say to my distinguished colleague, because the calendar is fairly clear. There are only four or five other items which we can take up and we cannot take them up at this time.

After the Bucher nomination, which will be considered around 2:30 p.m. today, it would be the intention of the leadership to stay with the Kleindienst nomination at least for the next several days, in the hope that it can be disposed of within that time.

I point out that the few bills remaining on the calendar, which will be considered at the appropriate time by the Senate, are: Calendar No. 526, H.R. 9096, an act to amend chapter 19 of title 38 of the United States Code, to extend coverage under servicemen's group life insurance to cadets and midshipmen at the service academies of the Armed Forces; Calendar No. 758, H.R. 9092, an act to provide an equitable system for fixing and adjusting the rates of pay for prevailing rate employees of the Government, and for other purposes; Calendar No. 760, S. 3617, to strengthen and expand the Headstart program; Calendar No. 759, S. 3010, to provide for the continuation of programs authorized under the Economic Opportunity Act of 1964; and Calendar No. 785, H.R. 13188, to authorize appropriations for the procurement of vessels and aircraft and construction of shore and offshore establishments, and to authorize the average annual active duty personnel strength for the Coast Guard.

That is about it, as it stands now.

Mr. SCOTT. Mr. President, let me point out that the distinguished majority leader and I have been extremely anxious to get action on what is known as H.R. 1, the welfare legislation, which is still pending in the Finance Committee where its distinguished chairman, the Senator from Louisiana (Mr. LONG), has tried for a long time to be able to bring forth a bill.

I should like to inquire as to the prospects for that bill. I know that the chairman has done his very best. He has been plagued, however, with problems including the lack of quorums from time to time.

Mr. MANSFIELD. Yes, he most certainly has. The majority leader met with the chairman of the committee today, at the request of the distinguished President pro tempore, the chairman of the Appropriations Committee, the Senator from Louisiana (Mr. ELLENDER). At that time, the chairman of the Finance Committee, the Senator from Louisiana (Mr. LONG), said that he thought it would be reported out about the 9th of November——

Mr. SCOTT. Not November.

Mr. MANSFIELD. No—the 9th of June. [Laughter.] Who knows? I guess my mind was somewhere else. Anyway, that is a little delay from what I indicated a few days ago.

Mr. SCOTT. That could be the 9th of "never." I am glad he expects to report it out in June.

Mr. MANSFIELD. That is the best information I have, the way it looks at the present time.

It does not appear, because of the complexity of the report which is to be drawn up, that we will get to it, unfortunately, until after the first of the two conventions has been concluded.

Mr. SCOTT. I have heard that there will be conventions this year. [Laughter.]

I thank the distinguished majority leader.

Mr. JAVITS. Mr. President, I would like to ask the distinguished majority leader whether there is any chance of consideration of Calendar No. 752, Senate Resolution 299, which is a housekeeping matter for us, to establish a select committee to deal with secret and confidential Government document questions, which arose out of the closed-door session we had here and which, as I understand it, involves one question—to wit, the motion to refer to the Judiciary Committee which I think would be decided very, very promptly. I certainly would not take any major time on it.

Mr. MANSFIELD. If the Senator could reach agreement with those who hold the opposite point of view, to have a limited period of time today, we would consider it. But I think, beginning with the formal debate on the Kleindienst nomination tomorrow, that we will have to wait until that is disposed of.

Mr. JAVITS. I raise the question in the leader's catalog, there is only one that I am directly interested in, but in the leader's catalog, he did not list it. I wonder whether we could hope that that would be taken up. I would be willing to agree on the shortest possible time—a half-hour.

Mr. MANSFIELD. May I say that I was hoping it could be worked out. I was aware of one Senator's interest. I did not mention it intentionally, in the hope that some agreement could be worked out.

THE NOMINATION OF RICHARD G. KLEINDIENST

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

Mr. MANSFIELD. I yield.

Mr. TUNNEY. Could the majority leader give some indication of what the schedule will be for the confirmation of Mr. Kleindienst, as to debate?

Mr. MANSFIELD. It is my understanding, may I say to the distinguished Senator from California (Mr. TUNNEY) that the minority findings are still in galley form and will not become available for distribution to all Senators until tomorrow. Therefore, the formal debate from the minority point of view would start tomorrow.

It is my further understanding that several Senators will speak on this matter this afternoon. Then, of course, the Senate has already been granted unani-

mous consent to call up the nomination of Mr. Bucher, of California, at 2:30.

Mr. TUNNEY. It is anticipated, however, that the debate will continue on Friday and go over until Monday on Mr. Kleindienst?

Mr. MANSFIELD. I would not be the least surprised.

Mr. TUNNEY. It could go on through Tuesday and Wednesday or Thursday.

Mr. MANSFIELD. Possibly.

Mr. SCOTT. Mr. President, I understood earlier from the distinguished Senator from California (Mr. TUNNEY) that it was not expected that there would be any undue delay here, that some speeches would be made and that all Senators who wanted to speak would be heard. However, I had the impression that there was no desire to delay this into the heat of summer and into the unnecessary heat of debate.

Mr. TUNNEY. There is certainly no intention on my part to enter into a long filibuster. I personally do not believe in filibusters. I have always felt that filibusters thwart the will of the majority. However, I do believe that we ought to have an extensive debate on the matter. We took almost 10 weeks in hearings. And a great deal of material came out through the hearings. Some Members of the Senate believe that Mr. Kleindienst should not be confirmed. I think that we have the responsibility to lay out to the Senate our concern and the reasons for our belief.

I was trying to get some sense of what the majority leader intended to do for the remainder of this week and for next week.

As I understand it, we will be debating Mr. Kleindienst's confirmation on Thursday and Friday, and presumably on Monday and Tuesday and until we finish that debate.

Mr. MANSFIELD. We will stay with it until it is finished. If it is finished tomorrow, fine. If it is finished on Friday, fine. If not, we will go into next week.

Mr. TUNNEY. Will we be operating on the dual-track system?

Mr. MANSFIELD. No, nothing will be done on that basis unless it is done on the basis of a unanimous consent request. I would only add that Senators who are very interested in this nomination on the opposing side will be given every consideration.

Mr. SCOTT. Mr. President, I was about to say that on about the 17th of February the nomination came here. The Department of Justice has been deprived of the services of an Attorney General for whatever reasons there may be, and while the debate should cover the subject like a lady's dress, I hope that it will be long enough to cover the subject and yet short enough to make the debate interesting.

Mr. JAVITS. Mr. President, I have discussed the matter of the consideration of Senate Resolution No. 299 with the Senator from Nebraska (Mr. HRUSKA), who feels that though he cannot agree on a specific period of hours, he does not intend to take very long with it. And I certainly do not. The Senator wishes to inform the members of the Judiciary Committee that the matter will come up.

I hope that the majority leader would include this matter perhaps early tomorrow.

Mr. MANSFIELD. I would be glad to do so.

Mr. HRUSKA. Mr. President, there would be no disposition on my part to delay it or to engage in long or extensive discussion. We can agree, I think, to consider the matter at any time following the consideration of the Kleindienst nomination.

Mr. MANSFIELD. Mr. President, what is the pending business?

The PRESIDING OFFICER. The pending business is on the confirmation of the nomination of Mr. Kleindienst.

ORDER FOR ADDITIONS, CORRECTIONS, OR SUPPLEMENTS TO EXECUTIVE REPORT NO. 92–19 TO BE FILED AT OR BEFORE 5 P.M. TODAY

Mr. KENNEDY. Mr. President, I ask unanimous consent that any additions, corrections, or supplements to part 3 of Executive Report No. 92–19, dealing with the Kleindienst nomination, may be filed at or before 5 p.m. today, to be printed as part 4 of such report.

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

Mr. ROBERT C. BYRD. Mr. President, is not the Senate in executive session now?

The PRESIDING OFFICER. The Senate is in executive session.

Mr. ROBERT C. BYRD. Mr. President, I thank the Chair.

The PRESIDING OFFICER. The question is on the confirmation of the nomination.

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

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

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

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

ORDER OF BUSINESS

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the distinguished Senator from Wyoming (Mr. MCGEE) be recognized for not to exceed 5 minutes, to speak out of order, as in legislative session, after which the Senate then proceed to the consideration of the nomination of Mr. Bucher.

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

THE RHODESIAN CHROME ISSUE

Mr. MCGEE. Mr. President, I rise slowly at this moment and with no eagerness to say what I am now compelled to say. I think my credentials as having been a strong supporter of the President's foreign policy efforts in the past are unchallengeable. My support will continue in the future when I think he is right.

However, today the U.S. Senate voted to continue our flagrant violation of U.N. sanctions against Rhodesia. All of us have been reading in the press the past few weeks about the importance of overturning the chrome decision. We have seen statements from the President and from the State Department concerning how important this action is.

In his third annual report on the state of the U.S. foreign policy issued on February 9 of this year, President Nixon discussed the potential of the United Nations, his continued belief in this vital institution, and his concern over a seeming decline in congressional support for the United Nations. In deploring certain congressional actions he specified the point that—

> The Congress exempted strategic and critical materials, notably chrome, from the U.S. implementation of the mandatory U.N. sanctions on imports from Rhodesia.

Moreover, the report issued by the Secretary of State just last March contained the following statement:

> U.N. sanctions, adopted in response to Southern Rhodesia's unilateral declaration, remain in effect. The United States' firm and effective support of the U.N. measures is qualified only by the recent Congressional adoption of the Byrd amendment, which in effect freed chrome ore from the U.S. application of sanctions. The Administration made clear its opposition to that amendment.

In light of the President's commitment to the U.N. and his opposition to our violation of the sanctions against Rhodesia in his February 9 report, and the assurances I received from spokesmen in the White House that things would be different this time around, it seemed, in light of these two incidents, we should try again. I did so on the basis of the encouragement given me by the White House on these two different occasions.

But, I now regret to report that the handling of the Rhodesian chrome ore question on the part of the administration was no different than it was last time. This time I personally appealed to the White House for assistance. I asked that they make only five or six telephone calls to marginal Senators on the administration's side of the Senate aisle—several of whom had already told me a "call from the administration would be necessary to change my vote." As it turned out, the White House would have had to make only three calls to turn the tide in our favor.

But no call was forthcoming. The administration had put its rhetoric behind the McGee bill and the U.N., but did not lift the telephone even once to back that rhetoric up.

My purpose in speaking at this time is to set the record completely straight. After all the high sounding rhetoric and the pious pronouncements, the White House alone must bear the burden and responsibility for the defeat today.

Let us keep one fact straight. It is not the Congress who can now be blamed for this defeat. It is not the Foreign Re-

lations Committee. It is not the steel companies or the steelworkers unions. The White House, for whatever reasons, chose not to try to win.

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

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the Senator may be allowed to proceed for 2 additional minutes.

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

Mr. McGEE. The President's rhetoric is right. But the President was not willing to put his leadership muscle with his oratory. If it is important that this country back the United Nations, then the chrome amendment passed by Congress last fall should have been repealed today. If it is important to improve our profile and image in black Africa, and I believe it is, then the chrome amendment should have been repealed today.

I am not being partisan in my remarks concerning the administration's role in this issue. A high principle is at stake and we cannot afford to project an image of hypocrisy by saying one thing and doing another. The world has become too sophisticated to accept doubletalk. The time has come when the African nations will also no longer accept doubletalk and hypocrisy from this country as it concerns their vital interests and needs. Either we believe in those aspirations or we do not. Either we believe in the United Nations, or we do not. We cannot have it both ways.

On this side of the aisle, for better or worse, the vote was about 2-to-1 in support of the President's avowed position on the chrome question.

All I am saying, Mr. President, is that if I had thought there was the slightest inkling, that there was any uncertainty behind it again, that they did not mean it when they said, "It is going to be different this time, Mr. McGEE," I would never have volunteered to bring it up, for the reason that I think the damage is greater in having the Senate vote again that which negates the rhetoric of the President, rather than to have left it untouched at all.

So I say this with a heavy heart, Mr. President, in the hope that, somehow, all those many groups will try to keep the President of the United States on the track and try to keep his position together and sort out their priorities and sort through their rhetoric and sort through their personal commitments, and lay their cards on the table, and see if we cannot stand consistent before the rest of the world.

The PRESIDING OFFICER. Pursuant to the previous order, the Senate will now proceed to the nomination——

Mr. HARRY F. BYRD, JR. Mr. President——

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent—and I do so with some trepidation, since the distinguished senior Senator from Utah has been patiently waiting and the distinguished Senator from Wisconsin has also been patiently waiting, but I believe the Senator from Virginia wishes to have 2 minutes to reply—that the Senator from Virginia (Mr. HARRY F. BYRD, JR.) be allowed to proceed now for 2 minutes.

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

Mr. HARRY F. BYRD, JR. I thank the Senator.

Mr. President, I had not planned to say anything on the vote which was recently taken—I think the vote speaks for itself—but since the Senator from Wyoming has seen fit to rehash the debate, so to speak, I want to make a few comments.

The Senator from Wyoming pointed out in his debate in the Senate today that the State Department had given out a letter against the proposal offered by the Senator from Virginia. He pointed out that a press conference had been held at the White House in opposition to the amendment offered by the Senator from Virginia, and he pointed out that the President of the United States had opposed the amendment offered by the Senator from Virginia.

I did not take exception to that at all. The State Department has a perfect right to oppose the amendment. The President had a perfect right to oppose it, as the Senator from Wyoming pointed out.

And the Senate had a right to disagree with the State Department and the President—which the Senate did by a vote of 40 to 36.

The Senator from Wyoming complains, because the President did not pick up the telephone and try to dictate to the Members of the Senate. Whether he should have done so or should not have done so, or whether he did or did not do it, I do not know. But I as one Senator feel that the Members of the Senate can make up their own minds. I see no reason why the President should be condemned, because he does not pick up the telephone and try to influence a Member of the Senate on a piece of legislation. So I certainly do not agree with the Senator from Wyoming in his recent comments.

Mr. McGEE. May I have 1 minute?

Mr. ROBERT C. BYRD. Mr. President, I hope we will not prolong this matter any longer than 1 more minute. I ask that the Senator from Wyoming be recognized for 1 more minute.

Mr. McGEE. Mr. President, I do not lock horns with the Senator from Virginia. He established his position and won the victory, and his victory is only the more complete because he had leaned over backward to accommodate me for the last several weeks.

But the Senator knows, having been around here long enough—and I have been here longer than he has—what the price of leadership is. He has been here long enough to know that when the President wants something, he gets on the telephone. How did they know what the USIA vote would be? Not because he made a speech in March. It was because they got on everybody's back and tried to persuade them that the President's position was the wise one.

He cannot force a Senator to vote against his will, but he can let his position be known. That is the purpose in floating. As the Senator knows, it is done on both sides. If it is an issue that makes a difference, you get on the telephone, or do it some other way. You have a caucus, or whatever it may be. We all know how that business operates. And the conspicuous absence of it in this case suggested to me that there was less than devotion to the principle, or an attempt to play both sides on that principle.

ORDERS FOR THE CONVENING OF THE SENATE ON THURSDAY, FRIDAY, AND MONDAY

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that when the Senate completes its business today, tomorrow, and Friday, it stand in adjournment until 11 a.m. on Thursday, 10 a.m. on Friday, and 11 a.m. on Monday next.

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

EXECUTIVE SESSION—FEDERAL RESERVE SYSTEM

The PRESIDING OFFICER. Under the previous order, the Chair lays before the Senate the nomination of Mr. Bucher, which the clerk will state.

The second assistant legislative clerk read the nomination of Jeffrey M. Bucher, of California, to be a member of the Board of Governors of the Federal Reserve System.

Mr. BENNETT. Mr. President, I rise to support the nomination of Mr. Bucher to serve as a member of the Federal Reserve Board, and in that capacity I represent 12 other members of the committee, which voted 13 to 1 in support of the nomination. There was one member who abstained. I have talked with the Chairman of the Federal Reserve Board, Dr. Arthur Burns, who has the respect of most of us as an economist and as a dedicated public servant, and I find that he supports the nomination of Mr. Bucher, and in fact recommends him highly.

I ask unanimous consent to have printed in the RECORD at this point a letter from Chairman Burns to that effect.

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

FEDERAL RESERVE SYSTEM,
Washington, May 18, 1972.

Hon. WALLACE F. BENNETT,
U.S. Senate,
Washington, D.C.

DEAR WALLACE: It occurs to me that it may be useful to put in writing what I have said to you in earlier conversations regarding Jeffrey Bucher. I am very pleased that he has been nominated to be a member of the Board of Governors. His experience in banking will be valuable to the Board, and he has intelligence, judgment, and a sincere desire to apply his talents to serving the public as a member of the Board. In conversations with me he has shown a broad understanding of the problems the Board must deal with, and a willingness to weigh alternative solutions with an open mind. I have no question that he will justify the confidence that the President and the Senate Committee on Banking, Housing and Urban Affairs have shown in him.

With warm regards,
Sincerely yours,

ARTHUR F. BURNS.

Mr. BENNETT. At this point, I reserve the remainder of my time in order to

give the Senator from Wisconsin an opportunity to express his position.

Mr. PROXMIRE. I yield myself 10 minutes.

Mr. President, I am strongly opposed to the nomination of Mr. Jeffrey M. Bucher to the Federal Reserve Board. In so doing, I intend no personal disrespect for Mr. Bucher. I am sure that he is a fine man in his field. But in my view, he is totally unqualified to serve on the Federal Reserve Board—the most powerful economic agency of the Federal Government.

The decisions of the Federal Reserve Board can make or break our economy. A mistake in judgment by the Fed can plunge our country into a deep recession or a runaway inflation. We, therefore, should insist that only the most qualified and knowledgeable men are appointed to the Board. The safety and well-being of our economy is too important to be entrusted to inexperienced amateurs. We would not dream of appointing a man to the Supreme Court with no experience in constitutional law.

Why, then, should we permit the appointment of a man to the Federal Reserve Board who has had virtually no training or background in economics or monetary policy?

The Federal Reserve Board has been only partially successful in stabilizing the American economy. Throughout most of its history, the Fed was dominated by bankers and businessmen who were able men in their chosen field, but who had no special training in monetary policy. A study by the Library of Congress shows that between 1913 and 1961 there were 40 members appointed to the Fed. Only one of these was a professional economist. A second was a professor of business administration. The rest were bankers, lawyers, businessmen, or farmers. Their track record has not been overly impressive.

For example, during the 1929–33 depression, the Fed permitted the money supply to drop by 33 percent despite the fact that one-quarter of the job force was unemployed. As Friedman and Schwartz have so eloquently pointed out in their comprehensive "Monetary History of the United States," the Fed was largely responsible for the nosedive taken by the economy from 1929 to 1933. During this period, there was only one member of the Fed who was a professional economist. The rest were bankers, lawyers, farmers, and one ex-politician.

Following this disaster, the Fed largely withdrew from monetary policy until the Fed-Treasury accord of 1951. The Fed subsequently embarked upon a policy of "leaning against the wind" under the leadership of William McChesney Martin, a former stockbroker. Unfortunately, whenever the Fed was leaning one way, the economy was leaning in the opposite direction. Many economists feel that the erratic stop and go policies of the Fed during the 1950's were largely responsible for the three recessions experienced during that period. There were no professional economists on the Board during this period, although one member had been a professor of business administration and economics.

During the Kennedy and Johnson administrations, the competence of the Fed was considerably upgraded by the appointment of men experienced in economics and monetary policy. Presidents Kennedy and Johnson made five appointments to the Fed—four were professional economists.

The Fed was further strengthened when the present administration appointed Dr. Arthur Burns, a man who is eminently well qualified to serve on the Board and whose appointment I enthusiastically supported. However, during the last 3 months, the administration has sent the Congress two notably weak appointments—Mr. Jack Sheehan last February and now Mr. Jeffrey Bucher. We seem to be taking a major leap backwards to the days when bankers and businessmen were calling the shots with tragic results for the American economy. While the record of the Fed was not perfect when the Board was dominated by economists, the Board did at least avoid repeating the disastrous blunders committed by previous Boards.

In stressing the need for economic training, I do not say the entire Board should be composed of academic economists. If banking experience is considered to be a desirable prerequisite, why not select one of the hundreds of eminently qualified economists employed by the commercial banking industry, by the Federal Reserve Banks, or by bank trade associations or consulting firms?

I believe that such men as Roy L. Reierson of Bankers Trust, Leif Olson of the First National City Bank, Tilford C. Gaines of Manufacturers Hanover, Guy E. Noyes of Morgan Guarantee, Beryl W. Sprinkel of Harris Trust, or Walter E. Hoadley of Bank of America would all be qualified to serve on the Fed. All are conservative bank economists with an intimate knowledge of banking and monetary policy. Even Charles E. Walker, the former executive director of the American Bankers Association and now the Undersecretary of the Treasury would be far more qualified to serve on the Fed than Mr. Bucher.

Mr. President, forget about economics on the Board. Mr. Bucher has had virtually no previous training in economics or monetary policy which would equip him to understand and intelligently decide upon the complex issues facing the Federal Reserve Board. However, even if we admit that noneconomists can be appointed to the Board, I believe there are other and equally compelling reasons for opposing Mr. Bucher's nomination.

First, Mr. Bucher's specific banking experience has been too narrow to qualify him for the Federal Reserve Board. His principal experience has been in the trust department, a field far removed from the commercial banking functions with which the Fed has been predominantly concerned. A trust officer essentially acts as the manager of an investment portfolio as does the investment manager of a mutual fund, pension fund, or life insurance company. He has little familiarity with commercial bank credit extension which is central to the Federal Reserve Board's regulation of our banking system. In fact, the former superintendent of banking in the State of California has testified that Mr. Bucher is not even qualified to be the head of a small bank. As I shall indicate in a moment, he is emphatically opposed to Mr. Bucher's appointment.

Second, Mr. Bucher would bring to the Board a serious conflict of interest. He comes from the Nation's largest multibank holding company and as a Board member, he would be required to rule on the many applications by bank holding companies to expand their range of services. Bank competitors are likewise anxious to stop bank holding companies from invading their particular business. Under the Bank Holding Company Act, the Fed is required to weigh the procompetitive and anticompetitive effects of bank holding company applications and render a decision which is best for the economy as a whole. How can Mr. Bucher give an objective and impartial judgment when he comes from the Nation's largest multibank holding company and because of his young age, will no doubt seek to resume his banking career following his service on the Board?

Third, Mr. Bucher's appointment can impair foreign confidence in the soundness of our bank regulatory system, because of his association with the United California Bank, a bank which has been particularly free wheeling in its international activities. This is the same bank which permitted its Swiss subsidiary to lose $48 million in an ill-fated attempt to corner the international cocoa market. This venture produced a major scandal in banking circles and caused many foreign bankers to wonder just how effectively U.S. banks were supervising their foreign subsidiaries. Moreover, a multimillion-dollar lawsuit has been filed charging the managers of the United California Bank with gross negligence. While Mr. Bucher apparently was not directly involved in the activities of the bank's Swiss subsidiary, he was a member of the bank's top management team and is presumably a product of the bank's aggressive management philosophy, which caused it to run up a sizable loss.

Mr. Bucher obviously cannot be held responsible for the mistakes of his colleagues. Nonetheless, because of the important role the Fed plays in maintaining confidence in our banking system, we must be extremely careful to appoint men whose backgrounds and previous associations do not contain even the slightest suggestion of imprudent or reckless judgment.

Mr. President, the importance of this nomination cannot be exaggerated. We are dealing with the health of the American economy. An error in judgment by the Fed can plunge this country into a deep recession or produce a runaway inflation. We should, therefore, insist on obtaining the best qualified men for the Board.

Under our Constitution, only Congress has the right to regulate our monetary system. Article I, section 8 of the Constitution specifically gives Congress the right to "coin money and regulate the value thereof." These powers belong exclusively to Congress and not the Presi-

dent. They have been delegated to the Federal Reserve Board by Congress. The Fed is therefore an agent of the Congress. It was deliberately created to be independent of the executive branch but not of Congress.

I intend to vote for confirmation of the nomination of Mr. Kleindienst because he is the President's lawyer, but the Federal Reserve Board is our agency. We should exercise far greater care in passing on a nomination to that Board.

Since the Federal Reserve Board is the exclusive agent of Congress, we have a far greater responsibility in confirming appointments to the Board compared to a cabinet or judicial appointment. We have the right—indeed the duty—under the Constitution to reject a nominee if he does not measure up to our standards. If Congress is seriously interested in reasserting its constitutional prerogatives, it should begin with the Federal Reserve System where it has an exclusive constitutional jurisdiction.

If we meekly acquiesce to the President and rubber stamp any appointment, no matter how unqualified the man may be, we surrender a vital constitutional power.

Mr. President, anyone who takes the time to read the hearing record on Mr. Bucher's nomination, will quickly come to the conclusion that Mr. Bucher is totally unqualified for the job. On almost every major question I asked him in the field of bank regulation, he had no clear-cut views. He said he would have to study the issue more before he could give an opinion. He did not know about phasing out regulation Q as recommended by the Hunt Commission. He was not sure about the separation of trust services from commercial banking. He was not sure about interstate branching under the Bank Holding Company Act. He wanted more time to study whether the Fed should support the housing market during a period of tight money. That is supposed to be his field—housing. In short, he had no concrete opinion on any of the regulatory problems facing the Fed. Surely, we can find a more knowledgeable appointment.

Mr. President, I reserve the remainder of my time, and I will be delighted to listen to the distinguished Senator from Utah.

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

The statement which has just been put into the RECORD by the Senator from Wisconsin is similar to the statements he made in the committee both before and after Mr. Bucher's nomination was considered there. I wonder whether the Senator realizes that in repeating the statement after 13 of the 15 members of the committee voted to confirm Mr. Bucher's nomination, he is saying in effect that we have no competence to judge whether a nominee does in fact meet the requirements.

The Senator from Wisconsin has made quite a thing about the fact that Mr. Bucher is not an economist and that this is important in the economic health of our Nation. I wonder whether the Senator remembers the specific language in the Federal Reserve Act delineating the kind of people who are supposed to be appointed to the Board. I read from section 10 of the act:

> In selecting the members of the board, not more than one of whom shall be selected from any one Federal Reserve District, the President shall have due regard to a fair representation of the financial, agricultural, industrial, and commercial interests and geographical divisions of the country.

Nowhere does it say that the Board must be made up of economists or in fact that there must be any economists on the Board. Actually, the Board and its top staff may be a little top heavy with economists. There are four economists on the Board and 250 on the staff, of which approximately 100 are Ph. D.'s. So the Board has economists running out of its ears.

Also, the Senator from Wisconsin goes on to repeat the charges he made that Mr. Bucher is completely without experience in banking; and he quotes the former superintendent of the California banking department, who said that in his opinion Mr. Bucher was not fit to be the president of a small bank.

After we had listened to the former chief of the California banking department for about an hour in the committee, it became obvious to me that he did not have a basis on which to judge Mr. Bucher, because both the witness and the Senator from Wisconsin admitted that they never had met him before. This man was angry with the bank. He had sued it, and his animus was showing through his testimony before the committee. This was a chance for him to get back at the bank, so he was trying to destroy Mr. Bucher because he did not like what the bank had done.

Senator PROXMIRE has listed a number of well-known economists who he said would make better members of the Federal Reserve Board. I agree with him that they would make excellent members of the Federal Reserve Board; but, we must realize that Senator PROXMIRE is not the President, and it is the President who has the power to make the nominations.

My impression of Mr. Bucher is that he is a very able young man. In this day, when the accent should be on youth, I think it is commendable that the President has appointed this very capable young man as the only banker to serve on the Board.

Mr. President, all this fuss about a single banker not being fit to serve on the Federal Reserve Board because he is a banker intrigues and amuses me, because one of Utah's sons who served as a member and as Chairman of the Federal Reserve Board, Mr. Marriner S. Eccles, who is in his middle eighties, still a powerful intellect, said of himself in his autobiography, "Beckoning Frontiers":

> With my graduation from the high school level of Brigham Young College in 1909, my formal schooling was completed.

He is a brilliant economist and I think would be so regarded, but he has no academic credentials in economics. He is also an excellent banker. Yet, according to the standards that the Senator from Wisconsin would set, Marriner Eccles had no business on the Federal Reserve Board.

Mr. PROXMIRE. Mr. President, I yield myself 3 minutes.

It is very interesting to hear the distinguished Senator from Utah refer to Marriner Eccles. I have in my hand a letter from Professor Bridenstine, professor of economics at San Diego State College. He says:

> Senator Bennett helped rather than hindered your cause by mentioning Marriner Eccles as a banker serving a member of the Board of Governors. One need only read Mr. Eccles "Beckoning Frontiers" to recognize that a great difference regarding knowledge of monetary affairs exists between the two men.

That is, between Bucher and Eccles.

Mr. Bridenstine, who is familiar with both men, says:

> Thank you for giving me an opportunity to help you oppose the appointment of Mr. J. M. Bucher to the Federal Reserve Board of Governors. I congratulate you on your alertness and concern for the efficiency of this ever-so-powerful group.

Mr. President, I might also state that Professor of Economics Carl G. Uhr, of the University of California at Riverside, writes:

> I have read your recent letter and the enclosed reprint of the hearing on the nomination of Mr. Bucher with much interest. I agree wohleheartedly with your analysis, and it is a constant source of wonder to me how the Nixon Administration manages to nominate people of such questionable ability and background for such important functions in the government.

I have a letter from Prof. Norman F. Keiser, of the San Jose State College, Calif., which is the State where Mr. Bucher comes from. Mr. Keiser writes:

> I agree 100 percent with your evaluation of Mr. Bucher. It seems that the Fed has been subjected to a long list of inadequately prepared if not outright incompetent appointees, starting (during my period of interest) with former Chairman Martin himself. I definitely support your position that Bucher's appointment is an outrage.

A letter from J. Frank Jones, of Stockton, Calif., reads, in part:

> Mr. Bucher's experience does not qualify him in my opinion to be a member of this board. Coming from the nation's largest multi-holding company, Mr. Bucher can hardly be expected to act impartially in cases involving holding companies.

Mr. President, I yielded to myself 3 minutes. How much of that time have I remaining?

The PRESIDING OFFICER. The Senator from Wisconsin has a minute and a half remaining.

Mr. PROXMIRE. Of the time I yielded to myself?

The PRESIDING OFFICER. Yes.

Mr. PROXMIRE. I should like to read from a statement by Mr. William A. Burkett. Let me qualify him, because he was an important witness, in my view. He is a man with a very significant background in this field. He is a former superintendent of banks of the State of California; a former president of the National Association of Supervisors of State Banks; a former director of the Department of Employment, State of California; a member of the Cabinet of Gov. Goodwin J. Knight; a former chairman of the Li-

aison Committee with the Board of Governors, Federal Reserve System; and the National Association of Supervisors of State Banks; and former president and chairman of the board and secretary of the National Bank of Monterey County, Calif. He said of Mr. Bucher:

I believe this gentleman is totally unqualified to serve as a member of the Board of Governors of the Federal Reserve System.

He is without any experience whatsoever in commercial banking or dealing with the economic and monetary problems of our Nation which are handled by the Federal Reserve System.

Further, he said:

Mr. Bucher's very limited qualifications and total lack of experience or knowledge of Federal Reserve matters would work a severe hardship on the Board of Governors who are, more than anyone else, solely responsible for the monetary and economic policies of this Nation.

He said:

In conclusion, I wish to say that I firmly believe that selfish banking interests are trying to foist upon the American public a man totally unqualified to sit as a member of the Board of Governors of the Federal Reserve System for the next 14 years, and worse than that, a man who could possibly be subjected to undue influence by his powerful former employer, the UCB Bank, owned by the world's largest banking holding company, and possibly by the powerful California bankers, C. Arnholt Smith and Frank L. King.

The PRESIDING OFFICER. The Senator's 3 minutes have expired.

Mr. PROXMIRE. I yield myself an additional minute. I continue to read from Mr. Burkett's testimony:

Certainly, during these critical inflationary times, with deterioration in U.S. foreign trade, continued large deficits in the Federal budget, questionable economic activities, restlessness and lack of confidence of business, labor, and the people generally, certainly this is no time for the President to appoint to the Federal Reserve System someone less than the best qualified banker in the Nation.

Mr. BENNETT. Mr. President, it is interesting to listen to the same tirade again. Just to show how much impressed I am with the type of argument that is being used, we have heard, over and over again, that the UCB is the largest multibank-holding company in the United States. Unfortunately, the Senator from Wisconsin has apparently not even chosen to check that.

The largest is the First National City Bank of New York, which is more than twice as large as the Western Bank Corp. The second largest bank is the Chase Manhattan.

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

Mr. BENNETT. I yield.

Mr. PROXMIRE. The bank the Senator is talking about is a one-bank holding company.

Mr. BENNETT. It is now a multibank-holding company.

Mr. PROXMIRE. When did it become a multibank-holding company?

Mr. BENNETT. I do not have that information, but according to the American Banker magazine of May 12, 1972, the largest multibank-holding company is the First National City Corp. of New York; the second is the Chase Manhattan Corp. The Western Bankholding Co. has less than half as much as the largest, and not much more than half as much as the second, and is in third place.

The largest bank holding company in the world is, of course, the BankAmerica Corp.

Mr. President, we have before us the nomination of a fine young man who has been endorsed by the Chairman of the Board, Arthur Burns.

The PRESIDING OFFICER. The Senator's 2 minutes have expired.

Mr. BENNETT. I yield myself 2 additional minutes.

Yet the Senator from Wisconsin would like to wipe him out completely, as though he had no standing, and say that he is a man of no character, a man of no education, the worst possible kind of appointment the President could make.

Then he quotes Mr. Burkett. Anyone who sat in that hearing could feel the venom in Mr. Burkett's attitude directed against Mr. Bucher, using this man as a vehicle to express his spleen. I do not think we should be moved by that kind of attitude, an attitude which is based on something personal, one which I do not completely understand, and which Mr. Burkett did not completely explain.

But when we come back to the simple problem before us, we have for consideration the nomination of a capable young man with an excellent record. He is a lawyer. He will be the second lawyer to serve on the Board. He is also a banker. He has the endorsement of the Senators from his State. He was nominated by the President. He has the approval of the Chairman of the Federal Reserve Board. He has the approval of 13 of the 15 members of the committee. I hope the Senate will join with them and approve the nomination of Mr. Bucher.

Mr. PROXMIRE. Mr. President, I am about to yield back the remainder of my time; but before I do so, I should like to make two points in response to the Senator from Utah. In the first place, the Senator from Utah's information concerning multi-bank-holding companies may or may not be later than my own. But I have the information that comes from the Bank Stock Quarterly, issue of April 2, 1972.

This publication shows conclusively the United California Bank is the largest multi-bank-holding company in the country. After all, even if it is the second or third largest on May 31, my point is that it is a large—a $13 billion—multi-bank-holding company, and as governor, Mr. Bucher would be in a position to regulate multi-bank-holding companies.

The distinguished Senator from Utah indicated that I would wipe this man out; that I attacked his character. The Senator apparently was not listening when I read my statement earlier. Let me read it for the third time.

I am opposing the nomination of Mr. Bucher to the Federal Reserve Board. In doing so, I have no personal disregard for Mr. Bucher. I am sure he is a fine man in his field.

I said that here. I said it in our committee. I say it now. That does not mean that every person with a fine character ought to be on the Federal Reserve Board. We could find many persons on the streets with such qualifications.

I say that he has neither the training nor the background for this position. Could one imagine taking someone of good character off the streets and putting him on the Supreme Court? It would be just as ridiculous to put him on this highly technical and vital Board just because he is a fine man.

Mr. President, I ask unanimous consent that the letters to which I have referred to be printed in the RECORD.

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

WEST COVINA, CALIF.,
May 15, 1972.

Senator WILLIAM PROXMIRE,
Member, Senate Banking Committee,
U.S. Senate, Washington, D.C.

DEAR SENATOR PROXMIRE: I am writing to express my admiration for your stand in connection with the Senate Banking Committee's hearings on the nomination to the Federal Reserve Board of Jeffrey M. Bucher, Senior Vice President of the United California Bank.

You are quoted in the May 13, 1972 edition of the Los Angeles Times as stating that in your opinion Mr. Bucher was "totally unqualified" to serve as a member of the Federal Reserve Board. Speaking as a former vice president in the Trust and Investment Division of United California Bank and one who has known and worked with Mr. Bucher for several years, I can only say that I am in complete agreement with your assessment.

Mr. Bucher's experience with United California Bank has been divided among the Law Department, a term as Secretary of the Bank, head of the Court Trust Administration division of the Trust Department and subsequently as head of the Trust Department. While he would have necessarily been exposed to economic matters as well as money and credit markets, in no one of these areas would he have obtained the type of experience which would even remotely qualify him for consideration to this important post.

Having been associated with the banking industry for over twenty years and still active in the securities business, I have developed an increasing respect for the powers and obligations of the Federal Reserve Board. I am becoming more and more aware of the Board's role in shaping the course of the nation's economy. It is unthinkable to me that anyone save those with the most impeccable credentials would be considered for membership on the Board, let alone one whose background and experience are marginal at best. Membership on the Federal Reserve Board is no place in which to discharge political obligations, as I am sure you will agree.

My association with United California Bank terminated by mutual agreement in July of last year, and my feelings toward that organization to this day are not without some degree of prejudice. So you will have to accept my comments with this knowledge in mind. I have no desire to cast any aspersions on Mr. Bucher's abilities in certain other fields, but I do feel strongly that there are many other well qualified candidates who would prove to be superior additions to the Board.

Thank you for your efforts, Senator, in seeking to make certain that membership on the Federal Reserve Board goes only to the best qualified individuals for these vitally important positions.

Sincerely,

PHILIP W. BURGE.

MAY 22, 1972.

Senator WILLIAM PROXMIRE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR PROXMIRE: I am in full agreement with the viewpoints you expressed regarding Mr. Jeffrey M. Bucher's nomination to the Federal Reserve Board.

I am opposed to putting one so closely allied with a huge multibank holding company in a position of such vital importance to the Nation's economy. Surely there are many men better qualified to serve the country in this key role, and the fact that Mr. Bucher has been pushed into line for this nomination is reason enough to suspect the motives of his backers.

I am writing to Senators Cranston and Tunney asking them to oppose this unfortunate nomination, as well as to continue to oppose the confirmation of Mr. Kliendienst. The pervasive influence of the ITT's, the Lockheed's, and the United California Bank's in attempting to control and use government for their own ends needs to be stopped.

I commend you on your difficult but worthwhile fight on behalf of our basic democratic institutions.

Sincerely,

WILLIAM N. MCNAIRN.

MAY 22, 1972.

Senator ALAN CRANSTON,
U.S. Senate,
Washington, D.C.

DEAR SENATOR CRANSTON: I have read the minutes of the hearings by the Senate Banking Committee on the nomination of Mr. Jeffrey Bucher to the Federal Reserve Board.

I am opposed to appointing Mr. Bucher to the Board on several grounds:

a. he is not qualified;

b. he represents a powerful economic special interest; and

c. the country needs the best leadership and guidance it can get from the Board in dealing with our mounting economic problems.

I respectfully ask your assistance in opposing Mr. Bucher's nomination to the Federal Reserve Board, as well as in opposing the confirmation of Mr. Kleindienst to the office of attorney-general. Both of these men represent big business interests too closely to discharge their responsibilities without taint, and in these times we can't afford to discredit our key government offices and institutions.

Sincerely,

WILLIAM N. MCNAIRN.

MAY 22, 1972.

Senator JOHN TUNNEY,
U.S. Senate,
Washington, D.C.

DEAR SENATOR TUNNEY: I have just read the minutes of the hearings by the Senate Banking Committee on the nomination of Mr. Jeffrey Bucher to the Federal Reserve Board.

Mr. Bucher, in my opinion, should not be appointed to the Board for several reasons:

1. He is not qualified;

2. He represents a powerful economic special interest; and

3. Better qualified individuals are available who can contribute much more significantly to our country's economic guidance than he could do.

I respectfully ask your assistance in opposing Mr. Bucher's nomination to the Federal Reserve Board.

Please, also, keep up your good fight against the confirmation of Mr. Kleindienst.

Nothing will bring our democracy into serious trouble faster than the appointment of men like these to positions of key influence over our economic and legal destinies.

Sincerely,

WILLIAM N. MCNAIRN.

ASSOCIATION OF DATA PROCESSING SERVICE ORGANIZATIONS, INC.,
New York, N.Y., May 23, 1972.

Hon. WILLIAM PROXMIRE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR PROXMIRE: We have become aware of the nomination of Jeffrey M. Bucher to the position of Governor of the Federal Reserve Board. We are writing to you to express our concern with this nomination and our disappointment with Mr. Bucher's background.

Unavoidably, our industry now finds itself indirectly regulated by the Federal Reserve Board as a result of its promulgaton of Regulation Y of the One Bank Holding Company legislation. The very permissive guidelines of Regulation Y as well as the administrative responsibility for this regulation resting with the promulgator place us, by definition, in a very sensitive position.

It may well be that highly competent economists and administrators will, over time, make reasonable sense of this new law and protect our industry which many predict will someday be our country's largest. That type of rational evolvement is far less likely when yet another banker born out of the industry and sired by the American Banking Association potentially appears on this august Board.

For these reasons, we are opposed to Mr. Bucher's nomination and ask you to resist it.

Sincerely,

BERNARD GOLDSTEIN,
President.

SAN JOSE STATE COLLEGE,
May 22, 1972.

Hon. Senator WILLIAM PROXMIRE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR PROXMIRE: Thank you for your letter of May 17th concerning the nomination of Mr. Jeffrey M. Bucher to the Federal Reserve Board.

I cannot personally imagine that a man like Mr. Bucher without formal training in economics or monetary policy should be appointed as a Governor of the Federal Reserve Board. I particularly agree completely with Mr. Burkett's statement as he appeared before the Committee hearing that a trust officer is the last man in the financial field that should be appointed the Federal Reserve Board.

As Senior Vice President in charge of Trust Division of the United California Bank and to have the subordinates investing in the commodities and lose $48 million, it appears to me that Mr. Bucher fails to exercise his leadership.

In my opinion, if a man is incapable of exercising his leadership, how can he be expected to take the leadership role in managing the economic and monetary affairs of the most powerful agency in this country.

I think your move to oppose the appointment is a wise decision.

Respectfully yours,

JAMES C. MA,
Associate Professor of Business.

WASHINGTON, D. C., *May 22, 1972.*

Hon. WILLIAM PROXMIRE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR PROXMIRE: I have noted the nomination of Mr. Jeffrey M. Bucher to membership on the Federal Reserve Board, and am writing to you to express my opposition.

During my tenure as Chairman of the Council of Economic Advisers, and equally during the 19 years since then, I have studied closely the policies of the Fed and their economic and social impact. I have regarded the main thrust of these policies since 1953 as one of the main causes of the undue amount of inflation which we have suffered since then, the deficient rate of economic growth, and the excessive idleness of plant and manpower, and the progressively regressive distribution of national income with all of its social evils. In general, in my view, the policies of the Fed have become worse during the most recent years, despite some deviations.

My full views on this subject are known to you and many other members of the Congress through my books and other writings on this subject, and through voluminous testimony before Congressional Committees, including the Joint Economic Committee, the Senate and House Banking Committees, the Senate Finance Committee, and the House Ways and Means Committee. It seems apparent to me that the policies of the Fed can be corrected promptly and vigorously in the public interest only if the long-term practice of recruiting its membership to large degree, though not exclusively, from banking circle is abandoned, and if the membership of the Fed is refreshed and strengthened by bringing in more and better representation of other types of experience, interest, and alliance.

These seem to me to be sufficient reasons why Mr. Bucher's appointment to the Fed should not be confirmed. As to the other disclosed reasons which suggest his ineligibility, I have not examined these carefully enough to venture a judgment, except to say that the record is certainly not impressive in his favor.

Very sincerely yours,

LEON H. KEYSERLING.

MASSACHUSETTS INSTITUTE OF TECHNOLOGY,
Cambridge, Mass., May 24, 1972.

Re Mr. Jeffrey M. Bucher, nomination to the Federal Reserve Board.

Hon. WILLIAM PROXMIRE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR PROXMIRE: I am glad to respond to your request for a comment on the nomination of Mr. Jeffrey M. Bucher to the Board of Governors of the Federal Reserve System. I have no independent knowledge of the particular nominee. From the transcript of the hearings of the Senate Banking Committee, it seems plain that the best one can say is that it is an undistinguished nomination, perhaps worse.

As a general matter, monetary policy is a difficult and important matter at all times, and especially now that the international monetary system is in the process of reformulation. It can hardly do the United States any good, either at home or abroad, to have its policy made and its interests represented by people of little ability and less experience. To be a good Governor, it is neither necessary nor sufficient to be a professional economist.* But there must be many people in California with experience or training or both that would at least contribute to intelligent monetary policy at a time when our country and the world badly need it.

Sincerely yours,

ROBERT M. SOLOW,
Professor of Economics.

SAN JOSÉ STATE COLLEGE,
San José, Calif., May 24, 1972.

Senator WILLIAM PROXMIRE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR PROXMIRE: Thank you very much for your letter of May 17th and for providing me with a copy of the hearings of the Senate Banking Committee on the nomination of J. M. Bucher to the Federal Reserve Board.

I do not know Mr. Bucher either personally or by banking reputation on the West coast. However, I agree with you completely that there is nothing in the record of the hearings to suggest that he is qualified for member-

*But it is desirable.

ship on the Federal Reserve Board. I am sure that few professional economists would argue that all members of that important Board need be professionally-trained economists. However, it must be equally obvious that membership on that Board requires substantial knowledge of the reality of the American economy and the ability to translate at least certain elementary principles of monetary fiscal and debt management theory into the banking policies over which that Board has such important control.

It seems to me a great shame that the initial high quality of the administration's appointments to that Board reflected in the initial appointment of Dr. Arthur Burns should now be so diluted by the appointments of people such as Mr. Bucher. I agree with the point you make in the hearings that there surely are and must be other people from the West coast in banking and private industry who are better qualified by knowledge and training to serve the important regulatory and control functions which the members of the Federal Reserve Board carry out.

I certainly wish you well in your efforts to examine the qualifications of nominees to the Federal Reserve Board and to subject these nominations to the glare of national publicity.

Sincerely,

JAMES F. WILLIS,
Chairman.

SAN DIEGO STATE COLLEGE,
San Diego, Calif., May 26, 1972.

Senator WILLIAM PROXMIRE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR PROXMIRE: Thank you for giving me an opportunity to help you oppose the appointment of Mr. J. M. Bucher to the Federal Reserve Board of Governors. I congratulate you on your alertness and concern for the efficiency of this ever-so-powerful group.

Woodrow Wilson, shortly after passage of the Federal Reserve Act, was approached by bankers with the idea that certain of their members be appointed to the then named Federal Reserve Board. President Wilson explained that he believed it inconceivable that the governed be permitted to sit as governors. I subscribe to this view and furthermore would generally recommend use of Wilson's alternative plan: appoint bankers to the Federal Advisory Council.

Mr. Bucher, though, would hardly qualify for this group. Views of trust officers are hardly to be of much use in giving Federal Reserve representatives meaningful input about commercial-banker reactions to monetary matters.

I was very pleased, Senator, to find your listing of very competent economists employed by banks who would serve much better than Mr. Bucher. Possibly James Meigs, recently associated with the National City Bank of New York, might also be added to the list. Surely the men you mentioned possess knowledge of monetary economics: a basic prerequisite of being a member of the Board of Governors.

Senator Bennett helped rather than hindered your cause by mentioning Mariner Eccles as a banker serving as a member of the Board of Governors. One need only read Mr. Eccles' *Beckoning Frontiers* to recognize that a great difference regarding knowledge of monetary affairs exists between the two men. Mr. Eccles was already molded to put on the suit of a central banker.

Members of the Board of Governors should be above commercial interests, total commitment to a singular monetarist or fiscal view, and above political linkages. Proper management of the nation's money supply requires knowledge of the functioning of the economy and its reaction to money-supply forces. Certainly Mr. Bucher cannot be given a grade of 100 on these requirements.

Finally, I believe the remarks of Mr. W. A. Burkett, former Superintendent of Banks in California, carry great weight. Mr. Burkett should know whether or not Mr. Bucher is a qualified banker. Mr. Burkett's answer was no; I cannot do other than agree.

Respectfully yours,

DON C. BRIDENSTINE,
Professor of Economics.

UNIVERSITY OF CALIFORNIA, RIVERSIDE,
Riverside, Calif., May 23, 1972.

Hon. WILLIAM PROXMIRE,
U.S. Senate, New Senate Office Building, Washington, D.C.

DEAR SENATOR PROXMIRE: I have read your recent letter and the enclosed reprint of the hearing on the nomination of Mr. Bucher with much interest. I agree wholeheartedly with your analysis, and it is a constant source of wonder to me how the Nixon Administration manages to nominate people of such questionable ability and background for such important functions in the government.

Thank you for calling this and other matters of this importance to my attention.

Sincerely yours,

CARL G. UHR,
Professor of Economics.

SAN JOSÉ STATE COLLEGE,
San José, Calif., May 23, 1972.

Senator WILLIAM PROXMIRE,
U.S. Senate, Washington, D.C.

DEAR SENATOR PROXMIRE: I agree 100 percent with your evaluation of Mr. Bucher. It seems that the Fed has been subjected to a long list of inadequately prepared if not outright incompetent appointees, starting (during my period of interest) with former Chairman Martin himself. I definitely support your position that Bucher's appointment is an outrage.

Incidently, may I request a copy of your recent JEC hearings on the Price Commission?

Sincerely,

NORMAN F. KEISER.

STOCKTON, CALIF.,
May 24, 1972.

Hon. WILLIAM PROXMIRE,
Senate Office Building, Washington, D.C.

DEAR SENATOR PROXMIRE: I should like to register a vigorous protest against the confirmation of Mr. Jeffrey M. Bucher as a member of the Federal Reserve Board.

Mr. Bucher's experience does not qualify him in my opinion to be a member of this board. Coming from the nation's largest multi-holding company, Mr. Bucher can hardly be expected to act impartially in cases involving holding companies.

Finally, Mr. Bucher's nomination has been opposed most forcefully by Mr. William Burkett, a former Superintendent of Banking in California.

I hope you will use your influence to block Mr. Bucher's confirmation in the Senate.

Cordially,

J. FRANK JONES.

Mr. BENNETT. Mr. President, I did not think that we would get so involved in the details of this nomination here on the Senate floor. Since we have, I feel that it is appropriate to discuss in full the allegations that have been made in opposition to the nomination.

Mr. President, there has been some opposition to this appointment because Mr. Bucher is not a professional economist. Various charges and allegations have been made regarding the qualifications of Mr. Bucher, and it has been suggested that his nomination is a political payoff for campaign contributions. It has also been suggested that he was recommended by a person who could be benefited in his financial operations by decisions which would be made by Mr. Bucher as a member of the Board. It has been further stated that Mr. Bucher is unfit to serve on the Federal Reserve Board because of alleged improper actions by the Chairman of the Board of the United California Bank and the actions of a foreign affiliate of that bank.

The Federal Reserve Act established the Board of Governors of the Federal Reserve System and provided that the members of that Board be appointed by the President with the advice and consent of the Senate. We have a responsibility to carefully and objectively consider these nominations and make our judgment on the basis of the record of the individual nominated, his background, and the contributions he could make to the decisions of the Federal Reserve Board. All opposition arguments and allegations should be carefully considered. I would like the Members of this body to know that I have looked into the background of the nominee through several sources and have found no support for the opposition arguments nor have I found any other reason to oppose the nomination. Indeed, my investigation has confirmed my support for Mr. Bucher.

We held hearings on the nomination of Mr. Bucher on Friday, May 12. At that hearing, members of the committee had an opportunity to question the nominee. In addition, another witness, Mr. William A. Burkett, testified on the nomination. On May 15, the Senator from Wisconsin, who opposed the nomination in the committee, had the transcript of the hearings printed in the CONGRESSIONAL RECORD. It is interesting to note that before inserting the transcript in the RECORD, the Senator from Wisconsin altered his own statements in more than 50 instances, including the deletion of full paragraphs. The few statements which he made which might be considered as somewhat favorable to the nominee were also deleted.

Mr. President, the Senator from Wisconsin stated in his introductory remarks when he had the transcript printed in the RECORD that he emphatically supported the judgment of Mr. Burkett. Both the Senator from Wisconsin and Mr. Burkett, who had obviously provided information upon which some of the questions used by the Senator were based, made statements which do not agree with the facts which I have available.

I hope that the members of this body have read the transcript record inserted by the Senator from Wisconsin in the CONGRESSIONAL RECORD of May 15, because even with the changes made in his statements and the mistakes contained in the transcript, it is obvious that there was an attempt to discredit Mr. Bucher, using guilt-by-associaion allegations. I also hope that the members of this body have read the statement and conclusions of the Senator from Wisconsin regarding the Chairman of the Federal Reserve Board, Dr. Burns.

On May 8, 1972, the Senator from Wisconsin made his first statement to

this body in opposition to the nomination of Mr. Bucher to serve on the Federal Reserve Board. He opposed Mr. Bucher at that time and during our hearings primarily because Mr. Bucher is not a professional economist and the Senator stated "that only professional economists should be appointed to the Federal Reserve Board."

While one may agree with the Senator that it is important to have professional economists represented among the members of the Board, there is certainly no reason why all of them should be economists. The Federal Reserve Act was very specific in requiring that Board members represent a broad segment of interests. Section 10 of the Act states:

In selecting the members of the Board, not more than one of whom shall be selected from any one Federal Reserve district, the President shall have due regard to a fair representation of the financial, agricultural, industrial, and commercial interests, and geographical divisions of the country.

In my opinion, the competency of the Board would be reduced if all members were required to be professional economists. Certainly individuals with other backgrounds are necessary to provide depth to the overall judgment of the Board.

It is obvious from the letter I read earlier that Chairman Burns, who is himself a capable economist, believes that the appointment of Mr. Bucher would strengthen the Board. Nor is Chairman Burns alone among economists in this view.

According to an article in the American Banker of May 17, 1972, Mr. Karl R. Bopp, retired president of the Federal Reserve Bank of Philadelphia, a professional economist and authority on the economics of international banking, thinks the Board is overloaded with economists. I ask unanimous consent to have the article printed in the RECORD.

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

ECONOMIST MAY BE NO GREAT ASSET TO FEDERAL RESERVE PERFORMANCE

(By J. A. Livingston)

PHILADELPHIA.—Is chairman Arthur F. Burns seeking to dominate the Federal Reserve Board by packing it with "inexperienced amateurs" who are "ill-equipped to understand the complex issues facing the economy?" Sen. William Proxmire, D., Wis., thinks so.

As a member of the Senate Banking Committee, he opposed President Nixon's nomination of Jeffrey M. Bucher—pronounced Bu-er to rhyme with fewer—to replace Sherman J. Maisel, former University of California professor of economics. Mr. Bucher, a 39-year-old lawyer, is senior vice president in the trust and investment division of the United California Bank of Los Angeles.

Karl R. Bopp, retired president of the Federal Reserve Bank of Philadelphia, will not be defrocked—have his Ph. D. robe taken away—by the American Economic Association for disagreeing with Mr. Proxmire.

Mr. Bopp, an authority on the economics of international banking, thinks the Board is overloaded with economists and that economists suffer from a professional disease: They are apt to be doctrinaire—wedded to theory. Yet each economist is sure that he, himself, is immune to doctrinarism. "That," says Mr. Bopp smiling, "goes for me, too."

Including Mr. Maisel, the Board had five economists—Mr. Burns, Andrew F. Brimmer, J. Dewey Daane and George W. Mitchell. The two remaining members are J. L. Robertson, a lawyer with a government-career background, and John E. Sheehan, a Harvard Business School Graduate who had been president of a Corning Glass subsidiary in Louisville. Mr. Proximire also opposed Mr. Sheehan as a noneconomist.

If Mr. Bucher is confirmed, the Board's economist-to-noneconomist ratio will be restored to what it was when William McChesney Martin Jr. was chairman—four-to-three. Incidentally, Mr. Burns, who succeeded Mr. Martin, is the first economist-chairman.

As further support of Mr. Bopp's contention that the Reserve System is overeconomisted, eight of the 12 Federal Reserve Bank presidents are economists. And five of them, in systematic rotation, serve with the seven Board members on the Open-Market Committee which decides on monetary policy.

"Economists," say Mr. Bopp, "would rather be right than realistic. They want history to record that what they predicted came true. But a member of the Reserve Board must be constantly concerned with reaching the best solution of a problem today without creating a greater problem for tomorrow. This may often require compromise."

Mr. Bopp's ideal Board members would be a competent, forthright, independent man of affairs who is attuned to social, and financial parameters. In moments of stress, he ought to be able to talk to businessmen and bankers as "one of them." Economists can do this with other economists but may not have rapport with businessmen.

A preponderance in the Reserve System of economists is a post-World War Two development. The first Board had only one economist, Adolph C. Miller, and he opposed Federal Reserve intervention in the government bond market to expand credit. He regarded open-market policy as a form of government interference—non-laissez-faireism. This doctrinaire position, Mr. Bopp points out, was opposed by Benjamin Strong, president of the Federal Reserve Bank of New York, who was trained as a banker.

In addition to economists as members and as Reserve Bank presidents, the Reserve System has one of the finest economic research staffs in the world. And each bank has its own research staff. There is no dearth of economists, economic advice, or economic information.

So, if Mr. Burns dominates the Board and the Open-Market Committee, it will not be because they are packed with "inexperienced amateurs," but because he is persuasive and knows his stuff. And that can be said for any other person who might be chairman, or for that matter, any member of the Board of any Reserve Bank president who has the personality, perspective and perspicacity to sway a group.

The Senate Banking committee Tuesday approved Mr. Bucher by a vote of 13 to 1, with one abstention.

Mr. BENNETT. The article also points out that in addition to the four members of the Board who are economists, eight of the 12 Federal Reserve bank presidents are economists, and five of them in a systematic rotation serve with the seven-man Board members on the Open-Market Committee which decides on monetary policy.

Mr. Bopp's ideal Board member would be a person who is attuned to social and financial parameters. He suggests that he ought to be able to talk to businessmen and bankers as "one of them," in times of stress. He further states that economists can do this with other economists but may not have rapport with businessmen. In my opinion, Mr. Bucher meets these requirements admirably.

It is not unusual that members of the economics profession would not be so sold on their own profession as is the Senator from Wisconsin. Those within the profession can see both the strengths and weaknesses which an outsider may overlook.

In direct contrast to his great confidence in economists, the Senator from Wisconsin seems to have little if any confidence in businessmen and bankers.

The Senator states:

Previous administrations under President Kennedy and President Johnson have wisely upgraded the competence of the Fed by appointing able economists. The present administration is taking a giant leap backward by restoring bankers and businessmen to their former positions of power.

Mr. President, let me clarify the record on this point. In January 1969 when Mr. Nixon became President, four members of the Board were economists and three were not. The Chairman of the Board was not an economist and one member of the Board had a banking background. President Nixon's first appointment was Dr. Arthur Burns to be Chairman of the Board. Dr. Burns is, of course, an eminent economist. When Mr. Bucher's nomination is approved, the Board will again consist of four economists and three noneconomists. One of the noneconomists will have a banking background. There is one important change so far as economist representation on the Board is concerned, and that is that the Chairman is now an economist. Even on the Senator from Wisconsin's terms, this is no leap backward.

Now what about the claim that bankers and businessmen are being restored to their former positions of power? That claim also falls of its own weight. Traditionally, there has been at least one and frequently more than one former banker on the Federal Reserve Board. Bankers have been represented on the Board for all but 11 of the 68 years the Board has been in existence. At one time—in 1936—four Board members were former bankers. When Mr. Bucher's nomination is approved, there will be only one former banker on the Board. I am somewhat dismayed by the Senator from Wisconsin's lack of confidence in Board members who have not had a formal background in economics. Such a background is not a necessity to function well as a Board member. The present Vice Chairman and very capable member of the Board, J. L. Robertson, is not an economist. One of the most prominent chairmen that the Federal Reserve Board has had was Marriner S. Eccles who came from my State of Utah. In his autobiography, Beckoning Frontiers, on page 27, Mr. Eccles said,

With my graduation from the high-school level of Brigham Young College in June 1909, my formal schooling was completed.

Marriner Eccles was a banker and a businessman and nobody complained in those days because he was not a trained economist. I might add, I seriously doubt that anyone today would argue that he was not competent in his understanding of the economic concepts necessary to

be Chairman of the Federal Reserve Board.

Furthermore, I have inquired and have been informed that there are 250 economists on the staff at the Federal Reserve Board. Approximately 100 of these have their doctorate degrees in economics, so the Federal Reserve Board is not without the services of trained economists. Moreover, as I have already stated, when Mr. Bucher's nomination is approved, a majority of the Board will still be economists.

There is, on the other hand, presently no member of the Board who has had a banking background or who has been in charge of a bank trust department. The Senator from Wisconsin suggested in our hearings:

One of the most significant issues to face the banking industry and the Federal Reserve Board over the next 10 years is whether a similar conflict of interest exists between a bank's trust department and its commercial lending activities.

Now I would like to ask the members of this body if that is to be one of the most significant issues to be before the Federal Reserve Board in the next 10 years. Would not it be a good idea to have one member of the Board who has had some experience in both the commercial banking side and who has also been the head of a trust department of one of our major banking institutions? Since none of the other present members have had experience in that area, I believe Mr. Bucher's experience will be invaluable as this issue is discussed by the Board.

The second major argument used by the Senator from Wisconsin is that confirmation of Mr. Bucher would put the Federal Reserve under the control of the President. He stated,

If we confirm the Bucher nomination, I believe we will weaken the traditional independence of the Federal Reserve Board by placing it under control of the President and the executive branch of the Government.

Mr. President, there are two assumptions which must be made in order to come to this conclusion. First, we must accept the Senator's assumption that there are now three members of the seven-man Board who are controlled by the President, Second, we must accept the Senator's assumption that Mr. Bucher will be controlled by the President. I find absolutely no evidence that either of these assumptions is correct and ask the Senator from Wisconsin to point out to this body the three members of the Board who are now under the control of the President. I also ask the Senator to give us the evidence if in fact he has any that Mr. Bucher will be under the control of the President. In his testimony before our committee when questioned about being controlled by either the President or by the Chairman of the Federal Reserve Board, Mr. Bucher stated unequivocally:

I assure you, however, that I will be my own man and that is under all circumstances in every situation.

The Senator from Wisconsin continues by saying the reason that approval of this nomination would place the Federal Reserve Board under the control of the President is

Because the appointment of inexperienced men such as Mr. Bucher will increase the power of Chairman Burns to dominate the Board.

He added:

By confirming Mr. Sheehan and Mr. Bucher, we really give Mr. Burns three votes. He only needs one more to control the Board.

He further states:

While Mr. Burns is a brilliant economist, he is also closely associated with the political fortunes of President Nixon. He has been one of Mr. Nixon's key economic and political advisors.

The attempted tie-in here is obvious. If approval of this nomination would put control of the Federal Reserve Board under the President, as the Senator from Wisconsin flatly states, and if Mr. Bucher is supposed to be under the control of Chairman Burns, it follows that the Senator is alleging that Chairman Burns is under the control of the President. There is no other logical way to explain the statement. He clarifies this, saying:

By giving Dr. Burns another sure vote on the Fed, we are really giving President Nixon another sure vote—in direct violation of the Constitution and the Federal Reserve Act. Surely there must be other men with enough intellectual stature to exercise their independent judgment on monetary policy without becoming passive rubber stamps to the White House.

I reject this suggestion by the Senator from Wisconsin that Chairman Burns or any other member of the Federal Reserve Board is a passive rubberstamp to the White House. I, for one, am appalled at the blatant allegation. There is, in my opinion, no basis for it in fact, nor do I believe there is any evidence that the Senator can produce to substantiate the charge. If the Senator from Wisconsin has such evidence, even the slightest shred, I think he should present it so that we may consider it in making this important decision. All the evidence I have is to the contrary. To give only two examples, Chairman Burns recommended a wage and price review board for more than a year while the administration opposed any controls over wages and prices. Just recently, on May 15, the American Banker reported that:

Federal Reserve Board chairman Arthur F. Burns asserted the independence of the nation's central bank here Friday when he presented a 10 point agenda for negotiation on international monetary reform.

Mr. President, this is such a serious matter that I believe the Senator from Wisconsin should either produce evidence showing that Chairman Burns is under the control of President Nixon and that other members of the Board are under the control of President Nixon or retract his statements to that effect. I believe that it is a disservice to the country to engage in such unfounded statements.

I cannot accept such a claim that because President Nixon appointed Chairman Burns and also Mr. Sheehan and Mr. Bucher that Mr. Sheehan and Mr. Bucher will automatically be rubberstamps for the Chairman. The record shows at least three instances in which Mr. Sheehan and Chairman Burns have cast opposing votes on supervisory matters. These three votes were very significant. It is difficult to provide clear evidence of the independence or lack of independence of Mr. Sheehan in votes on monetary policy matters, because votes taken in the last 90 days are not public. In this regard, however, I would like to remind the Members of the Senate that open market policy, the principal means by which monetary policy is effectuated, is determined by the Federal Open Market Committee. This Committee is composed of the seven members of the Board of Governors and five of the 12 Reserve Bank presidents.

This, of course, means that Chairman Burns would have to control either the entire Federal Reserve Board, or all of the bank presidents and one member of the Federal Reserve Board, or some other combination totaling six of the other 11 members of the Open Market Committee to control monetary policy. Since the Federal Reserve bank presidents are appointed by directors who are elected by the banks in the Reserve Districts, one's imagination has to be stretched pretty far to even suggest that Chairman Burns would have control of Federal Reserve System operations even if he were to have control of Mr. Bucher. Furthermore, Mr. Bucher said specifically in his testimony before our committee that he would be his own man. I believe that we must take that statement at face value since there is no evidence, I repeat, no evidence to the contrary.

Building upon his "rubberstamp" assumption, which I believe I have completely discredited with the facts, the Senator from Wisconsin said,

I can only conclude that Dr. Burns is more interested in building a personal power dynasty than with getting the best economic judgment needed to run the Federal Reserve System. Such an exercise in personal empire building can only weaken the Board and produce tragic results for the American economy.

Mr. President, that statement carries with it the implication that the Chairman must be up to some kind of evil. He must be involved in some kind of a plot to destroy the monetary policy of the United States which he cannot carry out except with the rubberstamp connivance of other men who have been appointed by President Nixon. The implication is that President Nixon is also involved in some kind of a plot against the independence of the Federal Reserve Board and against the soundness of the American monetary system.

To me, all of this is ridiculous and I hope the ridiculousness of it will be as apparent to all Members of the Senate as it is to me.

Another argument used by the Senator from Wisconsin is that Mr. Bucher's appointment could represent a serious conflict of interest, because he comes from the largest multibank holding company in the country, a holding company with more than $13 billion in assets, and as a Governor of the Federal Reserve Board he would have a prime

responsibility for regulating multibank holding companies.

First, let me say that according to my information the Senator is mistaken in saying that Mr. Bucher comes from the largest multibank holding company in the country. According to the American Banker as of May 12, 1972, the largest multibank holding company in the country was the First National City Corp. in New York with $29.3 billion in assets. The second largest multibank holding company at that time was the Chase Manhattan Corp. of New York, with $24.5 billion in assets. Western Bancorporation, the holding company with which the United California Bank is affiliated, has $13.2 billion in assets. While that is certainly a sizable amount, it is less than half the assets of the country's largest multibank holding company and just over half as great as the assets held by the second largest multibank holding company.

Second, the Senator from Wisconsin listed several individuals whom he said would be well qualified to serve on the Federal Reserve Board. He said:

I believe that such men as Roy L. Reierson of Bankers Trust, Leif Olson of the First National City Bank, Tilford C. Gaines of Manufacturers Hanover, Guy E. Noyes of Morgan Guarantee, Beryl W. Sprinkel of Harris Trust or Walter E. Hoadley of Bank of America would all be well qualified to serve on the Fed. I might also add Gabriel Hauge of Manufacturers Hanover.

I agree with the Senator from Wisconsin that any of these individuals would be qualified to serve on the Federal Reserve Board. Let me state for the record, however, that every one of them is associated with a bank which is affiliated with a bank holding company and therefore the criteria of the Senator from Wisconsin during the hearing and in his letter of May 17 to Members of this body stating that Mr. Bucher's appointment could represent a serious conflict of interest "because he comes from the largest multibank holding company in the country" would disqualify every one of these individuals under the Senator's own standard.

Furthermore, one of the individuals suggested is associated with the Bank of America which is an affiliate of the world's largest bank holding company, BankAmerica Corporation. Another of the Senator's suggested nominees is connected with the First National City Bank, an affiliate of the First National City Corporation, the Nation's largest multibank holding company. If, as the Senator from Wisconsin claims, it would represent a conflict of interest for Mr. Bucher to be a member of the Federal Reserve Board, would it not also follow that a representative from the world's largest bank holding company or the Nation's largest multibank holding company, would also represent a conflict of interest since both of these institutions are more than twice as large as Western Bancorporation?

The Senator from Wisconsin opposes the nominee because he says he is "not even qualified to head a small bank." In saying this, the Senator also states that he emphatically supports the judgment of Mr. William A. Burkett, who in my opinion completely discredited himself by his own testimony before our committee, which I intend to discuss later.

The Senator states that Mr. Bucher's background has been in the trust department of banking and that:

This qualifies him as a banking expert about the way a lifetime of experience as a business manager for a professional football team would qualify a man as the starting quarterback.

He adds:

It is like getting a man to coach football who's had only experience in baseball.

Mr. President, such statements are not based on the evidence, in my opinion.

I say this because Mr. Bucher has had a much broader background in banking than serving as the chief trust officer in a major bank. During our hearings, he gave us a statement making that completely clear. He said:

I was with the bank's law division for a number of years. This was prior to 1967, and, in that capacity, I was involved in various functions as the bank's representative in negotiating loan agreements, working with the commercial department, the installment credit department, the real estate loan department, in almost every activity they were involved with because there are legal aspects to all of these.

I was also secretary-treasurer of the bank and, in this capacity, I worked with loan committees. I feel I have a very sound grounding in banking from all aspects. I don't claim to be all knowing, Senator, but I think I have a very good feel for all aspects of the commercial bank.

I have looked into the background of Mr. Bucher, as I have stated earlier, and I find that he was very competent during the years he served in the legal department and as the secretary-treasurer of the Board of Directors of the United California Bank. His service as the senior officer in charge of the trust department of the bank has been outstanding to the extent that his activities have been featured in the Institutional Investor publication of May 1969. He has also been a major speaker in trust management conferences.

Mr. President, I would also like to bring to the attention of this body that many other very capable bankers, literally dozens, have come from the trust department. One is my good friend, Eugene H. Adams, the president of the First National Bank in Denver and the president-elect of the American Bankers Association. Another is Samuel H. Ballam, Jr., president of the Fidelity Bank in Philadelphia, a $1.6 billion bank, and another is LeRoy B. Staver, chairman of the board of the U.S. National Bank of Oregon in Portland, which is a $1.7 billion bank. No doubt these capable individuals had experience with other departments of banking, just as Mr. Bucher has had, and I only mention these individuals as examples of the fact that trust department experience does not disqualify a person as a capable banker.

Finally, because of my deep interest in getting the facts on this issue, I took the opportunity to talk with the present superintendent of banks in California, Mr. Donald E. Pearson, when I was in California on Tuesday, May 23. He knows Mr. Bucher and stated that he is one of the most capable young bankers in California.

The Senator from Wisconsin stated that:

Mr. Bucher's appointment can impair foreign confidence in the soundness of our bank regulatory system because of his association with the United California Bank, a bank which has been particularly free wheeling in its international activities. This is the same bank which permitted its Swiss subsidiary to lose $48 million in an ill-fated attempt to corner the international cocoa market. While Mr. Bucher was apparently not directly involved in the Swiss fiasco, he was a member of the bank's top management team and is presumably a product of its aggressive, speculative approach.

Indeed Mr. Bucher was not involved in the so-called Swiss fiasco, and he told us in the committee that the Swiss affiliate was acting in opposition to an express statement by the United California Bank not to participate in commodity speculation. In any event, the speculation occurred and there was a loss.

The Senator's conclusion, however, that appointing a person associated with the United California Bank would impair foreign confidence in the soundness of our bank regulatory system is completely unwarranted, in my opinion. I have received a letter from Mr. Donald E. Pearson, the California superintendent of banks, along with a copy of the judgment and a translation of the oral remarks of the Chairman of the Court of Appeals in Switzerland. The letter deals specifically with the issue of foreign confidence, and I ask unanimous consent to have it printed in the RECORD.

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

STATE OF CALIFORNIA,
STATE BANKING DEPARTMENT,
Los Angeles, Calif., May 24, 1972.

Re United California Bank—Basel AG.

Hon. WALLACE A. BENNETT,
Senate Office Building,
Washington, D.C.

DEAR SENATOR BENNETT: Again let me express to you my appreciation of your speech before the Independent Bankers of California on May 23, 1972. Also I was pleased to have an opportunity for our brief discussion.

In accordance with our discussion, I am enclosing herewith a copy of the Judgement of August 27, 1971 rendered by the Court of Appeals of the Canton Basel-City. Attached to the official decision is a translation of the unofficial oral remarks of the Chairman of the Court of Appeals. There are two portions of this translation from which United California Bank can take deep satisfaction. The first is that during the course of the proceedings the court came to regard the word of Mr. King as "absolutely trustworthy". The second is the expression of gratitude by the court for the "honorable promise given and fully kept" regarding the payment in full of all depositors.

The action of United California Bank in protecting the depositors of the subsidiary has undoubtedly enhanced the international reputation both of United California Bank and of American banks generally.

Had United California Bank chosen to do otherwise, it would have taken all American banks several years, perhaps decades, to kindle world confidence in American financial institutions.

If I can be of any further assistance please do not hesitate to contact me.

Very truly yours,

DONALD E. PEARSON,
Superintendent of Banks.

Mr. BENNETT. Of specific interest is the conclusion by the Court of Appeals that Mr. King's word was absolutely trustworthy and that the promises made by United California Bank a year ago were fully kept. The court expressed gratitude for these facts. Indeed, I believe that Mr. Pearson is correct in saying that the action of the United California Bank has undoubtedly enhanced the international reputation of both the bank and of American banks generally.

The Senator from Wisconsin criticized the nominee for his responses to questions presented to him during our hearings. He said:

Finally, again with complete respect for you, Mr. Bucher, as a person, the fact is that you did not really give a single specific answer to any one of my substantive questions.

I would like to point out that Mr. Bucher did answer many of the Senator's questions. Others, in my opinion, were not deserving of an answer. I suppose it is not appropriate for me to say which of the Senator's questions were substantive and which were not. Let me, however, give some illustrations of questions which were answered and those which were not.

Senator PROXMIRE. If confirmed can you assure this Committee that you will serve out your full 14-year term?

Mr. BUCHER. It is definitely my present intention to serve a full term, yes, sir.

Senator PROXMIRE. Would you intend at that time to return to the commercial banking industry?

Mr. BUCHER. I have no intent in that regard at this point, no, sir.

. . . I have to be honest with you. I do not have any plans . . . I really have not made any plans and I assure you, I have made no commitments.

Senator PROXMIRE. One of your bank's vice presidents was quoted in the press as saying, "you win some, you lose some," when he was informed of the $48 million loss.

Does that reflect your management philosophy?

Mr. BUCHER. No, sir, it does not.

Senator PROXMIRE. Did you at any time know or suspect that something was wrong with your bank's subsidiary? I am not talking about this particular incident, but in any other way.

Mr. BUCHER. No, sir.

Senator PROXMIRE. Do you see any problems in interstate banking on the part of bank holding companies?

Mr. BUCHER. Not per se. I am a great believer in competition and I believe in the antitrust laws. I think one of the significant tests should be the competitive factor. Therefore, I don't want to say categorically that I think crossing state lines is bad.

Senator PROXMIRE. There is a prohibition in the law as I understand it, now, against interstate banking by multibank holding companies. Would you favor lifting that prohibition?

Mr. BUCHER. No, I wouldn't without certainly considering all the factors involved. I am not aware of all the factors that might be presented.

Senator PROXMIRE. Now I would like to ask you this: As a matter of general philosophy, do you support the strict separation of commercial banking and investment banking?

Mr. BUCHER. Yes, I do.

Senator PROXMIRE. One of the most significant issues to face the banking industry and the Federal Reserve Board over the next 10 years is whether a similar conflict of interest exists between a bank's trust department and its commercial lending activities.

Do you think there is a conflict or danger in combining these two functions?

Mr. BUCHER. I think those two functions must remain separate. I think there is no question about that.

Senator PROXMIRE. Do you think a decision of your bank to take part in the Lockheed loan was influenced by the fact that your trust department has such a sizable equity interest in the company?

Mr. BUCHER. No, I do not.

Mr. President, if these are not questions of substance, I wonder why the Senator from Wisconsin asked them of the witness. I do not understand how the Senator could claim that Mr. Bucher did not give a single specific answer to any of these questions.

As I said earlier, Mr. Bucher did not give specific answers to some questions involving management of the United California Bank, the actions of a foreign affiliate, and decisions that have been made by the Federal Reserve Board. We must remember that Mr. Bucher was not involved in the areas of management about which he was questioned. Nor has he been serving on the Federal Reserve Board. Since he had no involvement in the decisions, I believe that he was fully justified to decline to make a judgment without further information. We need members of the Federal Reserve Board who will consider the facts before rendering a judgment.

After the nominee had stated that he had no plans to go into banking after his 14-year term on the Federal Reserve Board and that he certainly had made no commitments, the Senator from Wisconsin asked:

How would you feel about pledging categorically to this Committee that under no circumstances would you return to the commercial banking industry following your service with the Federal?

To my knowledge, no previous nominee to the Board has been requested to make such a commitment, nor do I believe it would have been proper for the candidate to have answered the question.

A further question asked by the Senator from Wisconsin was:

Don't you think there is a lack of effective responsibility with the officials of your bank? Or do you think the officials of your bank were negligent in not adequately supervising the activities of the Swiss subsidiary?

Mr. Bucher answered:

I think the best anwer I can give you is that I am not really familiar enough with the day-to-day operations of our international division, either now or during that period, to be able to speculate how much contact there was; and without that knowledge, I think it's difficult for me to make a judgment on negligence.

Is this the answer of a person trying to evade a question? I do not think so. In my opinion, we want men on the Federal Reserve Board who do not make snap judgments without any facts. We want men who will consider the facts available before making a judgment on negligence, or conflict of interest, or proper banking activity. In the absence of a consideration of the available facts, a preconceived judgment would not strengthen the Federal Reserve Board.

Senator PROXMIRE. Do you think it's proper for a bank to advise its customers to invest in unregistered stock?

Mr. BUCHER. Generally, in the areas in which I have dealt, that would not be the type of recommendation that I would tend to favor. Circumstances, I think, would have to be looked at in each case, but certainly in the investment activities in which I was involved—of course these are of a fiduciary nature—unregistered stock would not be a type of investment I would recommend.

Senator PROXMIRE. For months we have been waiting for the Federal Reserve Board housing study. It has now arrived, and it includes few recommendations for action the Federal Reserve Board can take, the Board largely limits itself to what other agencies can do. What important steps to help us meet your housing goals can the reserve system take?

Mr. BUCHER. I think we have covered this to some extent in a prior question. I know the Federal Reserve Board has concern, and I share that concern about engaging in projects which have an adverse effect on monetary policy. This is why it becomes a difficult question. It is the balancing of the role as the monetary policymaker, in effect, with other responsibilities, and I know that is what concerns the Fed. I know they are concerned also about housing, very deeply so, and I am afraid I cannot say at this point that I know the answer.

Mr. President, I have not given all of the questions which were asked of the nominee. They are all printed in the RECORD of May 15, 1972. I do believe, however, that Mr. Bucher made a very responsible showing before our committee, as is indicated by the fact that the committee supported his nomination by a margin of 13 to 1.

Mr. William A. Burkett, who testified against Mr. Bucher, listed 14 reasons why his nomination should not be approved. However, Mr. Burkett completely discredited himself by his own testimony. His statements were wrong. His allegations were unsupportable and he showed a surprising lack of understanding of the banking system and its operations.

After we had heard the testimony of the nominee that he had been involved in all aspects of banking, as a legal officer, secretary-treasurer of the board of directors, and chief trust officer of a major bank, Mr. Burkett stated:

He is without any experience whatsoever in commercial banking or dealing with the economic and monetary problems of our Nation which are handled by the Federal Reserve System.

Whose statement should we take on this matter? Should we believe the nominee and the present California superintendent of banks who knows Mr. Bucher or a person who admitted before our committee that he had never had any experience with Mr. Bucher nor had he ever seen him before the hearing at the committee and had no knowledge of him other than the biographical sketch which was included in our record? Since the hearings as I have already stated, I have investigated the background of the nominee further and find his statements to be accurate and factual.

On the same lack of information, Mr. Burkett stated that:

Mr. Bucher would not be qualified for appointment to the presidency of even the smallest bank in California because of his total lack of knowledge and experience in banking.

The Senator from Wisconsin states that he emphatically supports Mr. Burkett's judgment. I cannot agree with the judgment of a man who does not base that judgment on facts.

Mr. Burkett states:

It is no secret that there is not a single bank in California—no large, commercial bank in California—that can or will make a large commercial loan to any corporation or business of any kind unless that corporation or business will transfer their profit-sharing pensions, trust matters, and corporate trusts to the lending bank's trust department.

This statement is ridiculous and untrue. Obviously, bank trust departments actively compete to obtain corporate pension business. However, it is a violation of the Clayton Antitrust Act for a bank to require that corporations transfer their pension business to a bank trust department as a condition for a loan. Furthermore, it would be physically impossible since large corporations generally borrow from more than one bank because the loan limits of individual banks are not sufficient to meet corporate needs. Mr. Burkett himself referred to the Lockheed loans. The fact is that six California banks made large loans, ranging from $5 million to $30 million, to Lockheed. Certainly all of them could not require Lockheed's pension business even if it were not illegal to have such a requirement.

Mr. Burkett also objected to the nomination because Mr. Bucher served as secretary-treasurer to the board of directors of United California Bank and he does not see how Mr. Bucher could escape involvement in the loss of $48 million by a subsidiary in Basel. The fact is that Mr. Bucher became the chief trust officer in 1967, 2 years before the Basel subsidiary was acquired and, according to his testimony before the committee, he had nothing to do with the purchase or any of the activities of the subsidiary.

Mr. Burkett stated that:

The Board of Governors of the Federal Reserve System has life and death control over every bank in the United States, which total approximately 14,000 commercial banks, and 22,000 branches with commercial deposits totaling over $500 billion.

According to the April 1972 Federal Reserve Bulletin, of the total 13,784 commercial banks in operation as of December 31, 1971, 8,056, or over 58 percent, are not even members of the Federal Reserve System, but are nonmember State banks. Only a few of these are affiliated with holding companies and are thus subject to Federal Reserve supervision.

Moreover, all national banks have the option of becoming State banks, and State banks are not required to be members of the Federal Reserve System. Between the end of 1960 and 1970, 403 banks withdrew from the Federal Reserve System by changing their status from national members to State nonmembers and from State members to State nonmembers.

As long as this possibility exists, the Federal Reserve Board actually does not have life-and-death control over any bank in the United States.

Mr. Burkett also states that Western Bancorporation is the world's largest bank holding company. I have already shown that this statement is not true.

Mr. Burkett added:

Finally, another point against the Bucher appointment is that Mr. Arnholt Smith recently purchased 94.5 percent of the Fidelity Bank of Beverly Hills, Calif., and this bank's purchase and merger will require the approval of the Board of Governors of the Federal Reserve System. Lawsuits are now being prepared to prevent this merger. Mr. Arnholt Smith is constantly seeking the approval of the Board of Governors for banks that he purchases to merge into his U.S. National Bank of San Diego, owned, in turn, by his conglomerate, the Westgate-California Corp.

Mr. President, if it is true that Fidelity Bank of Beverly Hills is being merged into U.S. National Bank of San Diego, the merger would have to be approved by the Comptroller of the Currency rather than the Federal Reserve Board because the surviving bank is a national bank. Under the Bank Merger Act of 1966, the only role of the Federal Reserve Board in such a case is to file an advisory opinion with the Comptroller on the competitive aspects of the merger.

If, in fact, Mr. Burkett were the banking expert which he indicated in his testimony before our committee, one would think that he would be more familiar with the sizes of bank holding companies, with the responsibilities of the Federal Reserve Board as compared to those of the Comptroller of the Currency, and one would certainly expect him as a former State bank supervisor to know that the Federal Reserve Board does not have life or death control over nonmember State banks which are not affiliated with bank holding companies.

Mr. Burkett did not limit his criticism of the nominee to the banking area. He stated that the appointment was a political payoff and that Mr. Bucher's present employer could stand to benefit by the appointment. To clarify his position, during our hearings the Senator from Wisconsin asked:

Are you saying that this is in the way of a political payoff, that Mr. Bucher is appointed as a payoff to Mr. King and that Arnholt Smith is the man responsible for engineering it, is that the gist of what you are telling us?

Mr. Burkett replied:

To the best of my knowledge and belief, I believe this to be nothing else than exactly what you stated, a political payoff.

Yet he had nothing in the way of evidence to support this statement.

Mr. President, after considering all of the allegations and all of the evidence I have been able to obtain, I find no reason to oppose the nomination of Mr. Bucher. I feel that he is a qualified young man who can make a significant contribution to the deliberations of the Federal Reserve Board. I recommend that his nomination be approved by the Senate.

Mr. TOWER. Mr. President, the nominee now before us for the Federal Reserve Board, Jeffrey M. Bucher, is thoroughly qualified to fill this important post. The very evident intelligence and competence of Mr. Bucher, in combination with his general banking experience, will make him a definite asset to the important policymaking functions of the Board.

The claim has been made that Mr. Bucher is not qualified to be on the Federal Reserve Board because, supposedly, only professional economists are qualified to sit on the Board. This simply is not so. The Board is necessarily engaged in its macro-economic policymaking with the state of the economy, and business and employment conditions generally. Along with economists on the Board and its large staff of professional economists, some 250 of them, the Board needs several accomplished businessmen and lawyers who can bring an element of the real business world into the considerations of the Board. That agency does indeed manage the Nation's monetary system, but virtually all of their decisions are ultimately based on the understandings and assumptions of the Board members about the direction and course of business spending, borrowing, employment, and the like.

A large element of business decisionmaking is not directly dependent on statistically analyzable or economically analyzable data, but rather upon the psychology of the businessman and the sense of the business community about the general direction of the economy, about future Federal spending prospects, about our international relations, and the like. Thus, as important as professional economists are to the Board and to other economic-policy agencies for statistical and economic anlysis as a sound background to policymaking, the ultimate decisions of an economic agency like the Fed are substantially dependent on the social and political—in the general sense—understandings of the Board members about the business community, about the consumer, about other governmental plans, about international developments, and about the attitudes and aspirations of the American people generally. In this regard, it certainly cannot be said that trained economists are superior to any of the other thousands and millions of intelligent, educated, worldly men and women of high integrity that we have in our country today. In fact, a Board of economists will tend to have fairly similar outlooks on matters by virtue of their similar educations and professions that will bias their policymaking in a fairly narrow vein, if they are not intermixed with the fresh thoughts and orientations of people from other walks of life and with other experiences to draw upon.

Mr. President, one of the great virtues of our country is that we have many talented, capable people and that our system of government is such that we can draw upon those resources very flexibly to fill top policy positions in our Government. We are not bound in a political system, such as a one-party system, where the top policy positions are filled with career men and women who are specialists in their field and who stay in Government until they retire. We believe in fresh people and fresh thinking in top policy positions of the Government, and we believe in having a strong measure of the good sense of the generalist mixed into these top policy positions, for they bring the voice of the people much closer to the functions of Government.

If we followed the theory that the Senator from Wisconsin advocates—that is, filling top Government positions with specialists only—we who sit on the Banking, Housing, and Urban Affairs Committee would not be qualified to sit on it because virtually none of us is an economist. We make economic policy decisions on that committee, and we do so though none of us is an economist. We are representing the people of this country in making vital policy decisions regarding their well-being, and we do so because we were elected on the basis of our political philosophies and the peoples confidence that we will speak effectively for them in the Government. Our committees can hire all the economists, statisticians, lawyers, and other experts that we may need to have policy alternatives presented to us. But ultimately, we must make the basic political decisions about the proper nature and direction of U.S. policies, and we do not have to be technicians to do so.

If we pressed the principle of specialism in government to the extent advocated by the Senator from Wisconsin, Arthur Burns should not be on the Federal Board because he is not an econometrician—and how can he expect to make monetary policy without being a technical expert on econometric models and equations? Of course, this is ridiculous. Arthur Burns can hire all the statistical and mathematical economists he wants to make models of the economy; all he needs to know and understand are the fundamental assumptions about human behavior and business trends, and the like, that make up the basis for such models. His staff can advise him as to the results of their model work and the possible policy alternatives he may need to consider in making the decisions he has to make; he and the other members of the Board will make their fundamental decisions with all the benefits of analysis that the science of economics and econometrics can offer, but their decisions will also be mixed with substantial elements of personal judgments about business, consumer, and governmental psychology, and their sense of the attitudes and aspirations of the American people. They do not have to be technical specialists in any field to make these policy decisions.

I congratulate the President on his choice of a highly competent, experienced business lawyer to become a member of the Fed. As I noted earlier, our country is blessed with a great many talented, competent people who are capable of serving in the highest positions in Government. The President promised the American people that he would rejuvenate the Federal Government, that he would bring new talent from our great supply of human resources and make the government responsive to the needs of the people. His choice of Jeffrey Bucher for the Federal Reserve Board is one of many such able appointments that he has made to carry through with this promise.

Mr. BENNETT. Mr. President, I yield back the remainder of my time.

Mr. PROXMIRE. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Jeffery M. Bucher, of California, to be a member of the Board of Governors of the Federal Reserve System (putting the question).

Mr. PROXMIRE. I vote No.

The nomination was confirmed.

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

The PRESIDING OFFICER. The clerk will call the roll.

Mr. HRUSKA. 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. HRUSKA. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of this nomination.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

EXPEDITION FOR CONSIDERATION OF AUTHORIZING LEGISLATION ON APPROPRIATION BILLS

Mr. ELLENDER. Mr. President, as in legislative session, the Committee on Appropriations convened at 10:00 o'clock this morning and considered two appropriation bills—H.R. 14989, making appropriations for the Departments of State, Justice, Commerce, the Judiciary, and related agencies for fiscal year 1973, and H.R. 15093, the appropriation bill for the Department of Housing and Urban Development, Space, Science, Veterans. These two bills have now been reported to the Senate and have been placed on the Calendar.

The appropriation bill for the Departments of State, Justice, Commerce, the Judiciary, and related agencies, has within it 34 items with total budget estimates in the amount of $1,389,000,000 which have not been authorized as of today. This is 28 percent of the total budget estimates considered in this bill. All of these 34 items were included in the bill by the House of Representatives.

In reporting this bill to the Senate, the committee has inserted language which provides that none of the funds provided for these 34 items shall be available for obligation until the enactment into law of authorizing legislation. It is the intention of the committee that this appropriation bill shall remain on the Calendar and shall not be taken up for consideration by the Senate until such time as the authorizing legislation has been passed by the Senate.

The HUD-space-science-veterans appropriation bill, which was reported this morning, also contains appropriations which are not authorized. These are included under the headings of home ownership and rental housing assistance, college housing, comprehensive planning grants, urban renewal programs, grants for neighborhood facilities, and the National Science Foundation. In each instance, again, the committee has inserted language providing that these funds which are not authorized shall not be available for obligation until enactment into law of authorizing legislation.

It is the intention of the committee that the HUD-space-science-veterans appropriation bill remain on the Senate Calendar and not be considered by the Senate until such time as all of these authorizations have been passed by the Senate.

The action taken by the committee today is in accord with the goal established earlier in the year that every effort would be made to have enacted all of the regular appropriation bills for fiscal year 1973 by June 30 insofar as possible.

As you know, the majority leader called a meeting today of the chairmen of all of the committees of the Senate, and at that meeting it was agreed that this procedure should be followed. Every effort is going to be made, as I understand it, by the standing committees to expedite the authorizing legislation.

THE NOMINATION OF RICHARD G. KLEINDIENST

The PRESIDING OFFICER. The Senate, in executive session, will resume the consideration of the nomination of Mr. Kleindienst.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HRUSKA. 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. HRUSKA. Mr. President, I rise to speak in support of the nomination of Richard G. Kleindienst to be Attorney General of the United States. After attending almost all of the sessions called by the Judiciary Committee to consider this nomination, I am convinced that not only should Mr. Kleindienst be confirmed by the Senate as rapidly as possible, but that the Department of Justice and the United States will be most fortunate in having this fine lawyer and gentleman serve in this high capacity.

Mr. President, normally the chairman of the Committee on the Judiciary makes an opening statement on occasions of this kind. Unfortunately, the chairman of our committee (Senator EASTLAND) is away from his office attending to business in his home State that pertains to affairs of the Senate. And I have been requested to make this leadoff statement. He will have some important remarks to make in support of this nomination at a later time.

PRIVILEGE OF THE FLOOR

Mr. HRUSKA. Mr. President, I ask unanimous consent that during the consideration of the nomination of Mr. Richard G. Kleindienst to be Attorney General, two members of the minority staff of the Judiciary Committee, Stan Ebner and Malcolm Hawk, be given the privilege of the floor.

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

THE NOMINEE'S OUTSTANDING QUALIFICATIONS

Mr. HRUSKA. Mr. President, on a personal note, before getting into the sub-

jects raised during the hearings, it should be known that the acquaintance of this nominee and this Senator and our friendship go back more than a decade. I knew Dick Kleindienst when he was an attorney engaged in private practice in Phoenix long before he came to Washington as the Deputy Attorney General. His reputation as a professional is exemplary and he is held in high regard by his fellow attorneys with whom he practiced law for almost 20 years. Since he joined the Department in 1969, the nominee and I have worked very closely on matters of mutual interest, particularly the strong anticrime legislation which has made up a large portion of the Department's legislative program. I have always found him to be talented, hard-working and a scrupulously honest and dedicated public servant.

While possessed of strong opinions, on matters of public concern he has always been willing to listen to other points of view and has maintained an open mind toward them until all of the facts are available. The nominee is committed to vigorous law enforcement, but at the same time has a deep understanding and respect for this Nation's long dedication to individual rights coupled with equal justice for all citizens. He is a person well qualified to balance these sometimes competing interests, a quality essential in an Attorney General.

He is an aggressive and dynamic person who works with diligence and great effectiveness in seeing that the administration's and the Department's positions are presented in a forceful and persuasive manner. Despite the strength of his character, to those who know him well the nominee is also a rather surprisingly gentle and considerate person where matters of the interests and rights of others are concerned. His interest in minorities, in the well-being of his community, and in his church are less well known than some of his public positions, but they nonetheless exist and are genuinely important parts of his life.

During the time that Dick Kleindienst has been in public affairs some of the very strong aspects of his character have become well publicized. So much so, in fact, that they have tended to overshadow the subtler facets of this man which make him so well suited for the very difficult and complex office for which he has been nominated. When the controversy surrounding this nomination subsides, I hope that the real Dick Kleindienst will become better known to more of our citizens; I am confident they will be highly gratified by what they learn.

FINDINGS AND CONCLUSIONS OF COMMITTEE

The committee report filed by the majority sets out the chronology and the substance of the hearings.

It enumerates the specific charges relating to Mr. Kleindienst. Then it sets out the issues bearing directly upon his fitness to be Attorney General.

Its findings and conclusions are well based and soundly reasoned.

ISSUE NO. 1

Was Mr. Kleindienst party to an arrangement to settle the antitrust suits against ITT in return for a contribution from ITT?

Finding and conclusion: No. The negotiations and the settlement were not the product of political influence or promises of favor from ITT. Mr. Kleindienst acted properly in the conduct of his office in the matter of the settlement of these cases.

ISSUE NO. 2

Did Mr. Kleindienst lie when he said that "the settlement was handled and negotiated exclusively by . . . McLaren"?

Finding and conclusion: No.

The Committee finds no merit in this assertion.

ISSUE NO. 3

Was there any impropriety in relying upon Mr. Flanigan to contact a financial analyst for a report on the Hartford divestiture?

Finding and conclusion: No.

The Committee is entirely satisfied that Mr. Ramsden (the financial analyst) was not influenced to reach a particular decision either by Mr. Flanigan or by the memorandum provided him by Judge McLaren through Mr. Flanigan. . . . The Committee finds nothing improper or irregular in the fact that in the ITT case Mr. Ramsden had no direct contact with Judge McLaren. . . .

ISSUE NO. 4

Did Mr. Kleindienst mislead the committee in testifying about contacts with the White House?

Finding and conclusion: No. Language in the committee report states:

The Committee concludes that there has been no misrepresentation. Taken as a whole, Mr. Kleindienst's testimony leaves the distinct impression that he had no substantive discussions with anyone at the White House about the ITT cases. . . .

ISSUE NO. 5

Did Mr. Kleindienst act improperly in the handling of the investigation of U.S. Attorney Steward?

Findings and conclusion: No. The committee report states:

The Committee is not here concerned with any issues which do not directly relate to the actions taken by Mr. Kleindienst. Only the record before him at the time and the manner in which he acted upon it are relevant.

This is not only fair but the highly proper and reasonable course. The Assistant Attorney General in charge of the Criminal Division at that time—Mr. Will Wilson—questioned the need for an FBI administrative investigation. Mr. Kleindienst however, even though convinced that Mr. Steward had done nothing wrong, nevertheless did order an administrative inquiry by the FBI. The report thereon was reviewed by the career attorneys of the Criminal Division. Their recommendation, which was also that of the head of the Tax Division, was that Mr. Steward be retained as U.S. attorney. Mr. Kleindienst followed these unanimous recommendations.

COMMITTEE CONCLUSION

We find no reason to alter our earlier recommendation that the nomination be confirmed. It is our opinion that Mr. Kliendienst is thoroughly qualified to serve as Attorney General of the United States. . . .

HEARINGS: EXTENT AND NATURE

Mr. President, the President sent this nomination to the Senate in mid-February. Over 3 months later—and almost 3½ months now—this matter is finally coming to the Senate floor for consideration.

The delay has been unconscionable, unnecessary, and unproductive. Its basis is entirely political. In years divisible by four, some members find their powers of perception dimmed if partisan political gains can spring from such dimming. That is what has happened in this case. The opportunity to try to embarrass a Republican administration in an election year seemed too great to be passed up. I rejoice that the majority of the committee was willing to forego this spectacle in order to do the work at hand with diligence and with justice.

The hearings on this matter on the desk before each Senator are lengthy and exhaustive. A close reading of them will indicate to what extent a few members of the committee were willing to go to prolong, extend, and confuse the only issue before the committee: the fitness of Richard G. Kleindienst to be Attorney General. I am confident that as this debate proceeds the fact that there is no evidence on which to question the nominee's fitness for this office will become abundantly clear. The smokescreen sought to be raised by the opponents will be seen for exactly what is is: partisan and misguided wishful thinking.

MUTILATION OF HEARING PROCESS

Now I comment on the mutilation of both the hearing process and the rules of evidence which took place during the hearings.

Time and time again this Senator and others urged the committee to move ahead with the hearing so that all witnesses could be examined and all the evidence received in an expeditious and orderly manner. These efforts were ignored as opponents of the nomination asked repetitious and irrelevant questions ad infinitum, stretching into fields far removed from the subject and the objective of the hearings. It was clearly a vain attempt to extend the sessions into a fourth and even a fifth month if possible. Accepted rules of evidence and procedure were violated repeatedly and flagrantly. It is elementary that in judicial and quasi-judicial inquiries, only evidence pressing rational probative worth is admissible. Facts presented should be such as to bring about rational conclusions and persuasions.

Let me quote from the foremost authority in this field of Anglo-American law, Professor Wigmore, who indicates that the basis for all rules of evidence is that "none but facts having rational probative value are admissible." He adds that "whatever is presented as evidence shall be presented on the hypothesis that it is calculated . . . to effect rational persuasion." (Sec. 9) Mr. President, how far the committee strayed from this test can be seen by anyone with an interest in looking into the hearing record. We were dragged into matters from A to Z while the committee's mandate was to stick to K. Our legislative objective was Mr. Kleindienst's qualifications. But the committee was compelled to listen to irrelevant, repetitive, and often impertinent testimony not just once, or even twice, but dozens of times from the same witnesses.

In addition to questions of relevancy and repetition, another vital and accepted rule, the hearsay rule, was constantly ignored to the detriment of the interests of witnesses and the nominee, but even more importantly to the detriment of the truth, and to those who had a right to know the truth. Time and again members of the committee, attorneys all, not only asked for but received hearsay testimony sometimes as much as four times removed. Another well-known figure in the law, with whom all my colleagues on the committee are familiar, Chief Justice John Marshall, had these comments to make on the value and appropriateness of this type of testimony:

That this species of testimony (hearsay) supposes some better testimony which might be adduced in the particular case is not the sole ground for its exclusion. Its intrinsic weakness, its incompetency to satisfy the mind of the existence of the fact, and the fraud that might be practiced under its cover, combine to support the rule that hearsay evidence is totally inadmissible.—*Mina Queen* v. *Hepburn*, 7 Cranch 295.

The conclusion that can be drawn from this experience, aside from deploring it and hoping that it will not occur again, is to be convinced anew of the value of the essence of evidentiary rules which prevail in our judicial system. More than ever before, we should be aware of the great service they perform in keeping court and legislative proceedings within proper and manageable bounds in order to insure that the rights of all citizens and of orderly proceedings, together with all benefits thereof, are preserved and protected.

The committee report and its supplemental report discuss the chronology of the hearings and the legitimate issues concerning the nomination in complete detail.

No facts were discovered which convinced a majority that this nomination should be rejected. Rather than repeat in detail the discussion in the report, Mr. President, I shall discuss the evidence presented at the hearings as I saw it, with emphasis on the points that seemed particularly important, relevant, and revealing.

FIRST SERIES OF HEARINGS

In February, the Judiciary Committee moved quickly, after receiving this nomination, to hold hearings and report its findings. Two days of hearings were held, during which the nominee was questioned vigorously on a wide variety of subjects of interest to committee members. I think all of us were impressed with his knowledge, ability, vigor, and candor, even though some could not agree with his positions on some policy questions. The committee demonstrated its faith in the nominee by unanimously recommending to the Senate that he be confirmed.

I believe all committee members were impressed particularly with the forthright way in which the nominee answered the only adverse witness to appear at the first set of hearings. Mr. Clarence Mitchell, an officer of the NAACP, asked the committee to be particularly sensitive to Mr. Kleindienst's attitude toward civil rights. Specifically, he raised the issue of why a black had not been appointed to the U.S. Court of Appeals for the Third Circuit. The nominee remained in the hearing room throughout Mr. Mitchell's testimony and at its conclusion asked to be heard again, in conjunction with Mr. Mitchell, to answer the question raised. What followed was a most useful dialog which clearly established the facts behind the lack of such an appointment and gave the committee a better understanding of Mr. Kleindienst's attitude toward minorities, the open manner in which he operates, and the appointive decisionmaking process. It was an extremely revealing incident which reflected great credit on the nominee.

The committee made its recommendation to the Senate on February 29 and the stage was set for what I believe, and what was generally believed, would have been quick and almost unanimous confirmation. On that same day, February 29, a quite independent series of events began to transpire which has resulted in this confirmation being postponed for more than 3 months. The balance of my statement today is devoted to a discussion of these subsequent events.

Before getting into detail, however, I want to state unequivocally that it is the belief of this Senator that no evidence has been produced which in any way shakes my original judgment that Dick Kleindienst should be confirmed by the Senate for the post of Attorney General. And that he will fill this position in a manner which will reflect great credit on himself, the Department of Justice, the President who made the nomination, the Senators who vote for the confirmation, and the American people. Further, I should state that as I look about at the Members of this body, it is my firm belief that when the Senate is permitted to vote on this nomination, Dick Kleindienst will be very decisively confirmed.

DELIBERATELY ORCHESTRATED SECOND SERIES OF HEARINGS

On February 29 a syndicated column appeared in a number of newspapers across the Nation which seemed to allege that a connection existed between the settlement of three antitrust cases against the ITT Corp. and a contribution by an ITT subsidiary to the San Diego Convention and Tourist Bureau in order to attract the 1972 Republican National Convention to that city.

This column's publication was by design a calculated, orchestrated and calibrated move to place the entire subject into a purely political context.

The following day an additional column appeared which stated that Mr. Kleindienst had "told an outright lie about the Justice Department's sudden out-of-court settlement of the Nixon administration's biggest antitrust case" when he wrote in a letter to the chairman of the Democratic National Committee that the "settlement between the Department of Justice and ITT was handled and negotiated exclusively by Assistant Attorney General Richard W. McLaren." The column alleged that the nominee had held six secret meetings with an ITT director where, allegedly and speculatively, a settlement was agreed upon in exchange for the San Diego contribution.

As a response to these charges, Mr. Kleindienst asked that the Judiciary Committee reopen its hearings so that he would have a chance to set the record straight. The hearings reopened on March 2 and continued intermittently until April 27. During this period—the longest confirmation hearing in Senate history—the Nation was treated to the very sorry spectacle of innuendo, speculation, fourth-hand hearsay, rudeness, irrelevance and a host of other abuses of the rules of proper conduct of congressional hearings. It was an attempt to embarrass this administration and this nominee for purely political purposes.

These efforts were not entirely in vain, because with the assistance of large portions of the press, there was created in the minds of many citizens a picture of favoritism and wrongdoing totally unsupported by the testimony or the facts. I know that a majority of my colleagues have not been hoodwinked in a similar fashion and that their examination of the hearing record and the committee report will clearly substantiate that there is absolutely no evidence that Dick Kleindienst acted in the ITT or any other matter in any but the most honest and upright fashion.

Twenty-six witnesses testified during the second part of the hearings on 22 different days.

Mr. President, in all frankness, this Senator, who had engaged for a quarter of a century in the general practice of law before he became a Member of this body, is of the firm opinion that many of the witnesses could have had all the evidence pertinent and relevant to the question and the objective of the hearings elicited from them in 2 or 3 hours, but that did not happen. Some of them were there as long as an entire day, and in some instances 2 or more days. This process of asking the same question over and over and over again by one member of the committee and then followed by the same questions from other members of the committee is a course of conduct which would, of course, be totally impossible in court, and should be frowned upon as a matter of conduct in the holding of hearings of this kind by any legislative committee as well.

A great deal of testimony received had no remote or even possible connection with the nominee and his qualifications but constituted merely wishful thinking on the part of some of my more partisan colleagues. What testimony there is which does have a bearing on the nomination can be readily summarized.

REASONS FOR REOPENING HEARINGS

The reopening of the hearings was requested by Kleindienst in order to dispel any "clouds" over his head as a result of the charge that a half-dozen secret meetings had been held by the nominee with an ITT official to settle the pending antitrust litigation.

It was the position of Mr. Kleindienst, and he said so frankly and very sincerely, that if the charges made and the allegations contained in the syndicated column

were true, he not only would not be considered a proper nominee for the Office of Attorney General, but would be subject to criminal prosecution for illegal conduct, for violation of law after law after law.

The testimony received by the committee shows—clearly, positively, unequivocally and finally—that there were no secret meetings, that the ITT cases were decided on the merits, that the decision to settle and the terms of settlement were McLaren's alone, that the settlement was a victory for McLaren's policy judgment regarding the accessibility of conglomerate mergers under existing statutes, and that Mr. Kleindienst's role in the entire ITT matter was secondary, ministerial, and entirely proper. Quite expectedly some seers now indicate that the clouds have "broadened and darkened." It is conceivable to me that in the minds of these rainmakers no amount of effort by the Judiciary Committee or anyone else could dispel these clouds until at least November 8, or perhaps November 9.

The single event which brought the ITT antitrust cases to the attention of the committee in the context of the Kleindienst nomination was the publication on February 29 of quotations from a memorandum, allegedly written by ITT lobbyist Dita Beard, suggesting that there was a connection between the San Diego pledge and the ITT settlement.

Throughout the hearings effort has been made to determine the authorship and the authenticity of the memorandum. These efforts have not been successful. The committee was stymied in its efforts to question Mrs. Beard closely by her recurring heart condition which forced the cancellation of all but the first day of her testimony. This Senator, and I am sure all of my colleagues, would like to have had an opportunity to question Mrs. Beard in greater detail concerning her knowledge of the memo and her participation if any in both the antitrust settlement and the underwriting offer to San Diego. Our inability to do so, however, should not prevent us from moving forward with this confirmation. We did hear from Mrs. Beard under oath that she did not write the memo, that there was no connection that she was aware of between the two events; that she did not know nor ever contacted the nominee; that she had nothing to do with the settlement of the antitrust suites; and that the pledge to San Diego was a reasonable business venture made to promote the opening of the new Sheraton hotel on Shelter Island in San Diego.

In addition to Mrs. Beard's own testimony, the committee heard a great deal of additional evidence to substantiate the important portions of her statement. The testimony of ITT president Geneen on the financial reasons why Sheraton made the commitment to San Diego was particularly enlightening. For at most $200,000 Sheraton felt that it was purchasing almost unbuyable national publicity for its new Shelter Island hotel.

Not one witness before the committee with any first-hand knowledge—first-hand knowledge—of any of the events under examination testified that there was any connection between the Sheraton pledge and the settlement of the ITT cases. In fact, every single such witness denied any link.

Equally as compelling as the testimony heard on that point were the unequivocal denials by both Kleindienst and McLaren that they were even aware of the San Diego pledge or the Republican Convention negotiations at the time the ITT suits were settled. In fact, that did not come to their attention until some months later. No matter how hard the opponents of this nomination strain to realign or reinterpret the facts, it is impossible to come up with a persuasive or even a creditable case, that there was any connection between these two quite separate events which are quite capable of standing independently against any assault on their appropriateness or reasonableness.

ITT LITIGATION

Beginning in 1969, shortly after the Nixon administration took office, the Department of Justice and particularly Assistant Attorney General McLaren began a vigorous enforcement of this Nation's antitrust laws. Throughout the decade of the 1960's, while the trend toward conglomerate mergers by some corporations in this country had reached almost epidemic proportions, the Kennedy and Johnson Justice Departments failed to take any action against these conglomerates. Allegedly, this was based on their belief that present statutes did not reach this type of situation.

It has been observed that if anyone would tend to indulge in innuendo and in conjecture and in imagination, he might engage in the thought that if there is any favoritism in this picture in favor of ITT, it would be by another administration, different from the Nixon administration, under which there was no prosecution whatsoever. That does not happen to be my belief. As a member of the Antitrust and Monopoly Subcommittee of the Committee on the Judiciary, I do know that there was genuinely and sincerely in the thinking and in the conclusions of the Assistant Attorneys General and their staff in the Department of Justice during the Kennedy and Johnson administrations, the idea that prosecution of those cases was not in order under the present statute. I believe they were mistaken. The record shows that I took exception to those conclusions at the time. But that is neither here nor there. That was their feeling and belief.

McLaren, on the other hand, felt that section 7 of the Clayton Act did permit suits to stop mergers of such conglomerate type. In 1969 he moved to put that philosophy to the test in Federal courts.

ITT is a huge conglomerate with more than 250 subsidiaries; it moved from 51st place to 11th place on Fortune Magazine's list of the 500 largest industrialists during the Kennedy-Johnson years of 1961–69. It was a logical target for the testing of McLaren's concept of the law in this particular.

Because Attorney General Mitchell's former law firm in past years had at times represented several of ITT's subsidiary corporations, he disqualified himself from any role in these cases—that is to say, any role assigned to the Attorney General by statute in the processing of the litigation which was embarked upon.

His responsibility, by statute, devolved on the Deputy Attorney General, Mr. Kleindienst. Beginning in 1969, McLaren brought Kleindienst three complaints against ITT involving its acquisition of the Canteen Co., the Grinnell Fire Equipment Co., and the Hartford Insurance Co. Kleindienst approved the filing of all three cases, as is required by the procedures in the Department of Justice.

The nominee had relatively little to do with these cases after they were filed until the spring of 1971. During the interim period, the Grinnell and Canteen cases were tried and lost by the Government in the Federal district courts. These adverse decisions were appealed to the Supreme Court. A preliminary motion was lost by the Government in the Hartford case, and September 1971, was set for trial on the merits of that case, in the Federal District Court in Hartford, Conn. Some settlement discussions between Justice and ITT had been undertaken but had not proved fruitful.

In April 1971, a director of ITT, Felix Rohatyn, asked for and obtained a meeting with the Deputy Attorney General to discuss these cases. There is some conflicting testimony on the question of what led up to this request, but the best evidence seems to be that ITT was interested in a settlement and that the subject of a meeting was broached informally to Mr. Kleindienst by an ITT employee at a social gathering. Kleindienst apparently indicated that his office doors were open to citizens with cases involving the Justice Department and that he would be willing to talk with someone from ITT.

Mr. President, we should appreciate fully what the procedures are in these cases. This was not an unusual situation. It was not extraordinary for the Attorney General or for the Assistant Attorney General in charge of the Antitrust Division to confer with litigants in antitrust cases. In fact, the testimony shows that virtually 80 percent—four-fifths—of the cases filed in this field are settled following such conferences either by way of a consent decree or by way of dismissal or in some other way. Four-fifths of the cases are thus disposed of.

In fact, Mr. President, the thrust of the legislation on this subject is that settlement of these cases should be expedited, should be favored, and that is one reason why criminal cases are seldom filed. The idea seems to be—and legitimately so, in the judgment of this Senator—that the matter at hand is to restore competition if there has been restraint of competition. The matter at hand should concern itself with correcting an unfair practice in the conduct of business or in the functioning of corporate interests and not for the purpose of dragging out litigation, with great expense in time as well as in treasure. It is in that way that some progress can be made, the courts are less clogged, the ends of the legislation are achieved, and it is a much happier situation than to fight every case to its ultimate possible conclusion which in some cases takes as many as 3 to 5 to 6 years.

The meeting with Rohatyn was held in Kleindienst's office on April 20. Only the two men were present, although as Kleindienst pointed out, it was not a secret meeting any more than any other held in the normal course of a day's activities; its existence was fully reported in his and his secretary's calendar. Both the nominee and Rohatyn testified that the director stated that ITT was having a difficult time dealing with McLaren and that ITT had new evidence to present to the Department regarding widely spread hardships which would result from the divestiture of Hartford if it was gone through with. Kleindienst indicated that he would ask McLaren if he would be willing to hear such new evidence.

The nominee communicated this request to McLaren who testified that he was willing to hear the new evidence, and set up a meeting in his office for April 29 at which ITT could make its presentation. The meeting was held as scheduled. It was so secret that Mr. Rohatyn and several others represented ITT; Mr. McLaren and others numbering some four or five, were present for the Antitrust Division; and Mr. Kleindienst attended the meeting, as did several other Government officials from other departments, including the Treasury. Rohatyn made his economic hardship argument and submitted a written memorandum to back up his oral presentation. Kleindienst made some notes but took no part in the meeting. He was there as a passive observer.

Following the meeting, McLaren determined that he was interested in the presentation, but wanted some independent verification of the ITT conclusions. In a previous conglomerate case, Ling-Tempco-Vought Co.—LTV—McLaren had used a financial analyst, who was then a Government employee, to prepare a similar study. The report had been very satisfactory and of high quality. Not knowing how to locate this expert, Richard Ramsden, McLaren called Peter Flanigan, an assistant to the President. and asked him to obtain a similar report from Ramsden on ITT. Ramsden had been an associate of Flanigan's at one time and had worked with Flanigan as a White House Fellow. Flanigan agreed to assist McLaren, called Ramsden at his new position in New York, and arranged to have him prepare the report. When the report was completed, Ramsden delivered it to Flanigan who held it until McLaren was available upon return from foreign travels and then turned it over to him in the presence of Kleindienst. The nominee testified that he has never read the report and it was not discussed when the delivery was made.

A number of factors, including the Ramsden report, convinved McLaren that it would be possible to settle the three ITT cases in a satisfactory manner without requiring the divestiture of Hartford, which was the one segment of the corporation that ITT felt it imperative to keep, in order to avoid drastic adverse financial consequences—consequences of hardship which went beyond the ITT management itself.

McLaren concluded that he would recommend settlement rather than take the cases to their conclusions through litigation. A suitable settlement would avoid the risk that the Government would lose the cases completely. It would result in a decision reached expeditiously, rapidly, and promptly, avoiding several years of uncertainty as well as expense and demands on court and department manpower and other resources. Such a strict settlement requiring substantial divestitures would not only remove the basis for a case against Hartford, but would serve as a strong precedent for condemning and deterring additional conglomerate mergers which would have anticompetitive effects.

McLaren testified that this was a difficult decision to make. He testified that there were many compelling reasons why he would like to take these cases to the Supreme Court. He indicated, however, that the decision to settle was his alone and that it was made on the merits and not influenced by pressure from other department or administration officials, or by any offer of any sort from ITT:

Quoting from his testimony verbatim:

> The decision to enter into settlement negotiations with ITT was my own personal decision; I was not pressured to reach this decision. Furthermore, the plan of settlement was devised, and the final terms were negotiated by me with the advice of other members of the Antitrust Division, and by no one else.

I might say that the other members of the Antitrust Division referred to by McLaren, in the main, are chiefly career people who have served in that division in the Department for many, many years.

McLaren negotiated the terms of the settlement and recommended to Kleindienst, as acting Attorney General for this specific purpose, that the agreement with ITT be accepted by the Justice Department. Kleindienst concurred in the recommendation as did the Federal court in Connecticut which had jurisdiction over the Hartford case.

The settlement negotiated by McLaren was the most stringent in the history of American antitrust litigation. It was the most massive and the largest settlement of antitrust litigation on this kind. It required the divestiture by ITT of six major domestic corporations, Grinnell Fire Equipment Co., the Canteen Co., the Avis Rent-a-Car Co., Levitt Housing Corp., and two insurance companies, with assets of over $1 billion and annual sales of over $1 billion. So it was not a routine case. It was not an insignificant case. It was of a very substantial size and degree.

In addition, it was decreed that ITT make no major acquisitions in the United States for a period of 10 years without the prior approval of the Department of Justice.

It is well to note, Mr. President, that that kind of provision is not ordinarily found—in fact, I do not know that it is found at all—in cases which are litigated to the end of the road. But it was put in this decree as it is commonly put in consent decrees of this type.

It is a fact, and I believe the connection is a direct one, that since the announcement of this settlement the spark has gone out of the conglomerate movement in this country and the threat of a significant anticompetitive trend in the financial and corporate community has been ended. These are not small accomplishments for a man pursuing a policy which two Democratic administrations refused to think possible.

I have already said this once, but I say it again: there is nothing irregular or improper which can be attributed to the previous administrations because they did not pursue the prosecution of those cases and sue for a divestiture of the corporations. They sincerely believed that the antitrust actions did not lie, under circumstances, within the scope of the present statutes.

Those are the uncontradicted facts regarding the settlement of the three ITT cases as reflected by the testimony before the Judiciary Committee, which shows that the results were obtained by McLaren without outside interference.

Additional, but somewhat less relevant, facts were also spread on the hearing record: Rohatyn met with Kleindienst three additional times while the settlement negotiations were in progress to complain that McLaren was being too harsh on ITT. Each time, Kleindienst indicated he would not interfere in McLaren's actions.

Each time he also refused to bring any pressure on the Antitrust Division Chief by even telling him of the meetings. the president of ITT, Harold Geneen, met once in 1970 with Attorney General Mitchell to discuss antitrust policy in general. By prior stipulation of the Attorney General, no mention was made in that meeting of ITT's three pending cases. Mr. Mitchell never discussed this meeting, or any other aspect of the ITT cases, with either Mr. Kleindienst or Mr. McLaren.

Mr. President, at the time the Department was perfecting its appeal in the Grinnell case, Kleindienst received a letter from Lawrence Walsh, a New York attorney and former Deputy Attorney General, asking for the appeal in that case to be delayed long enough for the Department to canvass the thinking of other Federal agencies regarding the advisability of pressing this case. After consultation with McLaren and Solicitor General Griswold, it was determined to accede to Walsh's request. A 30-day delay was obtained in routine fashion. Mr. Walsh made no further presentation as had apparently been expected, and the appeal was perfected. Instead of being perfected in April 1971, the appeal was perfected in May 1971. The delay admittedly could have had no effect on the Supreme Court's consideration of the Grinnell case, because in any event it would not have been heard until the fall term of court which commences traditionally in October.

The nominee testified that as far as he could recall, he had not discussed the ITT cases with anyone in the White House. He can still recall no such conversations although Mr. Flanigan has indicated that he did talk with Mr. Kleindienst about them on several occasions. Mr. Flanigan indicated that the conver-

sations were informal and not substantive and could in no way be construed to indicate that the White House was bringing pressure on Mr. Kleindienst to settle the ITT cases.

As far as this Senator can reconstruct the testimony, the foregoing discussion sets forth everything that the nominee did with regard to the ITT cases during the 3 years they were in litigation by the Department. No one who looks at these facts objectively could conclude that Mr. Kleindienst—or anyone else for that matter—acted in any way improperly with regard to these cases.

Mr. President, I ask unanimous consent that there be printed at this point in the RECORD a chronology of Mr. Kleindienst's actions in the ITT case commencing with April 16, 1969, and ending with the date of September 24, 1971, at which time final decrees in the ITT cases were entered after the 30-day waiting period. Those settlements were formally presented to the district courts of Connecticut and the northern district of Illinois.

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

CHRONOLOGY OF MR. KLEINDIENST'S ACTIONS IN THE ITT CASE

April 16, 1969—Representatives of Canteen and ITT met with McLaren and Kleindienst to argue that, rather than have a preliminary injunction against the proposed ITT-Canteen merger, ITT should be allowed to hold Canteen separate during the impending antitrust suit so that ITT could divest Canteen if the court so ordered in its final judgment.

April 28, 1969—Kleindienst signed complaint in suit to block ITT-Canteen Corp. merger.

Aug. 1, 1969—Kleindienst signed complaint in suit to block ITT-Hartford Fire Insurance Company merger.

Aug. 1, 1969—Kleindienst signed complaint in suit to block ITT-Grinnell Corp. merger.

March, 1971—Kleindienst was approached at a neighborhood party by a neighbor, Mr. John Ryan, who complained of the Justice Department's harsh position in the ITT case. Kleindienst did not discuss the case with Mr. Ryan, but said his door was always open for a representative from ITT if ITT wanted to talk about the financial and economic aspects of the case.

April 16, 1971—Kleindienst received a phone call and a letter from Mr. Lawrence E. Walsh, Attorney for ITT, seeking extension of filing of Government's jurisdictional statement in the *Grinnell* case in the Supreme Court to allow other agencies to comment on the Antitrust Division's conglomerate merger policy.

April 19, 1971—Kleindienst conferred with the Solicitor General who agreed to join in the request to the Supreme Court for a delay in filing Government's jurisdiction statement. This filing delay had no effect on the ultimate disposition of the case since the case would not be heard until the next term of Court in any event.

April 20, 1971—Meeting between Kleindienst and Mr. Felix G. Rohatyn, director of ITT, in RGK's office for roughly 25 minutes. Rohatyn asked for opportunity to present economic argument to McLaren. Kleindienst asked McLaren if he wanted to hold such a meeting. McLaren decided that he did.

April 29, 1971—Meeting in McLaren's office arranged and chaired by McLaren, and attended by 12–13 people representing ITT, Justice and Treasury to hear ITT financial and economic arguments. Kleindienst sat in as a "passive observer" according to Rohatyn's testimony.

May 10, 1971—Rohatyn came to Kleindienst's office to ask if the Justice Department had finished its review of the economic and financial arguments. Kleindienst, after checking with McLaren, said the review was still underway.

May 20, 1971—After receiving the Ramsden report, Flanigan called Kleindienst because McLaren was out of town. Kleindienst told Flanigan to hold the report until McLaren returned.

June, 1971—A few days after McLaren returned from Europe, Flanigan delivered the report to McLaren. Kleindienst was present, but there was no discussion of the report.

June 17, 1971—After preparing settlement offer in the Antitrust Division, McLaren showed it to Kleindienst and then called Rohatyn from the latter's office to make the offer to ITT.

June 29, 1971—Rohatyn came to Kleindienst's office to complain about McLaren's stubborn attitude in the negotiations. Kleindienst said he refused to inject himself into the negotiations. He made it clear that they were being handled by McLaren and not himself. Rohatyn also visited Flanigan on June 29 in another connection, but mentioned the settlement negotiations. Flanigan told him that was a matter for the Antitrust Division. A couple of days later in a discussion on an unrelated matter, Flanigan passed on to Kleindienst Rohatyn's comment and Flanigan's response. Kleindienst said that McLaren was handling the matter.

July 15, 1971—Rohatyn again came to see Kleindienst to complain about McLaren. Kleindienst again refused to intercede.

July 31, 1971—Final settlement of ITT antitrust cases reached.

Aug. 23, 1971—Settlement formally presented to the District Courts of Connecticut and the Northern District of Illinois.

Sept. 24, 1971—Final decrees in the ITT cases were entered after the 30-day waiting period.

Mr. HRUSKA. It is possible that some may want to quarrel with Mr. McLaren's final decision to settle the cases rather than to wait for a Supreme Court determination. Anyone so inclined should take into consideration the very impressive testimony given by Solicitor General Griswold to the committee. His statement to the committee indicated that it was his judgment that ultimately the United States would lose all three ITT cases and that he felt Mr. McLaren's settlement was "an extremely favorable one." It should also be remembered again that Mr. McLaren's predecessors had refused even to bring cases against ITT for lack of statutory authority. For a man with supposedly no legal basis to his claim, the ITT settlement represents a substantial and a very favorable victory for the Government and for the public.

U.S. ATTORNEY HARRY STEWARD

The third aspect of the hearings which requires some attention is a matter which everyone—even my partisan friends across the aisle—agrees was independent of the ITT case. That has to do with the matter of Harry Steward, U.S. attorney for the southern district of California. I also believe that my colleagues will agree that this matter is only relevant insofar as the nominee took part in the review of charges brought against Steward.

In its issue of March 24, 1972, Life magazine charged that Steward had interfered with a criminal investigation, including the quashing of a subpena, in order to protect a friend and benefactor.

When this matter first came to the attention of departmental officials in Washington, a memorandum was prepared in the Criminal Division recommending an FBI administrative inquiry into the matter.

This recommendation was then transmitted to Mr. Kleindienst with a notation from the Assistant Attorney General Will Wilson, head of the Criminal Division, that no administrative investigation was needed by the FBI, but that Mr. Steward be called to Washington to discuss the incident. The nominee checked with others in the Criminal Division on the propriety of such a step, was assured that it was in order, and did talk with Steward in Washington in company with one of his assistants, Associate Deputy Attorney General Harlington Wood, Jr. Following that conversation, Mr. Kleindienst, though he concluded that Steward had done nothing of a criminal nature, nonetheless ordered that a complete FBI administrative investigation proceed.

In routine fashion, the investigation was completed and reviewed by career attorneys in the Criminal Division. At that level the conclusion was that three of the five charges against Steward were unfounded, that one represented a departure from normal procedures by Steward, and that the final item, the personal interview with his friend, was "highly improper." Nonetheless, the finding was that no criminal action or wrong-doing had taken place and that while Steward should be reprimanded, there was no evidence to justify his removal from office.

In February 1971, a meeting was held in Mr. Kleindienst's office to discuss the Criminal Division recommendations. While conceding that Steward had acted in an improper manner in this one instance, in the words of the present Assistant Attorney General in charge of the Criminal Division, Henry Peterson:

> It was my conclusion that a dismissal of a United States Attorney under these circumstances would not only have been unwarranted but also grossly unfair.

Mr. Kleindienst concurred in this finding. Steward was about to try a controversial and important case on behalf of the United States, the notable and long-awaited Alessio tax fraud case. It was determined that the Department should announce its decision retaining Steward as United States attorney in a way which would not undermine his effectiveness and which would stabilize the publicity that had surrounded this matter in the San Diego press. And that was done. There was an expression of complete confidence in Mr. Steward.

The decision of the Department would have been different had Steward blocked the investigation of his friend. And well it should have been. But the facts show that the investigation continued; all that occurred as a result of Steward's intervention and decision was that the manner in which the evidence was obtained was changed.

In fact, one of the complainants about that situation is the very man who se-

cured a sworn statement, detailed in form, from the friend of Mr. Steward. All the facts were reviewed and were used later in litigation which followed in another court. The complaint was based on a situation where there was no obstruction to the testimony to which the Government was entitled. The record shows the only question was the means by which the testimony was to be obtained.

SUMMARY

To this Senator these are the only issues which have been raised at the hearings which could possibly be construed to cast doubt on the original recommendation of the committee that Kleindienst be confirmed. As I have indicated, and as I believe a reading of the hearing record will confirm for all of those who take the time to make their own investigation, the facts will not permit a finding on any of these matters adverse to the nominee. Which is, of course, not to say that those with political motives will not make the attempt.

PROMPT SENATE ACTION NEEDED

There is one other consideration which should be brought to the attention of the Senate, which, I believe, argues very persuasively for prompt action on this nomination. Since March 1, the Department has been without an Attorney General. While the nominee has served as Acting Attorney General during this period, it is inevitable that he has not had the full authority that would be vested in one who has had his nomination approved by the Senate. As was pointed out in the individual views of the Senator from West Virginia (Mr. ROBERT C. BYRD):

> It is imperative that the person called upon to exercise the function (Attorney General) do so with the full power contemplated by the Constitution.

Several Assistant Attorneys General positions and that of the Deputy Attorney General has become vacant during this period and the President has deferred filling them until the identity of the Attorney General is known. The result has been that while the Senate delayed its consideration of this nomination the work of the Department has been handicapped for lack of the full complement of executive officers. I would hope that the doubt over Kleindienst's confirmation can be quickly ended so that this important agency can return to full strength in order to carry out it duties effectively.

Mr. President, with that goes a few thoughts that perhaps there might be extended debate on this nomination. To the extent that it is relevant, to the extent that it is pertinent, to the extent that it will not be repetitious and a grinding of meat that is already in the form of hash, as it were, it is in order. But I have an idea that unless the tendencies of some members of the committee on which I serve are changed from those exhibited during the course of the hearings we can be prepared for more of the same. I hope not. Nothing would be gained except a demeaning of the confirmation proceedings, which would not be becoming to the proceedings of the Senate.

I urge my colleagues who have not yet done so to read the committee report on this nomination and to take a look at the hearing record and the testimony. All the information anyone needs to make up his mind on the issues in this case is set forth in that record. As I said at the outset, I am confident that anyone who makes the effort will come unerringly to the conclusion that this nomination should be confirmed. I am confident that it will be as soon as we are given an opportunity to vote. And I am confident that Dick Kleindienst will make an excellent Attorney General of the United States.

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

Mr. HRUSKA. I yield.

Mr. LONG. Mr. President, I compliment the Senator on a very fine statement.

I note that during the time all this matter was in process the Justice Department under the leadership of Mr. Kleindienst has undertaken to file antitrust cases with regard to the major networks making their own motion picture shows for use in prime time. I note that one editorial undertook simply to find fault that this had not been undertaken sooner. This is a major issue, and it tries the conscience of anyone concerned about the antitrust field that film producers cannot very well compete if they must try to compete against networks that, in effect, own the market.

This is a major forward move in the antitrust field, and one of the most important moves undertaken in a long period of time. I think Mr. Kleindienst should be commended for that. Unfortunately, it did not ingratiate him with the networks. At the same time it takes some courage and also some belief in the thrust and intent of the antitrust laws and the philosophy of the antitrust laws to undertake that major effort.

I had intended to express my commendation to Mr. Kleindienst for moving in that area, and I am glad to be able to do it at the conclusion of the speech of the Senator from Nebraska.

Mr. HRUSKA. I am glad the Senator made that statement. I have served now on the Subcommittee on Antitrust and Monopoly of the Committee on the Judiciary for a number of years. The problem to which the Senator has made reference has always been a sore point with many of us because 20 years ago, and maybe it was 25 years ago, a similar suit had been brought against film companies that had their own exhibiting theaters and, ultimately, the Supreme Court said that type practice violated the Clayton Antitrust Act. In the Fox case they were barred from doing that and they are still barred today.

In the case of the networks that use the productions they are also making, we see a comparable situation. I am gratified that at long last action has been taken.

Mr. LONG. Furthermore, Mr. Kleindienst played a part in the selection of the nomination of men who are now serving with distinction on the Supreme Court.

Just the other day I noticed a decision which would have been of the utmost judicial usurpation had not five Justices on that Court upheld the right of a State to exercise discretion when forced to make a welfare cutback, in making it the way the States felt most appropriate. In that case, they made the cut in the family program without cutting so deeply into programs for the aging and disabled. It was unthinkable that anyone would contend that a State legislature should be denied that discretion to decide between two programs as to which one should have the greater reduction in dollars spent.

I was dismayed to see that four Justices out of the nine on that Court undertook to hold that under the equal protection clause a State had no right to decide, when pressed by financial circumstances, that it would reduce expenditures on one program rather than on another program. I could not help but be amused as I wondered what would have happened if the Court had held the other way. Suppose the Court had gone the other way and made its holding with respect to the program for the aged instead of the family program. Could not a case have been made that they were discriminating against those who are white in favor of those who are of a different color?

Mr. HRUSKA. That would seem to be a decision suited for the realm of the State legislative bodies and not the courts.

Mr. LONG. I think it was something of a feeling of a matter of pride to us that of those five Justices who voted to confirm what clearly should be the right of the State and to refuse to usurp the legislative power that was intended to reside in the State legislatures, and in the people themselves, four of those Justices were those of whom said Mr. Kleindienst had something to do with recommending.

Mr. HRUSKA. I thank the Senator.

Mr. President, I yield the floor.

Mr. FANNIN. Mr. President, I want to commend the distinguished Senator from Nebraska for a very comprehensive, intelligent, and well-reasoned statement, which was certainly to be expected, knowing of his great ability as the ranking minority member of the Judiciary Committee.

I also want to thank the distinguished Senator from Louisiana for his support in this instance and for his statement in regard to Richard Kleindienst.

Mr. President, on February 15 of this year, President Nixon submitted to the Senate the nomination of Richard G. Kleindienst to be Attorney General of the United States. More than 3 months have passed, and the nomination has finally reached the full Senate. The path that his nomination followed during the intervening 3½ months has been the most circuitous and the most patience-trying in the history of the U.S. Senate.

As a fellow Arizonan and close friend and great admirer of Mr. Kleindienst, and as one who has observed the service of the nominee as an outstanding lawyer in his native State and his talented work as a public servant, I would like to express my appreciation to the chairman, Senator EASTMAN of the Judiciary Com-

mittee, to the ranking minority member of the committee, Senator HRUSKA, and to other committee members who worked so diligently to keep these proceedings moving forward. I know this was a most difficult task.

I have followed the nomination along that path very closely and would like to describe for my colleagues, who were unable to do so, some of the highlights along the way.

Initially, there were 2 days of hearings and a 13-to-0 vote on February 24 to report the nomination favorably. Before the full Senate could consider the nomination, Jack Anderson published a column suggesting a link between the settlement of three Government antitrust suits against ITT and a contribution by ITT to the city of San Diego to help underwrite the costs of the 1972 Republican National Convention. Anderson's basis for such a claim was a memorandum purportedly written by an ITT lobbyist. To answer the charges implicit in the Anderson column, Mr. Kleindienst himself asked that the Judiciary Committee reopen hearings on the ITT settlement. The nominee, Judge McLaren, and Felix Rohatyn, an ITT director, testified under oath for 4 days that there was no connection between the settlement and any contribution made by ITT to the city of San Diego. I would like to emphasize at this point that during the 22 days of resumed hearings there was no direct evidence of any connection between the settlement and any ITT contribution. The only item in all of the many hundreds of pages of testimony and all the documents submitted that would support a charge of a connection was the memorandum purportedly written by Dita Beard, the ITT lobbyist. Dita Beard, under oath, said she did not write the parts of the memorandum that suggest a connection. Her secretary provided an affidavit that corroborates her testimony. Some members of the committee were not satisfied with that. But they cannot ignore even stronger proof that there was no connection. If the settlement was influenced by any ITT contribution, such influence necessarily had to be felt by Mr. Kleindienst and particularly Judge McLaren. Yet both testified that they were not aware of the contribution when the settlement was reached. Judge McLaren told the Committee that—

> The decision to enter into settlement negotiations with ITT was my own personal decision; I was not pressured to reach this decision. Furthermore, the plan of settlement was devised, and the final terms were negotiated by me with the advice of other members of the Antitrust Division, and by no one else.

The majority of the committee concluded that—

> The settlement was reached on the merits after arm's length negotiations between representatives of ITT and the Antitrust Division. Those negotiations and the settlement of the ITT cases were not the product of political influence or promises of favor from ITT.

Senator HART, writing separately, concluded that Judge McLaren—

> Reached the best judgment he could and fully recommended it as his own determination of what was in the best public interest.

In addition, Senator HART found:

> No basis on which to conclude that the nominee was involved in, or aware of, any effort to link the convention and the settlement.

The other matter before the Judiciary Committee involved Harry Steward, U.S. attorney in San Diego, who was accused of interfering with a Federal investigation in that city. The committee received a full report on that matter from Henry Peterson, Assistant Attorney General in charge of the Criminal Division. Mr. Kleindienst's role here was limited to ordering an FBI investigation of Steward and making the final decision based on that investigation. Career attorneys in the Criminal Divisions concluded that most of the charges against Steward were unfounded. In one case, however, Steward protested to a strike force agent in the field rather than make his complaint to the Department in the usual manner. In another situation, Steward interviewed a friend rather than have him appear before a special grand jury. The Criminal Division determined that this was highly improper, but that a dismissal of Steward was unwarranted. The nominee adopted the recommendation of the Criminal Division not to remove Steward. The manner in which that decision was made was described in detail and at great length by Mr. Petersen in his testimony before the committee. In his words:

> A dismissal of a United States Attorney under these circumstances would not only have been unwarranted but also grossly unfair. . . .

The committee found nothing improper in this action on the part of the nominee.

Likewise, there was nothing improper in the issuance of a press release after that decision was made in which Mr. Kleindienst said:

> I have evaluated the matter and determined there has been no wrongdoing. . . . Mr. Steward will continue to serve . . . with the full confidence of the Attorney General.

As Senator HART has said:

> It was at least a plausible judgment that the public interest would best be served by a public vote of confidence in the man who would continue as United States Attorney.

Steward had not blocked an investigation; he had not been guilty of wrongdoing as we all use that word in common parlance. He was at fault for exercising bad judgment. Mr. Petersen made that point over and over again in his testimony. I urge my colleagues to look to the testimony of Mr. Petersen, a Justice Department lawyer since 1947, to gain some idea of the way this Steward matter came up and the manner in which it was handled. Read it, and you will see that no impropriety can be attributed to the nominee.

To summarize briefly then, the ITT settlement and the Steward matter were the two concerns before the Judiciary Committee. The committee found that Mr. Kleindienst had not acted improperly in either case.

The nominee's opponents, however, brought in issue after issue, unrelated to Mr. Kleindienst's qualifications. What relevance is there, for example, in possible insider trading by ITT directors? What bearing on the nominee's fitness does the size of the ITT contribution to San Diego have since there is no evidence that he knew of it at the time of the settlement? We may all wonder who wrote the memorandum attributed to Dita Beard, but we have more than ample evidence in the record that there was no connection between the settlement and the ITT contribution. The committee has already heard from most of the nine witnesses the nominee's opponents maintain are "clearly necessary" witnesses, and what the remainder would offer is clearly irrelevant to the issue before us now. We should be reminded constantly of that issue—the only issue. Is Richard Kleindienst qualified to be Attorney General?

We have heard much about the unanswered questions. Every question touching on the fitness of the nominee has been answered. We have the sworn testimony of the parties to both transactions—the ITT settlement and the Steward matter. The whole record is before us on Richard Kleindienst. His opponents cannot fairly maintain that the questions are unanswered. What they are really saying is that they do not accept the answers, that they do not believe Mr. Kleindienst, Judge McLaren, and Mr. Petersen.

A vote on this nomination is long overdue. Further delay on confirmation would be detrimental to the Justice Department and to the United States. Further delay certainly would be unfair both to the President and to Mr. Kleindienst.

Mr. Kleindienst has been working 12 to 14 hours a day holding down two jobs. Once he is confirmed, then he can take the necessary steps to bring the Justice Department staff back up to its proper strength, including the nomination of three Assistant Attorneys General.

There have been some great improvements in the Justice Department during the past 3 years under the leadership of Attorney General John Mitchell and Dick Kleindienst.

Dick Kleindienst has been one of the driving forces in making Washington a much safer city in which to live. He has worked closely with Mayor Washington and with Police Chief Wilson. It was Dick Kleindienst who provided the leadership to keep our Federal Government in operation during the May Day demonstration of last year. This was done without serious injury to demonstrators or to the people who work in Washington. And it was done with the least possible force necessary to protect the rights of both the demonstrators and Government workers.

Dick Kleindienst took the initiative in efforts to block the flow of narcotics across our borders. We have seen, as a result, unprecedented cooperation by our neighbors in the fight against narcotics.

Progress has been made on many fronts: In the fight against organized crime, in strengthening of the Federal judiciary, in antitrust enforcement, in improvement of the Federal penal system.

All of these programs have required tough but fair and dedicated leadership to accomplish. I do not know anyone who combines the qualities of toughness, fairness, and intelligence any better than Dick Kleindienst.

His professional credentials are superb. He is president-elect of the Federal Bar Association and is a member of the American, Arizona, and Maricopa County Bar Associations.

He has given generously of his time and talents to help in many civic programs. He has worked with and for the Urban League, Goodwill Industries, the American and Arizona Heart Associations, and the Phoenix Day Nursery. He has served as chairman of the executive committee of the Phoenix and OEO Small Business Development Center. He is on the board of directors of the National Symphony Orchestra Association and he formerly served on the board of the Phoenix Symphony Association.

He is a deeply religious man who has been a licensed lay reader in the Protestant Episcopal Church for 28 years. He is a former warden and former member of the executive committee for the Arizona diocese, and is currently a member of the vestry of Saint Dunstan's Protestant Episcopal Church in Bethesda, Md.

I have known Dick Kleindienst and his family for more than 20 years. I can tell you that he is a man of outstanding ability, but those of my colleagues who have watched him since he came to the Justice Department in 1969 already know that. I can tell you what is even more important. He is a man of integrity and decency. And again, those who have known him know that above all else.

Dick Kleindienst has always performed admirably in his every undertaking. He was a brilliant student at Harvard. He was one of the finest young attorneys in Arizona and developed into being one of the outstanding attorneys in this Nation. He is the devoted father of a great American family, loved and respected by all who know them. He has been very active in his church. He has been a leader in civic activities wherever he has gone. And he was outstanding as Deputy Attorney General for the past 3 years.

During the 3 years since he was confirmed by the Senate and took over his responsibilities at the Department of Justice, and since he became Acting Attorney General, Mr. Kleindienst has worked diligently and ably. His efforts have been felt most plainly in the fight against crime in this country—both street crime and organized crime. Crime has not been eliminated, but a significant beginning has been made to stem the rise in such lawlessness. As spokesman for the Department of Justice, Mr. Kleindienst has said on a number of occasions that this fight will be carried on with determination and energy.

He has become intimately aware of the multitude of problems that press in on any Attorney General, because he has dealt with many of them personally over the last 3 years.

Mr. President, it is clear that Dick Kleindienst has all the qualifications—the academic training, the legal experience, the moral strength and character, the dedication to public service, the devotion to justice—to be a great Attorney General.

Mr. President, on behalf of my distinguished colleague (Mr. GOLDWATER), who is confined in the hospital recovering from an operation, I ask unanimous consent, at his request, that I be permitted to read his statement, in which he enthusiastically supports the nomination of Mr. Kleindienst.

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

Mr. FANNIN. He has entitled it "The Right Man for the Right Job at the Right Time," and it reads as follows:

THE RIGHT MAN FOR THE RIGHT JOB AT THE RIGHT TIME

Mr. GOLDWATER. Mr. President, I trust my colleagues in the Senate share my delight and encouragement over the apparent decline in the numbers of violent crimes being conducted on the streets of our American cities during recent months.

Most of us, I am sure, recognize that just two short years ago serious crime in the Nation's Capital was at an all-time high and climbing rapidly. People were not safe on the streets of their Nation's Capital after dark or—in at least one notable instance—in the confines of their very homes in residential parts of this city. In one frightful case, a dinner party in a fashionable Chevy Chase home was held up, four startled couples were robbed of their jewelry and personal possessions and six of them were held at gun point while two of the women guests were taken to another part of the house and raped.

Then, of course, Mr. President, we all remember the tragic occurrences when a young female secretary to former Senator Frank Carlson of Kansas was robbed and murdered in her Capitol Hill apartment. She happened to be a personal friend of the Carlson family. Can you imagine how Senator Carlson felt when he was forced to notify old and dear friends that their daughter had been brutally assaulted and killed while working under his immediate sponsorship?

Mr. President, I certainly don't intend to detail all of the crimes that took place not so many months ago right in the area where we work. It isn't necessary. I believe our memories are all sufficient to the task of recalling the daylight robbery of a Senate clerk while her employer worked completely unaware in the room next to her. And I'm sure none of us will ever forget the bombing which shattered a large segment of the Senate side of the United States Capitol in a brazen display of radical disregard and contempt for the forces of law and order as well as the authority of the Congress and the federal government itself. Only a question of timing prevented that occurrence from resulting in dozens of innocent deaths right inside the United States Capitol.

Mr. President, what I am getting at this morning is the plain fact that three or four years ago this city and this Capitol were at the virtual mercy of a criminal element which mugged, raped, robbed, and killed almost at will. People were shot down in broad daylight with thousands looking on when they got out of their cars to argue about a minor Sunday afternoon fender bumping. Tourists began to give the nation's number one tourist attraction a broad berth. And the situation which confronted the Nixon Administration when it took office was one which actually approached a state of general anarchy. You might, Mr. President, remember these events and wonder what has been done and by whom to bring matters under control. The plain fact is the crime situation in this federal city began to improve for the first time in a decade with the advent of the Nixon Administration and a new concept on all subjects of law and order—at least it can be called new when compared with what had gone on under the administrations of Lyndon B. Johnson and his predecessor in office.

One might say that the Nixon Administration brought to the Department of Justice a new team of administrators and a new spirit of cooperation and help for the forces of law and order throughout the length and breadth of the land. This new "Get Tough" attitude quickly became known. It especially became known throughout the underworld and the capitals of crime within our American metropolitan areas.

Perhaps the man who more than anyone else can today claim top responsibility for implementing the methods of a new order in government was none other than Acting Attorney General Richard Kleindienst. As Attorney General Mitchell's deputy, he was in fact the chief of staff when it came to the administration of justice at the federal level. Thus it was, Mr. President, that a tough crime situation throughout the United States ran head-on into one of the toughest crime fighters this country has ever produced. It was not a month after the new administration took over that Dick Kleindienst was being referred to by his colleagues in the Justice Department as "Mr. Tough." And it was not long before the results of a new attitude at Justice began to result in victories for the law-abiding citizens in the District of Columbia and many other communities throughout the country.

Time and again, Dick Kleindienst, and before him Attorney General John Mitchell, ran into mean and difficult law enforcement problems—the same kind of problems that previously had erupted in riots and street fights and altercations reminiscent of the gang wars of the 1930's. But the handling and the savvy which Mitchell, Kleindienst, and company brought to these problems got them solved without the loss of lives, with a minimum of personal injury and a minimum of property damage. What is more, these nasty tasks were performed in a way which gave to our hard-pressed policemen and National Guard troops an element of dignity and respect where before they were met only with epithets and threats and curses. The insulting term "Pig" was the order of the day before the Department of Justice and the law enforcement agencies of this country received the kind of leadership they had long deserved.

For this reason alone, I say that it is time for the Senate of the United States to confirm, and confirm immediately, Richard Kleindienst for the job for which President Nixon has selected him, for the job of Attorney General of the United States.

Mr. President, I am going to do something unusual today. I am not going to promise to be brief; but I will promise to be as clear and concise and as much to the point as we all might have hoped that certain members of the Judiciary Committee had been when they examined Mr. Kleindienst for a job he had already proved he could do with exceptional efficiency and integrity.

In making this plea for Mr. Kleindienst, I just cannot help bringing to the notice of the Senate — and hopefully to the entire country — the fact that phony, ridiculous, unprovable, and degrading charges have been brought against two prominent attorneys from my State whom the President of the United States saw fit to select and nominate for among the highest offices in the land. I am of course referring to the fact that before the marathon charade which some members of the Judiciary Committee put on in the Kleindienst affair, something just as fruitless and just as degrading was directed at our great and new Associate Justice of the United States Supreme Court, Mr. William Rehnquist. It will be recalled that committee members with a special affinity for playing presidential politics by remote control did their level best to depict Mr. Rehnquist as a man whose activities were questionable

and whose honesty and integrity were subject to question. The fact that the Supreme Court now enjoys the services of one of the finest young men my State has ever produced proves that this exercise in gutter-type politics was unsuccessful in preventing the confirmation of William Rehnquist's nomination. I am sure nobody has missed the great similarity which exists between the type of charges brought against Bill Rehnquist and the absolutely foundless allegations brought against Mr. Kleindienst.

Mr. President, I am an old campaigner in things of this nature and I think I can understand some of this up to a certain point. For example, if I were as thin-skinned as some of my colleagues, on the other side of the aisle, I might conclude that the degrading and unsuccessful attempts to assassinate the characters of two of the finest men my state—or, for that matter, the United States—has ever produced resulted from the fact that both men were conservative, and both men were attorneys from a small state, and both men were strong and effective supporters of President Nixon in 1968; and now to the pièce de résistance—horror of horrors—both of these men had been supporters and friends of Barry Goldwater. I hate to think that my name or my activities might in any way stand in the way of my country's receiving the highest brand of public service it is possible to obtain. I can not do much about my name. I certainly do not plan to change it, and so far as my activities are concerned, I apologize to no man for the stand I have taken for the things I believe in. I am proud of my record as a public servant and what is more, my mail and my conversations tend to convince me that other people feel much the same. I will let everyone in on a little secret. I have a whole desk full of cartoons and newspaper stories carrying the headline "Barry Goldwater Was Right." I must admit I am no collector of other kinds of headlines, but I must confess I have yet to see a single newspaper story which was headed "LBJ Was Right." And as long as we are tossing about a nomination for the high post of Attorney General, I can not remember seeing any stories headed "Ramsey Clark Was Right."

I think, Mr. President, that former Attorney General Ramsey Clark should come into this discussion to some entirely negative extent. It should be remembered right now that we in the Republican Party were aware of Ramsey Clark's arch liberal background. It should be remembered, too, that the members of my party, out of courtesy for President Johnson and in the firm belief that any President should have the right to select his own cabinet members, voted overwhelmingly to support Ramsey Clark's nomination. But while we are at it, I think it should be known, too, that Mr. Clark served long as chief law enforcement officer of this country to cast doubt and suspicion on the accuracy of the crime statistics collected by the FBI and even to challenge Republican claims that a crime wave was sweeping the country.

Mr. President, as I have indicated, Mr. Kleindienst's performance at the Department of Justice has been too outstanding for this vocal, liberal opposition to his confirmation not to have a deeper meaning. As I said, I was tempted to a presumptuous belief that my close connection with these two men may have had some effect upon their troubles in getting past an obdurate Democrat majority in the Senate, but I honestly believe that we have to seek and to find some kind of off-beat explanation for the virility of the opposition brought to bear by the Senate liberals. I suspect the opposition stems from the very thing I believe we need the most in the Department of Justice—a tough, unyielding, uncompromising application of the law of the land to all parties of all social, economic, or political statures. I am forced to the belief that some liberals are afraid Dick Kleindienst will be too good at the job he has been proposed for, and I am certainly convinced that the opposition to Bill Rehnquist stemmed not from anything he might have done in the past, but from the tough, even-handed constructionist views that he would bring to the United States Supreme Court.

Be that as it may, the holdup in the Kleindienst nomination can be called nothing but what it is—a liberal filibuster and a complete disgrace. Consider the facts. Mr. Kleindienst's name came up quite obliquely in connection with an alleged corporate loan to the Republican Party to help defray the cost of putting on its nominating convention.

Although the Judiciary Committee had voted unanimously for Mr. Kleindienst's confirmation, he, himself, asked that the hearings on his nomination be reopened so that this latest matter could be examined. And believe you me, it was examined, and examined and examined and examined. In fact, there were times when the spectators began to wonder whether Senators Tunney and Kennedy would ever stop asking the same questions. In all events, Mr. Kleindienst—a very busy man at the time, since he was serving as Acting Attorney General—patiently sat through week after week after week of Democratic fishing expeditions, most of which had nothing to do with his nomination or his job at all. It was pointed out that some whole weeks went by without the name "Kleindienst" even being mentioned in the official record of the Senate Judiciary Committee. Be that as it may, Mr. Kleindienst, in the honorable fashion he has always conducted himself, gave his critics as much time as they wanted; and after all those weeks, not a single disparaging item could be found by his hardest and unfairest critics.

The Committee filibuster, obviously carried on to bring the ITT affair into the Presidential campaign, even began to annoy other Democrats on the committee; and eventually, some 3½ weeks ago, the Senate Judiciary Committee voted 11 to 4 to confirm Mr. Kleindienst as Attorney General on the grounds that nothing derogatory toward him had been turned up in all those days and weeks of hearings. Now, Mr. President, we are faced with a holdup upon the final action of this routine presidential nomination. The opponents of Mr. Kleindienst—many of them great vocal opponents of the Senate filibusters—are doing their very best to erect a filibuster but call it by a different name. The delay on Dick Kleindienst's nomination is a filibuster, plain and simple. I label it that right here and now. We can be sure that it will not be called by the word "filibuster" when the measure comes up for official action. I have a theory about all this. I believe putting the word "filibuster" to the delaying tactics applied to the Kleindienst nomination would assay so high in political hypocrisy to actually endanger the Democrats' chances in this presidential election year.

In conclusion, let me say that by whatever name it is called, the delay in bringing the Kleindienst nomination to a speedy vote is a disservice to the President of the United States and a disservice to the people who elected him to run the government with the best men he could find. Earlier I said, at the Justice Department they called Dick Kleindienst "Mr. Tough." Now I say as a friend, who has known this man from the time he was a boy in knee pants, that they picked the right person to pin that name on.

Listen to me now, and listen closely. I have known this man all his life. He is a close and dear friend. And I can tell you truthfully Mr. President, that if I were the kind of public official who tries to use the influence of his friends in government to put over questionable deals—or even the most impeccable kinds of deals you can cook up—I believe Dick Kleindienst would be the last man in the world I would try to fix.

Mr. President, I have talked too long. I beg the Senate's indulgence. However, I think the opponents of Mr. Kleindienst have been dilly-dallying far too long themselves. I will be glad to stop talking if they will be glad to stop thinking so that we can vote finally on the finest man I have ever known to be nominated for the job of Attorney General of the United States.

ORDER FOR RECESS UNTIL 9 P.M. AFTER CONCLUSION OF BUSINESS TOMORROW; AND ORDER FOR ADJOURNMENT TO 10 A.M. FRIDAY

Mr. ROBERT C. BYRD. Mr. President, as in legislative session, I ask unanimous consent—and I do this at the direction of the distinguished majority leader—that at the close of business tomorrow the Senate stand in recess until 9 p.m. at which time the Senate reassemble to go in body to the House of Representatives to hear the President of the United States deliver his message to a joint session of Congress as provided for by House Concurrent Resolution 625 adopted by both Houses today, and that after the President completes his message tomorrow, the Senate stand in adjournment until 10 a.m. Friday.

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

ORDER FOR RECOGNITION OF SENATOR JACKSON, AND ORDER FOR TRANSACTION OF ROUTINE MORNING BUSINESS TOMORROW

Mr. ROBERT C. BYRD. Mr. President, as in legislative session, I ask unanimous consent that, following the prayer tomorrow, the two leaders be recognized in accordance with the standing order and that, following the recognition of the two leaders, the distinguished junior Senator from Washington (Mr. JACKSON) then be recognized for not to exceed 15 minutes; after which there be a period for the transaction of routine morning business for not to exceed 30 minutes, with statements therein limited to 3 minutes; at the conclusion of which the Senate return to executive session to resume consideration of the nomination of Mr. Richard G. Kleindienst for the office of Attorney General of the United States.

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

ORDER FOR TRANSACTION OF ROUTINE MORNING BUSINESS ON FRIDAY NEXT

Mr. ROBERT C. BYRD. Mr. President, as in legislative session, I ask unanimous consent that on Friday next, following the prayer, the two leaders be recognized in accordance with the standing order, and that after their recognition, there be a period for the transaction of routine morning business for not to exceed 30 minutes, with statements therein limited to 3 minutes; at the conclusion of which the Senate go into executive session to resume consideration of the nomination of Mr. Richard G. Kleindienst for the office of Attorney General of the United States.

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

ORDER FOR TRANSACTION OF ROUTINE MORNING BUSINESS FOR MONDAY, JUNE 5, 1972

Mr. ROBERT C. BYRD. Mr. President, I make the same request for Monday next.

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

QUORUM CALL

Mr. ROBERT C. BYRD. Mr. President, I suggest the absence of a quorum, and assume that this will be the final quorum call of the day.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

PROGRAM

Mr. ROBERT C. BYRD. Mr. President, the program for tomorrow is as follows:

The Senate will convene at 11 a.m. After the two leaders have been recognized under the standing order, the distinguished junior Senator from Washington (Mr. JACKSON) will be recognized for not to exceed 15 minutes; after which there will be a period for the transaction of routine morning business for not to exceed 30 minutes, with statements therein limited to 3 minutes.

At the conclusion of the morning business, the Senate will return to executive session to resume the debate on the nomination of Mr. Richard G. Kleindienst for the office of Attorney General of the United States.

No rollcall votes are anticipated for tomorrow.

At the close of business on tomorrow, circa 5 p.m., 5:30 p.m., or 6 p.m., the Senate will stand in recess until 9 p.m., at which time the Senate will reconvene for the purpose of the assemblying of Senators to go in a body to the House of Representatives where the President of the United States will address a joint session of the two Houses of the Congress. After the President completes his address, the Senate will stand in adjournment until 10 a.m. Friday.

ADJOURNMENT TO 11 A.M.

Mr. ROBERT C. BYRD. Mr. President, if there be no further business to come before the Senate, I move, in executive session, and in accordance with previous order, that the Senate stand in adjournment until 11 a.m. tomorrow.

The motion was agreed to; and at 5:10 p.m. the Senate adjourned until tomorrow, Thursday, June 1, 1972, at 11 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 31, 1972:

FEDERAL RESERVE SYSTEM

Jeffrey M. Bucher, of California, to be a member of the Board of Governors of the Federal Reserve System for a term of 14 years from February 1, 1972.

U.S. DISTRICT COURT

Norman C. Roettger, Jr., of Florida, to be a U.S. district judge for the southern district of Florida.

IN THE ARMY

The U.S. Army Reserve officers named herein for promotion as Reserve commissioned officers of the Army, under provisions of title 10, United States Code, section 593(a) and 3384:

To be major general

Brig. Gen. Constant Collin Delwiche, SSAN xxx-xx-xxxx.

Brig. Gen. Frederick William Duncan, Jr., SSAN xxx-xx-xxxx.

Brig. Gen. George Fleming Hamner, SSAN xxx-xx-xxxx.

Brig. Gen. Albert Bruce Jones, SSAN xxx-xx-xx...

Brig. Gen. Cyrille Pierce LaPorte, SSAN xxx-xx-xxxx.

Brig. Gen. Charles Stockard LeCraw, Jr., SSAN xxx-xx-xxxx.

To be brigadier general

Col. Lawrence Holt Allen, Jr., SSAN xxx-xx-xxx-... Infantry.

Col. Raymond Astumian, SSAN xxx-xx-xx... xxx-... Infantry.

Col. Charles Beach, Jr., SSAN xxx-xx-xxxx, Field Artillery.

Col. Edward James Joseph Breen, SSAN xxx-xx-xxxx Infantry.

Col. Michael Paul Lagana, SSAN xxx-xx-x... xxx-... Corps of Engineers.

Col. Lee Lawrence, SSAN xxx-xx-xxxx Infantry.

Col. John Ryle McKee, SSAN xxx-xx-xxxx, Infantry.

Col. Willard Phaup Milby, Jr., SSAN xxx-... xxx-xx-xxxx Infantry.

Col. Gorman Curtis Smith, SSAN xxx-xx-x... xxx-... Infantry.

Col. Robert Murray Sutton, SSAN xxx-xx-x... xxx-x... Infantry.

The Army National Guard of the United States officers named herein for promotion as Reserve commissioned officers of the Army under the provisions of title 10, United States Code, section 593(a) and 3385:

To be major general

Brig. Gen. Austin Clifford Chidester, Jr., SSAN xxx-xx-xxxx.

Brig. Gen. Paul Victor Meyer, SSAN xxx-xx-... xxx-...

Brig. Gen. John Joseph Remetta, SSAN xxx-xx-xxxx.

To be brigadier general

Col. Harry Warren Barnes, SSAN xxx-xx-x... xxx-... Infantry.

Col. Stephen Samuel Crane, SSAN xxx-xx-xxxx xxx-x... Infantry.

Col. George Melvin Donovan, SSAN xxx-xx-x... xxx-x... Armor.

Col. Merril Wetzler Goss, SSAN xxx-xx-xx... xxx-x... Armor.

Col. Guy J. Gravlee, Jr., SSAN xxx-xx-xxxx, Armor.

Col. Helmut Joseph Haag, SSAN xxx-xx-xx... xxx-x... Ordnance Corps.

Col. Robert Archibald Hughes, SSAN xxx-... xxx-xx-x... Armor.

Col. Merritt Alden Johnson, SSAN xxx-xx-x... xxx-... Infantry.

Col. Charles Hayden Jones, SSAN xxx-xx-x... xxx-x... Corps of Engineers.

Col. James Simonet O'Brien, SSAN xxx-xx-x... xxx-... Infantry.

Col. Jean Gordon Peltier, SSAN xxx-xx-x... xxx-... Field Artillery.

Col. Harold Roden Story, SSAN xxx-xx-xxxx, Field Artillery.

Col. William Harrison Vanderlinden, Jr., SSAN xxx-xx-xxxx Infantry.

Col. Frederick John Van Roo, SSAN xxx-xx-x... xxx-x... Field Artillery.

The Army National Guard of the United States officers named herein for appointment as Reserve commissioned officers of the Army under provisions of title 10, United States Code, section 593(a) and 3392:

To be major general

Brig. Gen. David C. Matthews, SSAN xxx-... xxx-xx-xxxx Adjutant General's Corps.

To be brigadier general

Col. William Harold Cheeseman, SSAN xxx-xx-xxxx Field Artillery.

Col. Edgar LeRoy DeGraw, SSAN xxx-xx-x... xxx-x... Field Artillery.

Col. William Porter Marshall, SSAN xxx-... xxx-xx-xx... Armor.

Col. Robert William Steele, SSAN xxx-xx-xxxx xxx-... Infantry.

Col. Harry Wellington Thode, SSAN xxx-xx-... xxx-x... Finance Corps.

Col. William Lawrence Youell, SSAN xxx-... xxx-xx-x... Field Artillery.

The following-named person for reappointment to the active list of the Regular Army of the United States with grades as indicated, from the temporary disability retired list, under the provisions of title 10, United States Code, sections 1211 and 3447:

To be major general, Regular Army, and major general, Army of the United States

Stoughton, Tom R., xxx-xx-xxxx.

The following-named officer to be placed on the retired list in grade indicated under the provisions of title 10, United States Code, section 3962:

To be lieutenant general

Lt. Gen. George Irvin Forsythe, xxx-xx-xx... xxx-x... Army of the United States (major general, U.S. Army).

IN THE NAVY

The following-named officers of the Navy for temporary promotion to the grade of rear admiral in the staff corps indicated subject to qualification therefor as provided by law:

Supply Corps

Eugene A. Grinstead, Jr.
Stuart J. Evans
William M. Oller
Wendell McHenry, Jr.

Civil Engineer Corps

John R. Fisher

The following-named officers of the Navy for temporary promotion to the grade of rear admiral in the staff corps indicated subject to qualification therefor as provided by law:

Medical Corps

Philip O. Geib
Donald L. Custis
Edward J. Rupnik
William J. Jacoby, Jr.

Dental Corps

Wade H. Hagerman, Jr.
George D. Selfridge

Rear Adm. Robert E. Adamson, Jr., U.S. Navy, having been designated, for commands and other duties determined by the President to be within the contemplation of title 10, United States Code, section 5231, for appointment to the grade of vice admiral while so serving.

Vice Adm. Frederick H. Schneider, Jr., U.S. Navy, for appointment to the grade of vice admiral, when retired, pursuant to the provisions of title 10, United States Code, section 5233.

Vice Adm. Nels C. Johnson, U.S. Navy, for appointment to the grade of vice admiral, when retired, pursuant to the provisions of title 10, United States Code, section 5233.

Vice Adm. Evan P. Aurand, U.S. Navy, for appointment to the grade of vice admiral, when retired, pursuant to the provisions of title 10, United States Code, section 5233.

In the Air Force

Nominations beginning Roland E. Ballow, to be lieutenant colonel, and ending Donald E. Wallis, to be lieutenant colonel, which nominations were received by the Senate and appeared in the Congressional Record on May 8, 1972.

HOUSE OF REPRESENTATIVES—*Wednesday, May 31, 1972*

The House met at 12 o'clock noon.

Dr. James P. Wesberry, pastor, Morningside Baptist Church, Atlanta, Ga., offered the following prayer:

Blessed are the peacemakers: for they shall be called the children of God.—Matthew 5: 9.

We give Thee thanks, our Heavenly Father, for all who love this great land of ours and give themselves to the fulfillment of their longings for freedom and peace. We express to Thee our deepest gratitude for our esteemed President and for his visit to Russia and other countries in the interest of world peace.

Make our Nation, we humbly pray, a mighty factor in bringing to reality "that peace which is more than the absence of war, and which," as President Nixon has said, "enables man to pursue those higher goals that the spirit yearns for."

Should we ever become discouraged in the long, hard struggle for peace may we lift our eyes to the hills from whence cometh our help, to those invincible forces which will ultimately beat our swords into plowshares and our spears into pruninghooks.

Through Jesus Christ, our Lord. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Without objection, the Journal stands approved.

There was no objection.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment concurrent resolutions of the House of the following titles:

H. Con. Res. 483. Concurrent resolution providing for the reprinting of a House document entitled "Report of Special Study of Securities Markets by the Securities and Exchange Commission"; and

H. Con. Res. 545. Concurrent resolution authorizing the printing of additional copies of hearings on "American Prisoners of War in Southeast Asia, 1971—Part 2" by the Subcommittee on National Security Policy and Scientific Developments.

The message also announced that the Senate had passed a bill and a concurrent resolution of the following titles, in which the concurrence of the House is requested:

S. 3463. An act to amend section 906 of title 44, United States Code, to provide copies of the daily and semimonthly Congressional Record to libraries of certain U.S. courts; and

S. Con. Res. 79. Concurrent resolution authorizing the printing of additional copies of Senate hearings entitled "Amphetamine Legislation 1971."

PROVIDING FOR A JOINT SESSION OF THE TWO HOUSES OF CONGRESS TOMORROW AT 9:30 P.M.

Mr. BOGGS. Mr. Speaker, I have been advised that the President of the United States desires to address a joint session of the Congress tomorrow at 9:30 p.m. Accordingly, I send to the desk a concurrent resolution for that purpose and ask for its immediate consideration.

The Clerk read the concurrent resolution as follows:

H. Con. Res. 625

Resolved by the House of Representatives (the Senate concurring), That the two Houses of Congress assemble in the Hall of the House of Representatives on June 1, 1972, at 9:30 p.m., for the purpose of receiving such communication as the President of the United States shall be pleased to make to them.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING THE SPEAKER TO DECLARE A RECESS TOMORROW

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that on tomorrow, June 1, 1972, it may be in order for the Speaker to declare a recess at any time subject to the call of the Chair.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair desires to make an announcement.

After consultation with the majority and minority leaders and with their consent and approval, the Chair announces on tomorrow, the day set for a joint session to hear an address by the President of the United States, only the doors immediately opposite the Speaker and those on his left and right will be open. No one will be allowed on the floor of the House of Representatives who does not have the privilege of the floor of the House.

ELECTION OF MEMBERS TO STANDING COMMITTEES

Mr. RHODES. Mr. Speaker, I offer a privileged resolution (H. Res. 1005) and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. Res. 1005

Resolved, That the following-named Members be, and they are hereby elected members of the following standing committees of the House of Representatives:

William S. Conover II, of Pennsylvania: Committee on Armed Services.

Robert B. Mathias of California: Committee on Foreign Affairs.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PERMISSION FOR COMMITTEE ON APPROPRIATIONS TO FILE A PRIVILEGED REPORT ON THE DISTRICT OF COLUMBIA APPROPRIATIONS, 1973

Mr. NATCHER. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight tonight to file a privileged report on the District of Columbia appropriation bill for the fiscal year 1973.

Mr. DAVIS of Wisconsin reserved all points of order on the bill.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

APPOINTMENT OF CONFEREES ON H.R. 9580, FEES FOR THE OPERATION OF CERTAIN MOTOR VEHICLES

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 9580) to authorize the Commissioner of the District of Columbia to enter into agreements with the Commonwealth of Virginia and the State of Maryland concerning the fees for the operation of certain motor vehicles, with Senate amendments thereto, disagree to the Senate amendments, and request a conference with the Senate thereon.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina? The Chair hears none, and appoints the following conferees: Messrs. McMILLAN, STUCKEY, NELSEN, and BROYHILL of Virginia.

TWO-PAGE AD IN NEW YORK TIMES CALLING FOR IMPEACHMENT OF PRESIDENT NIXON

(Mr. PEYSER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PEYSER. Mr. Speaker, I have read in the New York Times today a two-page ad calling for the impeachment of President Nixon. For the record, I personally view this ad, as I am sure many Members of the House do, with the greatest contempt.

I believe the people who have chosen to be connected with it have shown a complete disregard for the well-being of our country.

The presidential election is only 5 months away. The people will have a chance to elect the man of their choice.

Today the President of the United States is in Europe on a tour for peace and prosperity for the whole world.

I think this attack is just like knifing these efforts in the back.

Hopefully, the people of the world will recognize the fact that this ad reflects the thinking of a very few people in the United States.

THE PRESIDENT'S EFFORTS TOWARD PEACE

(Mr. HARRINGTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HARRINGTON. Mr. Speaker, I, like many other Members of this House, have taken the mike in the past to in-

dicate my disagreement with administration policies, but I take the mike today to indicate my total support of the events which have taken place in the past week when the President traveled to Russia in an effort to establish some kind of agreement to bring about peace. It is my hope that this visit will ease tensions and will bring about a better understanding with the Russians and our allies.

The signing of two nuclear arms control agreements in Moscow represents a truly historic move toward the achievement of worldwide peace. This action demonstrates a recognition that a constantly spiraling arms race serves only to heighten the danger of nuclear war, while wasting scarce resources that would be far better devoted to improving the quality of life on earth.

By no means do these treaties solve all—or even most—of the obstacles that stand in the way of a peaceful world, but they are without question a first step of enormous importance. I hope they will be followed by an equally vigorous pursuit of equitable solutions to other international problems. And I hope, too, that the President's courageous assertion that our security is better served by seeking agreements than by escalating weaponry will serve as a foundation of our future international security policy.

President Nixon deserves our praise for taking this action, and it is my hope that the Senate will speedily endorse these efforts and that both bodies will begin to act with a sense of urgency toward solving these problems.

Mr. Speaker, I hope the President has great luck in his efforts to achieve these results.

The signing of the treaties last week is a broad start toward peace between the two nations.

PERMISSION FOR THE COMMITTEE ON RULES TO FILE CERTAIN PRIVILEGED REPORTS

Mr. BOLLING. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain privileged reports.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 13918, PUBLIC BROADCASTING ACT OF 1972

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 956 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 956

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 13918) to provide for improved financing for the Corporation for Public Broadcasting, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER pro tempore (Mr. BOGGS). The gentleman from Missouri (Mr. BOLLING), is recognized for 1 hour.

Mr. BOLLING. Mr. Speaker, I yield 30 minutes to the gentleman from California (Mr. SMITH), pending which I yield myself such time as I may consume.

Mr. Speaker, there was some controversy before the Committee on Rules on this rule, but I find it very difficult to believe that the House would not wish to consider under an open rule this very important matter.

It is my understanding that the life of the legislation that is proposed to be extended would end on the 30th of June without action by the Congress by that time. There are unquestionably very serious controversies over certain aspects of the actions of the Public Broadcasting Corporation. I believe that there will be adequate opportunity for the Members of the House to debate those controversies during the general debate which is provided for by the rule.

Therefore I urge the adoption of the rule, and reserve the balance of my time.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 956 does provide for 1 hour of debate with an open rule for the consideration of the bill H.R. 13918, which has to do with the Corporation for Public Broadcasting.

I supported this program in 1967 when it was first started and, very frankly, when this was brought before the Committee on Rules I did not know at that time that there was any concerted effort in opposition to it. In fact, to some extent it came as a little bit of a surprise to me.

I regret that the matter is being brought up today. I recognize that all programs cannot be scheduled so that they would be convenient to all Members. The ranking minority member, the distinguished gentleman from Illinois (Mr. SPRINGER) is unable to be here today, and he brought up the opposition in the Committee on Rules, but I do not know whether the gentleman ever made statements about it in the Committee on Interstate and Foreign Commerce or not.

It is a little difficult to remember all the bills and all of the witnesses appearing before the Committee on Rules, but my understanding as to what the gentleman from Illinois (Mr. SPRINGER) told us had to do primarily with the paragraph on page 8 of the report, which says:

A significant portion of the programming carried by public broadcasting stations can be categorized as "public affairs programming", that is programming devoted to issues of public importance. The funding of public affairs programs by CPB is entirely consistent with the intent of the Public Broadcasting Act of 1967 so long as there is "strict adherence to objectivity and balance in all programs or series of programs".

As I understand this language, particularly the last part of it, it was placed into the bill at the determined request of the gentleman from Illinois.

Subsequent thereto of the 15 directors that were appointed, I believe only eight can be from the same party and Mr. SPRINGER indicated the President appointed some very good men and they proceeded to work in accordance with the culture, music, art, and so forth. The program was working quite well.

He then brought to our attention and mentioned one program, where a conservative, I believe he indicated Mr. BUCKLEY was on one side and a person of an opposite philosophical point of view on the other. It was balanced in accordance with the language of the law.

Then he mentioned other programs like "The Advocates," "Sesame Street," and so on which he said were very successful programs.

However, as I understand it, he then indicated some foundations, particularly the Ford Foundation I believe, had taken such an interest in this that they were apparently controlling more of what the Corporation was doing than was the intent of the original law.

He mentioned, I believe, Sandy Vanocur getting $85,000 and Bob McNeil getting $70,000.

When objection was made, I think by the Corporation, that these funds were being paid, then the foundation turned around and reduced some of the money to the Public Broadcasting Corporation and the Ford Foundation allegedly placed them on their payroll.

I cannot prove all of the statements that I am making, but I am trying to state as best as I can recall what Mr. SPRINGER said. He concluded by stating that he thought it should only be continued for 1 year and that he actually was opposed to a rule being granted at the time. He thought it should have more study in an effort to work out these problems so there would be a clear understanding in the future.

I believe he stated there were some 245 stations now in existence under this program, and they, of course, could get together and have quite an influential operation, if they were able to do so.

I think he also stated, if he had to have a rule, he would prefer it would be a 1-hour open rule.

Mr. Speaker, that is the best I can do in trying to explain the opposition which was expressed by the gentleman from Illinois (Mr. SPRINGER), which I cannot find written up any place. But that is my best understanding. I do so for the protection of the gentleman from Illinois (Mr. SPRINGER) and for the information of the House.

I want to state that over the years the gentleman from Illinois, in my opinion, in his presentations before the Committee on Rules, which has been, on many occasions, has been as learned and honest and knowledgeable as any other Member

who has appeared before the committee. I think the House of Representatives will miss him greatly next year when he retires.

Mr. KYL. Mr. Speaker, will the gentleman yield?

Mr. SMITH of California. Mr. Speaker, I yield to the gentleman such time as he may consume.

Mr. KYL. Mr. Speaker, if the gentleman will permit, I would like to review the particular item with which the gentleman from Illinois does have concern.

Under the law which established the Public Broadcasting Corporation, there were some protections written into the act so that the functions could be expected to be: First, educational; and second, they could be expected to be fair so far as all points of view are concerned.

When a foundation—any foundation or any individual wants to create a certain kind of programing on the Public Broadcasting Corporation, they can in fact go to the body and say—We will provide x number of dollars if you will broadcast a certain program—or a certain kind of program.

First, is that correct?

Mr. SMITH of California. That is my understanding of what the gentleman from Illinois said, that it has recently turned into that kind of operation so that the balance which we are supposed to have is not now taking place in accordance with the original intent of the act.

Mr. KYL. Then to pursue that one step further—if in fact the foundation or an individual or a corporation does provide the funds for certain kinds of broadcasting, the corporation or individual or the foundation that supplies the money then has more authority and more control over what is broadcast than does even the Public Broadcasting Corporation—does that follow?

Mr. SMITH of California. Apparently so.

Mr. KYL. In other words, the language which the gentleman from Illinois would seek in the bill would try to find some means of retaining in the law the same provisions of equity and education and fairness in the case when private money is utilized, as exist when Federal funds are utilized; is that correct?

Mr. SMITH of California. I would think that would be correct.

Mr. KYL. I thank the gentleman for yielding time.

Mr. BOLLING. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore (Mr. BOGGS). The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. DEVINE. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

CALL OF THE HOUSE

Mr. BOLLING. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk proceeded to call the roll.

Mr. DEVINE (during the call of the roll). Mr. Speaker, a point of order. Is this not an automatic rollcall on the rule?

The SPEAKER pro tempore. The gentleman is incorrect. It is a quorum call.

PARLIAMENTARY INQUIRY

Mr. HALL. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. HALL. Is it not true that the gentleman from Ohio objected to the vote on the ground that a quorum was not present and made a point of order that a quorum was not present, whereupon the Chair said that the rollcall was automatic?

The SPEAKER pro tempore. The Chair had previously ruled that the resolution had been agreed to and that a motion to reconsider was laid on the table. Therefore, the Chair had no alternative except to rule on the point of order that a quorum was not present and order a quorum call, in view of the fact that the gentleman's objection to the vote came too late.

Mr. DEVINE. Mr. Speaker, I was on my feet at the time the Chair made the statement that the question was on the resolution, and I raised the objection to the vote on the ground that a quorum was not present and made the point of order that a quorum was not present.

The SPEAKER pro tempore. The Chair was advised by the Parliamentarian that the Chair had previously ruled that the resolution had been agreed to and that a motion to reconsider had been laid on the table. The Chair had no alternative but to observe the gentleman's point of order that a quorum was not present, and a quorum call is now underway. The Clerk will continue to call the roll.

POINT OF ORDER

Mr. ADAMS. Mr. Speaker, a point of order.

The SPEAKER. The gentleman will state it.

Mr. ADAMS. What the Chair has stated was not clear to the Members at the time the call was started, and I would ask the Chair, under a parliamentary inquiry, whether the Clerk will start again the quorum call. This Member answered "yea."

The SPEAKER pro tempore. The Chair has ruled. The Clerk will continue the quorum call.

The Clerk continued to call the roll, and the following Members failed to answer to their names:

[Roll No. 174]

Abernethy	Bingham	Clawson, Del
Abourezk	Blanton	Clay
Abzug	Blatnik	Collier
Addabbo	Brown, Mich.	Colmer
Alexander	Brown, Ohio	Conover
Anderson, Ill.	Broyhill, N.C.	Conte
Anderson, Tenn.	Burton	Corman
	Byrnes, Wis.	Cotter
Arends	Caffery	Daniels, N.J.
Ashley	Celler	Davis, Ga.
Badillo	Chisholm	Davis, S.C.
Baring	Clark	Dickinson
Barrett	Clausen, Don H.	Diggs
Bell		Dorn
Dowdy	Kuykendall	Rosenthal
Drinan	Kyros	Rostenkowski
Dwyer	Landrum	Roybal
Edwards, Calif.	Long, La.	Ruppe
Eshleman	Long, Md.	St Germain
Evans, Colo.	Lujan	Sandman
Flynt	McCloskey	Sarbanes
Ford, Gerald R.	McDonald, Mich.	Satterfield
		Scheuer
Ford, William D.	McFall	Schmitz
	Mann	Sebelius
Fraser	Mazzoli	Shipley
Frelinghuysen	Metcalfe	Sisk
Fulton	Michel	Smith, Iowa
Galifianakis	Mikva	Spence
Gallagher	Miller, Calif.	Springer
Gettys	Minshall	Stephens
Gibbons	Monagan	Stratton
Goldwater	Moorhead	Stubblefield
Griffin, Miss.	O'Hara	Stuckey
Hagan	Patten	Teague, Calif.
Hanna	Pelly	Teague, Tex.
Harsha	Pirnie	Terry
Harvey	Podell	Thompson, N.J.
Hawkins	Poff	Veysey
Hébert	Pryor, Ark.	Wiggins
Hogan	Pucinski	Wilson, Bob
Holifield	Railsback	Wilson, Charles H.
Hutchinson	Rangel	
Ichord	Rees	Yatron
Jarman	Reid	Young, Tex.
Jonas	Rodino	Zablocki
Jones, Tenn.	Roncalio	
Karth	Rooney, N.Y.	

The SPEAKER pro tempore. On this rollcall 296 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

PUBLIC BROADCASTING ACT OF 1972

Mr. STAGGERS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 13918) to provide for improved financing for the Corporation for Public Broadcasting, and for other purposes.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 13918, with Mr. GIAIMO in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from West Virginia (Mr. STAGGERS) will be recognized for 30 minutes, and the gentleman from Massachusetts (Mr. KEITH) will be recognized for 30 minutes.

The Chair recognizes the gentleman from West Virginia (Mr. STAGGERS).

Mr. STAGGERS. Mr. Chairman, as reported by the Interstate and Foreign Commerce Committee, H.R. 13918—

First, authorizes the Corporation for Public Broadcasting to promote the utilization and development of telecommunications facilities for the production and distribution of educational radio and television programs.

Second, requires that at least 30 percent of the funds appropriated to CPB in each fiscal year be distributed to noncommercial educational broadcasting stations for use—in their discretion—in activities related to their local broadcast operation.

Third, authorizes an appropriation to CPB of not to exceed $65 million for fiscal year 1973 and not to exceed $90 million for fiscal year 1974.

Fourth, provides for inclusion on the 15-member Board of Directors of CPB of five members who are chief executive staff officers of noncommercial educational broadcasting stations. All members of the Board of Directors are, and would continue to be, appointed by the President, by and with the advice and consent of the Senate.

Fifth, increases from $15 million to $25 million the authorization for fiscal year 1973 for grants for acquisition and installation of noncommercial educational broadcasting facilities.

Sixth, limits the compensation which may be paid to officers or employees of CPB to that prescribed for level 1 of the executive schedule—at present $60,000 per annum.

I think, Mr. Chairman, that everyone acquainted with public broadcasting recognizes that the most important provisions of the bill are those providing authorization of appropriations for the Corporation for Public Broadcasting. I also understand, Mr. Chairman, that these provisions make this legislation controversial. Why this should be, I do not know. The administration supports extending and increasing the authorization of appropriations for the Corporation. Everyone I have talked to who is acquainted with the activities of the Corporation since it became operational about 3 years ago favors extending and increasing authorizations for it. So I have to conclude that the controversy is over the 2-year authorization with a maximum of $65 million authorized for fiscal year 1973 and $90 million authorized for fiscal year 1974 which is in the bill as reported.

Before going on to discuss these features of the bill, Mr. Chairman, I would like to point out that H.R. 13918 was introduced by our colleague from Massachusetts, TORBERT MACDONALD, for himself and six members of his Subcommittee on Communications and Power, three from our side of the aisle and three from the other side. It was reported from the full committee by a nearly unanimous voice vote. Only the gentleman from Texas (Mr. COLLINS) and the gentleman from California (Mr. SCHMITZ) have filed dissenting views. They, of course, are in the committee's report on the bill.

Now, Mr. Chairman, we all know that what we are dealing with here today is an authorization bill, not an appropriation. It sets a limit on what can be appropriated. We could have reported out an open-end authorization and no one would have batted an eye. But that is contrary to the policy of our committee. The amounts authorized in the bill are reasonable and prudent. How the $65 million would be used by the Corporation if it were appropriated for fiscal year 1973 is set forth in the committee report beginning on page 12. But let me say again, Mr. Chairman, that these are authorizations and while reasonable and prudent our experience has been that they are not always the amounts appropriated. That, of course, is the concern of our great Committee on Appropriations. So let us not fuss over something that is not all that important.

On the question of the number of years for which the bill should authorize appropriations for the CPB, the committee bill, of course, provides for 2 years. This was a compromise that was worked out in the subcommittee. I would have preferred a 3-year authorization. In fact, it is almost a policy of our committee to authorize appropriations for 3 years at a time. Yet, I understand a few Members would like to cut the bill back to 1 year. Why, I cannot understand. If they succeed, we will be back here again next year with another short-term authorization using time and effort that should be focused on the difficult problem of providing long-range financing for the Corporation. The spokesman for the administration on this legislation, Dr. Clay T. Whitehead, director of the Office of Telecommunications Policy, is working on a long-range financing plan for the Corporation and should be able to submit it to the Congress next year. It is long overdue, and I do not say that in any partisan way. The previous administration promised such a plan and failed to deliver on that promise.

Mr. Chairman, I urge the Members of the House to support the reported bill so that we can get on to the matter of providing long-range financing for the Corporation.

Mr. KEITH. Mr. Chairman, almost 5 years ago I filed additional views on the legislation which ultimately became the Public Broadcasting Act of 1967, Public Law 90–129. That legislation, of course, created the Corporation for Public Broadcasting. In my additional views I said—

> This bill will make of educational television an entity unlike anything we know now. The potential good from educational TV is limitless and much to be desired, but the potential dangers are not to be ignored; we should not consider the Corporation, which we are creating, so independent an entity that at some later date the Commerce Committee may not review and reshape its form and function.

As my views, I think, made clear, I had some apprehension about the Corporation for Public Broadcasting and its activities.

Today the House is considering the Public Broadcasting Act of 1972. In the years since its creation I have watched the activities of the Corporation for Public Broadcasting quite carefully and occasionally quite critically. Like all other human undertakings, there have been some errors and the corporation has done some things with which reasonable men have disagreed. But measured in terms of the undertaking, its uniqueness, and the problems inherent in attempting to inform, enlighten, and educate a population of over 200 million people I believe that the corporation has on balance provided a most worthwhile addition to our national education effort.

Your committee has made this a public bill. Your committee offers the Nation a better broadcasting capability, and I intend to support the bill as reported by the committee and I urge my colleagues to do the same.

I reserve the balance of my time.

Mr. STAGGERS. Mr. Chairman, I yield 5 minutes to the chairman of the subcommittee, the gentleman from Massachusetts (Mr. MACDONALD).

Mr. MACDONALD of Massachusetts. Mr. Chairman, I thank the chairman of the full committee, the gentleman from West Virginia (Mr. STAGGERS), who has been interested in this subject for so long and compliment him on his explanation of the bill, a statement which brings the bill into very clear focus.

As chairman of the subcommittee, I merely have a few things I would like to point out to the Members dealing particularly with the fact that the bill that is here before us is a compromise bill which was added to and subtracted from by the members of both the subcommittee and the committee from both sides of the aisle.

The Congress is in debt to the very hard-working members on the Republican side of the committee who came up with some very fine amendments which were adopted.

The bill itself came out of the subcommittee with only one dissenting vote.

Some of the difficulties that always accompany putting together a large enterprise such as this have been overcome. The broadcasters themselves, the station managers at one point had a bit of a misunderstanding going—although it is too strong a word to call it a trouble, but they had some difficulty with the Corporation. A proposal by a member of the subcommittee on the Republican side, which unanimously was adopted by us, stopped all that by putting five station managers or members of station management on a special board to join the 10 other members in this set up, so the five members are in a crucial position in this contemplated Board of 15. The five members which will represent the stations and station management will be in at the top rung. They will be consulted, and not only consulted but also will have voting consultation and given full faith credit before the board and with the other members of the Corporation.

So, as I say, there has been compromise all up and down the line. The station managers, and I am sure many Members of this body have received messages such as I have from their local broadcasters, and from their local stations saying they approve of this bill and hope it passes soon—and the sooner it does, the better off they will be, and the better off their communities they serve will be, and therefore the Nation as a whole.

I agree wholeheartedly with that, and I will ask permission at the proper time to insert in the RECORD a list of organizations which have by letter or wire or both indicated their approval of the bill as amended by the subcommittee and the full committee, and which is before the Members today. I will not go through the list now obviously, but I would just like to point out that the organizations range from the AFL–CIO to the National Association of Manufacturers, from the

National Audubon Society to the National Congress of Parents and Teachers, the National Council of Churches of Christ, the National Council of Senior Citizens, the National Council of Women, the National Grange, and the National 4–H Club Foundation.

Mr. Chairman, the following is a complete list of the organizations I have referred to:

LIST OF ORGANIZATIONS

AFL–CIO.
Alliance for Labor Action.
American Bar Association.
American Association of University Women.
American Jewish Committee.
Associated Councils of the Arts.
Association of the Junior Leagues of America, Inc.
Boy Scouts of America.
Consumer Federation of America.
Council of State Governments.
General Federal of Women's Clubs.
Girl Scouts of the USA.
League of Women Voters.
National Association of the Advancement of Colored People.
National Association of Counties.
National Association of Manufacturers.
National Audubon Society.
National Conference of Christians and Jews.
National Congress of Parents and Teachers.
National Council of Churches of Christ.
National Council of Negro Women.
National Council of Senior Citizens.
National Council of Women.
National Education Association.
National Grange.
National 4–H Club Foundation.
National League of Cities/U.S. Conference of Mayors.
National Legal Aid and Defender Association.
National Recreation and Park Association.
National Urban League.
National Wildlife Federation.
Southern Baptist Convention.
U.S. Catholic Conference.
U.S. Jaycees.
U.S. National Student Association.

Mr. Chairman, this bill has been worked on very diligently. I think it has been refined to a point that it should be embraced wholeheartedly by the entire membership of this House, because it brings to the American public the broadcast of high quality material. The common denominator theory that commercial broadcasters work by and say they have to work by does not apply in this. This brings programing of a fine nature and of a better nature than the commercial stations can present to us.

The people within the industry are very happy with the bill. I include the commercial stations as well, who have contributed their money to see to it that this program is ongoing and keeps as forward looking as it has been.

Mr. Chairman, the bill we are considering today is the result of long and careful work by the Subcommittee on Communications and Power, going back to 1967 when we brought into being the framework of a noncommercial, educational, public broadcasting system for the United States. That Public Broadcasting Act of 1967 did give us a viable system, and brought a number of valuable programs to the American people that would not have been presented by commercial television.

From 1967 until now, the Congress has repeatedly requested a long-range funding program from the executive branch, and that plan has not been forthcoming. Instead, we are startled to read of a speech delivered by the head of the Office of Telecommunications Policy, Dr. Whitehead, to a convention of educational broadcasters in October of last year, in which he called on them to withhold their support of the Corporation for Public Broadcasting and speak out for the destruction of a national programing service. It was a speech intended to divide and conquer public broadcasting. It was a statement that revealed a deep desire on the part of the executive branch to make public broadcasting a second-class public service.

We wanted to find out if the stations really did want to do away with a strong national service, so we conducted extensive hearings in early February of this year to review the status and plans of public broadcasting.

The contribution of the White House to those hearings was a bill introduced while these hearings were actually in progress which called for another 1-year extension of the Public Broadcasting Act of 1967 and an increase in funds of less than 30 percent. The bill which I originally introduced called for 5-year funding at substantially higher levels, levels which both the Corporation for Public Broadcasting and representatives of noncommercial stations indicated would be satisfactory to provide the kind of quality TV and radio programing that was needed.

The subcommittee debated the provisions of these bills, and with valuable contributions from both sides, reported out H.R. 13918. This bill, which is before us today, provides for 2-year funding at $65 and $90 million dollars, for an additional $10 million for station facilities, and for a minimum of 30 percent of all Federal funds to be passed through to individual stations for local activities. It also provides for representation on the board of directors of CPB of station representatives, which further insures that station voices will be heard in the decisionmaking process regarding programing and distribution of funds.

The subcommittee reported out this bill by a vote of 8 to 1. It was cosponsored by seven of the nine subcommittee members. In the full committee, only two dissents were registered.

I am convinced that this bill represents a consensus of all the elements of public broadcasting—the Corporation, the public broadcasting service which is responsible for national distribution of programs, and the 200-plus noncommercial stations around the country. The bill has been endorsed by an impressive number of national and local organizations which are interested in quality broadcasting, from the AFL–CIO to the National Congress of Parents and Teachers. I will provide a complete list of these organizations for the record and ask unanimous consent that they be included at this point.

We have worked long and hard on this bill, and we believe it is in the public interest. It will give public broadcasting a chance to produce the kind of programs that will enrich the viewing choice of the American people, from the preschool youngsters who learn from "Sesame Street" to the adults who watch "Masterpiece Theater," "Washington Week in Review," "The Advocates," "Firing Line," and many other programs. With the guarantees written into this legislation, stations will be aided in producing quality programs for their local viewers as well. Finally we have reason to hope that the existence of a strong national and local noncommercial service will cause commercial broadcasters to upgrade the quality of their programing.

(Mr. MACDONALD of Massachusetts asked and was given permission to revise and extend his remarks.)

Mr. KEITH. Mr. Chairman, I yield 5 minutes to the gentleman from Florida (Mr. FREY).

Mr. FREY. Mr. Chairman, I would like to compliment the chairman of our subcommittee, the gentleman from Massachusetts (Mr. MACDONALD) for his handling of this bill. He has done an outstanding job, and he has been most fair, under his leadership the committee has come out with a bill that makes sense.

Also I would like to compliment the gentleman from Massachusetts (Mr. KEITH) the ranking minority member of our subcommittee. Again, not only in this bill, but also thoughout the years he has provided the leadership that has allowed our subcommittee to pass outstanding legislation. It is sad, not only for our committee, but also for the Congress and Nation when the gentleman from Massachusetts retires at the end of the year. I am sure all my colleagues are deeply saddened to see him go, and we wish him Godspeed.

Mr. Chairman, I started out in the subcommittee very negative regarding the legislation. However, most of these questions have been satisfactorily answered as far as I am concerned.

One of my prime concerns was the impact of this legislation on the local stations. I did not like the idea of a few men sitting in Washington, D.C., deciding what to produce. It seemed to me this was not responsive to the needs of the people in the local communities. By adding five local station managers to the 15-man PBS board the interests of the local communities can be protected.

I am not happy about the salary paid to Sander Vanocur or John McNeill. I believe this is a mistake. But we are obligated to look at the total sum of what public television is doing, where it is going, and what it can do to help in this country.

For instance, we have increased the funding for facilities by $10 million and

this will be of tremendous help in the local communities. To give a personal example, in my home area we have channel 24, which is in need of a larger antenna. Right now it gets to less than 25 percent of the potential audience.

Through the increase in funds for facilities they will get the needed antenna.

Questions have been raised, by me, about the influence of the Ford Foundation on public broadcasting. There is no question that they put a tremendous amount of money in. The testimony indicated that in essence they had no influence. I do not necessarily believe that. I believe that any time millions of dollars are donated there must be some influence. However, today Ford contributes $10 million, or less than 5 percent of the total money needed. Furthermore, for those people who are worried about undue influence such as the Ford Foundation, this bill solves this problem, as it increases the funding and allows the local stations to be more autonomous than before.

Another area I have been concerned about is the public affairs and news commentaries, of public broadcasting. The majority of the funds go for cultural and performance, and children and family. Forty-six percent go for cultural and performance, and 24 percent for children and the family, and only 30 percent for public affairs. In terms of time 38 percent are used on cultural and performance and 28 percent on children and the family. Yet in my opinion there is nothing wrong with public affairs if done properly. For instance, why not more broadcasting of public affairs in terms of county commission meetings, school board meetings, and other meetings which brings government home to the people. One of the great problems of this country is that the people really do not know what their elected officials are doing.

Obviously commercial television is not going to take prime time to do that. They spend less than 2 percent of their total prime time on public affairs. They just cannot afford to do it. The only way we can enlarge public affairs support is through public broadcasting.

There is one other area I would like to discuss. How much is the Federal share? If we take the fiscal year 1971, we find that the Federal Government contributed 7 percent of the total money that went to the broadcasting companies. They spent $9,885,460. The total station income was over $141 million. The rest comes from the States and local governments, foundations, State universities, business and industry, and individuals.

Finally, I would say to my colleagues who question the difference between a 1-year and a 2-year authorization, the committee found itself in disagreement with the initial bill being a 5-year authorization. We felt that even if a long-range financing proposal came before us in 1973, it would take some time to enact. In order to allow the necessary planning at least 2 years is needed. If the job is not being done our committee will continue its oversight function.

Mr. Chairman, I urge passage of H.R. 13918.

Mr. STAGGERS. Mr. Chairman, I yield 5 minutes to the gentleman from Rhode Island (Mr. TIERNAN), a member of the subcommittee.

Mr. TIERNAN. Mr. Chairman, I want to take this opportunity first of all to congratulate the chairman of our subcommittee, the gentleman from Massachusetts (Mr. MACDONALD). We had a difficult time in coming up with a bill that was a reasonable settlement to the areas of controversy between the minority and the majority, thanks, mostly as a result of the work of the chairman.

Also at this time I want to express my appreciation for the cooperation given by Mr. KEITH, the ranking minority Member, and also the other members of his subcommitee, who worked very diligently in preparing a bill that was finally adopted by the subcommittee by a vote of 8 to 1 and then adopted nearly unanimously by the full committee.

I want to assure all of the Members of the House that we worked very hard on this piece of legislation.

As you know, the initial proposal presented to the committee was for a 5-year authorization. It has been my position as a member of this committee that we should have long-term financing. When the Congress first set up the Public Broadcasting Corporation, it was done because of the Carnegie report which provided the background for that action by the Congress and also within that report it clearly indicated in order for the people of America to have a viable instrument such as the Public Broadcasting Corporation, it would be necessary to have long-term financing which would be insulated from all of the possibilities of political influence or changes within the administrations here in Washington.

So, since my term on the Subcommittee on Communications I have endeavored to insist upon each administration presenting to the Congress a proposal for long-term financing.

This is a very controversial area. It may require taxation and it may require certain forms of revenue-raising that would be difficult for any administration, whether it is Democrat or Republican. I think it is necessary for us as Members of the Congress to understand that we have to provide this type of financing for this corporation.

In order to come to this House on the basis of what was stated to the subcommittee by the representatives of the administration in the person of Mr. Whitehead that the administration would present to the Congress before June 30, 1973, their plan for long-term financing and we also received assurances from Mr. Macy and others in the industry that they would cooperate with Mr. Whitehead and the administration in trying to come up with a plan that would meet the objectives and the proposals in the Carnegie report.

With that kind of a background we undertook to present to the Congress a bill providing for additional funding through the appropriations of this House and the Senate to carry the corporation in its operations through to 1974 rather than having a 1-year authorization which would end before we would have the benefit of the administration's position and their plan and an opportunity to have hearings on that plan and to have different views expressed by people interested in Public Broadcasting Corp. Therefore we have presented a bill which provides for an authorization of $65 million for fiscal year 1973 and $90 million for fiscal year 1974.

It is necessary that we do have this long-range leadtime, also, if it is going to be possible for this corporation to do its job in presenting to the local managers and stations the types of programs that we feel are necessary. It will take time for these preparations to be made. In order to get the quality which we need in these programs it does take considerable time.

Now, also, in the bill we provide for additional funding of $10 million in the area of facility grants.

In the hearings it was pointed out that for this year, the fiscal year 1973, only $15 million was provided for facility grants. Clearly, on the basis of the testimony before the subcommittee, most of the people who testified indicated the need for additional funding for local facilities and broadcasting equipment and facilities to carry on what we expect them to do in the local areas.

So, the committee has increased that authorization by another $10 million, bringing the total authorization for these grants which are administered by the Department of Health, Education, and Welfare to $25 million.

So, I think the changes we have made in that area of financing the corporation, along with the changes that were made in the board makeup for the Public Broadcasting Corp. itself where we provide for five members of the board to be selected by the local managers of stations throughout the country goes a long way toward having additional input into the corporate decisions that are being made with reference to the type of programs that we will see on public television.

Mr. KEITH. Mr. Chairman, I yield 10 minutes to the gentleman from Texas (Mr. COLLINS).

Mr. COLLINS of Texas. Mr. Chairman, we have before us today in the Public Broadcasting Act of 1972, one of the most far-reaching pieces of legislation to come before the House. It involves more than the money that is authorized. It represents the Government actively entering into a system for control of public news. It is a challenge to our freedom of speech and the freedom of press.

Many of our public broadcasting facilities have outstanding records. In my own community we are fortunate in having one of the best managed and best operating facilities in America. The president of our local operation, Ralph Rogers, is not only president of the dynamic Texas Industries Co., but he also serves on the National Chamber of

Commerce Board. And everyone is impressed with the staff and operation of our local facility.

But my dissent is based on the fact that public broadcasting has changed direction from its original concept of educational television. Local communities started with enthusiasm for the need and great achievements of using television for educational strength.

Gradually, from this base the emphasis has changed to community broadcasting. This meant programing with more emphasis on cultural drama or classical music.

My wife considers the "Masterpiece Theater" on our Dallas stations to be one of TV's best shows. My daughter, Nancy, at Wellesley, impressed me last week when she told me that the Boston public station was the best in town and she mailed them $20 as her annual subscription.

But I question whether it is the responsibility of the Government to provide entertainment facilities. Should the Government also finance pro football, baseball, and underwrite all classical theater and orchestras?

American TV is well represented today with UHF and VHF television stations. Cable television will expand tremendously in the next 5 years. In most markets five to 10 channels will be available for program selectivity.

Do we need to do more in America to encourage families to put more time into television viewing? I am told the average family spends 7 hours a day watching television. How can American families know each other when many families do not even pause to eat meals together? Reading is one of the greatest factors in building an education and yet 7 hours of television is causing America to lose its reading opportunities for broadening personal knowledge.

Public broadcasting opened the door from Federal finances 4 years ago. At that time $5 million was granted. Since then the requests have begun to move and 4 years later we are paying $35 million. In the bill you have before you, public broadcasting is requesting $65 million this year and $90 million in 1974.

Commissioner Nicholas Johnson of FCC stated in his testimony that if the United States did a comparable job to Japan in Public Broadcasting in proportion to the gross national product of Japan that Congress would budget at a level of $1.8 billion. With a $40-billion deficit staring America in the face, I question the wisdom of assuming added financial obligations. And I am opposed to the suggested annual tax on TV sets to pay for it.

When the Government moves into the funding of these public broadcasting stations, we will find that the Government will also move into control. Everytime Congress spends money it soon takes over full accounting and direction of the spending of this money. The greatest danger is in the field of news. Public broadcasting should not engage in the presentation of straight news programs. Locally produced newscasts can be a big feature to a station, but can run one-third of the station's operation costs. Unless we eliminate straight news reporting, we will soon be developing a PRAVDA as an official Government TV news propaganda source.

America's news today is free and independent. It is not always right and not always factual, but it represents voices of different people. This bill gives tremendous impetus to national funding of public broadcasting, so we must be alert to the potential challenge to freedom that comes from a nationally financed and controlled news operation.

Public broadcasting has capable and aggressive management. Most communities are manned with boards of active, progressive civic leadership. They have enthusiastic, hard working staffs. With this strong, capable management, public broadcasting will expand quickly and aggressively.

I believe our concentration should be on educational television. I believe there should be more Sesame Street type shows for the Headstart group. I would like to see science subjects in high school with programs in physics, botany, and math that could be reused for years to come. I want production funds to go for educational development and not for controlled news programs.

Educational television can best be served with independent management, finance, and control. This present bill will lead to complete Federal financing, controlled Federal TV news and an annual tax on homeowners TV sets.

Mr. KEITH. Mr. Chairman, I yield 5 minutes to the gentleman from Maryland (Mr. GUDE).

Mr. GUDE. Mr. Chairman, I believe the previous speaker, the gentleman from Texas (Mr. COLLINS) has pointed out well the need for greater quality in television in general. He made the comment that the average American family spends 7 hours a day watching television. I do not think we are going to abolish television. We tried to do that with another product in this country, and did not succeed. I think that we should use the legislation before us to provide for greater quality in television.

Many people will point out that because of watching television there is less reliance on reading. Certainly this is true; television does, to an extent, draw the viewer away from the book. But at the same time, the dismaying failure to teach reading in this country, and appreciation of the good books available to us, is precisely the kind of problem which is being attacked by quality TV programing, such as that represented by the Public Broadcasting System. The fact of the matter is that millions upon millions of our children and adults in this country, despite the efforts of educators, either cannot read or cannot read well enough to function in our complex society. These functional illiterates, as the educators describe them, cannot perform such basic tasks as gaining information from a newspaper, filling out a driver's license application, or filling out a job application.

Most of my esteemed colleagues here know about the Children's Television Workshop and its most famous production "Sesame Street," which is an excellent educational television series designed for the preschool child.

The Children's Television Workshop also produces another series, titled "The Electric Company," which addresses itself straight to the problem of reading.

"The Electric Company" has been on the airwaves of our noncommercial television system for a full season now. It is directed to the child in the second, third, and fourth grades, and is designed to help teachers reinforce certain basic concepts of reading.

All the entertainment devices of commercial television—music, action, humor—are utilized in "The Electric Company" not to sell products but to interest the child in letters, words, sentences, and to help teach a child to read.

This is important work.

Preliminary studies by the Children's Television Workshop indicate that the new series is succeeding in reaching its audience, in arousing an interest in reading, and in reinforcing the skills needed to read.

I am informed that more than 18,000 schools in the country—schools with at least one television set and with access to the signals of a noncommercial, public broadcasting station—are using "The Electric Company" as part of the classroom instruction. Millions of other children watch in their own homes.

All this is occurring at a cost of about one cent per child per day. I cannot think of a better educational bargain.

The legislation we are considering would permit the Corporation for Public Broadcasting to more than double its support of the Children's Television Workshop, and, thus, the efforts of "The Electric Company" to help in this country's educational needs.

My recommendation is that the bill be passed, as submitted.

Mr. STAGGERS. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania (Mr. ROONEY), a member of the committee.

Mr. ROONEY of Pennsylvania. Mr. Chairman, I rise in full support of the bill, H.R. 13918.

Mr. Chairman, I want to commend the very distinguished chairman of our subcommittee, the gentleman from Massachusetts (Mr. MCDONALD) who is with us today and who has worked long and hard to bring this bill before the house today.

I would like to say, Mr. Chairman, I suppose that I come from a very unique part of the country that really utilizes and needs the use of this educational television.

I live in the greater Lehigh Valley, which includes Allentown, Bethlehem, and Easton area.

We have no locally owned television station. All the television we receive in the Lehigh Valley comes in either from New York, Philadelphia, or Wilkes-Barre or Scranton.

In the Lehigh Valley we have channel

station WLVT which does an excellent job in bringing education to the children and to the adults in my constituency.

Mr. Chairman, the bill before us today (H.R. 13918) would go a long way to provide a modicum of stability and importantly, increased financial support for local public radio and television stations throughout the country. In fact, one-half of the funds authorized under this bill for fiscal year 1973 would return directly to local stations. These funds include $25 million authorized under the Educational Broadcasting Facilities program and in addition, not less than 30 percent of all funds authorized to the Corporation for Public Broadcasting.

This aspect of the legislation is crucially important, because of the economic pressures on local stations and the fact that many of them have been forced to work with equipment ancient in television and radio technological terms.

For example, under H.R. 13918, the Corporation would be required to distribute to local stations—using procedures worked out with representatives of the stations themselves—about $20 million during the first year. This would be an increase of about three times the present level of general station support. And in March, when the bill was reported from subcommittee, the CPB Board announced that if funds authorized for fiscal year 1973 and fiscal year 1974 are ultimately appropriated at or near the levels indicated in the bill, it contemplates a percentage distribution greater than the 30 percent for station use mentioned in the legislation.

And this support is desperately needed at the local station level, so that these stations can serve the unique needs of their communities through local programing.

For example, tightening economic pressures on participating school districts everywhere have resulted in a curtailment and, indeed, in some areas, a complete halt in support of instructional television programing activity on local stations. Businesses and industry have tightened their own belts, and what meager funds were flowing into public television stations through underwriting and direct contribution, have seriously diminished. State governmental support of educational television has also been eroded through constantly increasing demands on its treasury.

Yet, with all this, the local noncommercial public television station, born without any visible means of support, has been called upon to serve its local constituency—and despite the adverse economics—practically all public stations have responded with new and imaginative programs for its local community.

Many station managers, I am told, spend most of their time in a relentless search for "survival funds." Instead of expending energy in the creation and development of new and imaginative programing efforts—which takes dollars—many public station managers, particularly in the smaller and medium size markets, spend most of their day in designing new and imaginative ways to seek funds to pay the telephone bill.

Enactment of H.R. 13198 would help to alleviate this situation and allow local public broadcasters to concentrate their efforts on the creation of programs of specific interest to their own communities.

The bill goes a step further in guaranteeing that local broadcasting play a more meaningful role in the community by providing that five members appointed by the 15-member board of directors of CPB be chief executive staff officers of noncommercial educational broadcasting stations.

As an example of what we have been discussing, I would like to indicate the kinds of programs serving a community in my own district even now when stations are struggling to pay that phone bill.

WLVT–TV, serving Allentown, Bethlehem, and Easton, Pa., has provided these programs during the past year:

Two weeks of continuous live local programing every night, featuring all local candidates for political office, including school board, city council, State senate and assembly, district attorney, judgeships, and U.S. Congress. Live, local election returns; public hearings, featuring the Governor; State house committees; ecology versus the environment; and fluoridation.

Monthly live city council and school board reports with telephone questions direct to city and school officials; regular weekly exchange of views by college students and community leaders of seven local universities on our "College Speak In," which recently featured the Honorable WILBUR MILLS in a special hour telecast. Programing such as this can only be done at the grassroots level and H.R. 13918 would help provide the necessary funds.

Mr. KEITH. Mr. Chairman, I yield 1 minute to the gentleman from Iowa (Mr. GROSS).

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. KEITH. I yield to the gentleman from Iowa.

Mr. GROSS. I wonder if the gentleman could tell me why, since general debate on the bill is about to end and it is only 2 p.m., we cannot go on today and finish this bill. Does the gentleman have any idea about what goes on that precludes disposition of this bill today?

Mr. KEITH. No, I am not privy to the leadership thoughts in that respect.

Mr. GROSS. I thank the gentleman for that inconclusive answer.

Mr. KEITH. It is a very definite answer. I do not know.

Mr. Chairman, I yield to the gentleman from Kentucky (Mr. CARTER).

Mr. CARTER. Mr. Chairman, one provision of H.R. 13918 would require that no less than 30 percent of the Federal money given to the Corporation for Public Broadcasting go directly to local stations in the form of community service grants. In addition, this bill provides that $25 million would go to the educational broadcasting facilities program of HEW, which awards grants to stations for equipment.

The result of these provisions is to earmark for local station use 50 percent of the funds H.R. 13918 would provide. This recognizes the worthy contribution being made by public stations throughout the country in service to their communities.

In my State, the Kentucky Authority for Educational Television has provided a model of this kind of service. Though it has been in operation only 4 years, the authority's network, which is comprised of 13 transmitters, supplements the classroom education of more than a half-million Kentucky schoolchildren. It brings them not only the traditional courses, but also such programs as "Kentucky Is My Land," a history series that fosters appreciation of the State's rich heritage.

In addition, Kentucky educational television provides televised high school classes leading to high school equivalency certificates for the State's 760,000 adults who have not completed secondary school, and it provides a closed-circuit interconnection among the State universities and to the State's community college system.

Further, Kentucky educational television, in coperation with other State agencies, has produced programs for Kentuckians explaining such matters as motor vehicle inspection, driver's licensing, and the State's foster child situation.

The result of this system has been to bring to all Kentuckians, particularly those outside the major population centers, a service that is not available to them from any other source. Clearly, if we are to solve some of the problems of our growing society, maximum use must be made of communications for public service. This ability exists today through local public broadcasting, but it needs strengthening.

H.R. 13918 would more than triple the amount of the grants from the Corporation for Public Broadcasting to local television stations, and it would almost double the total funds available from HEW for station equipment.

I am convinced that this money is needed at the local level and urge support of H.R. 13918 as the best means for accomplishing this purpose.

Mr. STAGGERS. Mr. Chairman, I yield such time as he may consume to the gentleman from Florida (Mr. BENNET).

Mr. BENNETT. Mr. Chairman, I support this legislation and congratulate the chairman of the committee for the work he did on this bill.

Mr. Chairman, Jacksonville, Fla., which I represent in the Congress is truly proud of its public television broadcasting facility, WJCT, channel 7. For the past several years this television station has provided our community with an invaluable public service. Channel 7 has broadcast to every home in Florida's Third District the meetings of the Duval County School Board. Channel 7 has also broadcast city council meetings on a regular basis; and has done much to keep the community informed and in touch with policymakers through programs such as their audience telephone partici-

pation program, "Feedback." In just a few short years channel 7 and other public broadcast facilities around the Nation have grown and proven themselves. These public broadcast stations have made a significant contribution to the well-being of this Nation.

Public broadcasting in the United States is now at a turning point. Stations are gearing up, preparing to expand their facilities and their programing services to local communities. Public broadcasters have developed a precious momentum and momentum is a very perishable commodity. It cannot be stored away and preserved. It must be encouraged and helped along. Through H.R. 13918 the necessary resources will be provided to preserve momentum for the public broadcasting industry in this Nation. And also, the bill opens up great new areas for local broadcast operations.

First of all, 30 percent of the funds appropriated for public broacasting in each fiscal year will be distributed to local public broadcast stations for use as they see fit. Previously no minimum amount was fixed and last year only 17 percent of the appropriated funds made it to the local market and into the budgets of the local public broadcast operations. This 30-percent minimum will allow stations to expand their programing output and better serve the needs of the local community.

The grant-in-aid program under the Department of Health, Education, and Welfare would be expanded from $15 million a year to $25 million a year. Although the $10 million jump does represent a great deal of money, local stations badly need television cameras, video tape recorders, and other expensive yet necessary equipment. I know one of the most serious problems that faces WJCT in Jacksonville is the lack of such equipment, and I feel sure that with the increased authorization we will see a more than comparable increase in the quality of programing.

Third, this bill would include, on the 15-member board of directors of the CPB, five members who are chief executive staff officers of noncommercial educational broadcasting stations. I can think of no better way for the Corporation for Public Broadcasting to keep in touch with the needs of the local markets and the needs of the local citizens in the communities serviced by public broadcasting.

Another important section of the bill which should not be overlooked is the length of time in its appropriations. Producers both on the local and on the network level need time to write scripts, build sets, bring together the necessary talent and the technical crews to produce a program. Mr. John W. Massey, president of the Corporation for Public Broadcasting, said in his remarks before the Subcommittee on Communications and Power—

> As any broadcast producer will testify, a leadtime period of 18 to 24 months is imperative to the successful development and the production of original program series.

It is clear from this that the 2-year appropriation is the absolute minimum amount of time within which quality programing can be developed. If a program on the local level can be developed in 9 months, producers must be assured that they will have sufficient amount of programing time to justify the expense and the tremendous amount of work that goes into producing a television program.

Finally, H.R. 13918 authorizes an appropriation to CPB of $65 million for fiscal year 1973 and $90 million for fiscal year 1974. As I mentioned before, stations like WJCT in Jacksonville are geared up, are enthusiastic, and are ready to do all they can to service their communities. But it must be clear that they cannot do it without the necessary funds. They cannot continue to expand, they cannot continue to grow and they cannot continue to increase their services to the communities without additional Federal funds. Programs on the horizon like the adult learning program service, designed to assist adults who do not have a high school education, should not fall by the wayside. These and other programs which are now and will be broadcast via public television in the future, make public television more than just entertainment and an informational media. It turns the television into an instructor, a teacher and a window to the world; providing opportunities for many and making America a better place in which to live. I urge passage of this important legislation.

Mr. STAGGERS. Mr. Chairman, I yield 5 minutes to the gentleman from California (Mr. VAN DEERLIN), the ranking member of the subcommittee on our side.

Mr. VAN DEERLIN. Mr. Chairman, the manner in which this bill comes to the floor for consideration has been in the highest tradition of committee functions in this body. Our subcommittee was surely not of any single persuasion as to the manner in which public broadcasting, both television and radio, should be continued under Government sponsorship. We had, as a matter of fact, on the final day in our subcommittee a division of opinion. Our subcommittee chairman, Mr. MACDONALD, had originally introduced a bill calling for a 5-year extension with some new departures in the manner in which funds were to be raised for public broadcasting.

A sizable number thought the administration was to be taken at its word in its assurances that there would be permanent funding proposals before Congress by the end of the fiscal year, in June of 1973. And so they argued for a 1-year limitation. We hit upon a compromise figure. We agreed that a 2-year extension, even if the administration comes up with a permanent funding plan by the time it promised, would give us some time in which to consider the plan's merits, some time in which to act in committee and bring the matter to the floor for measured debate. In any event, we agreed, the recipients of assistance under this legislation were entitled to more than a 1-year extension, for purposes of reasonable and efficient planning.

Never have they had less than 2 years. It is the policy in most authorization bills within the Interstate and Foreign Commerce Committee to provide 3-year authorizations.

There have been, and there will be tomorrow when we go to the 5-minute rule, some objections raised to the manner in which public broadcasting has conducted itself. And so I just want you to know that within our committee, public broadcasting or any other level of broadcasting finds no patsies.

I have not always agreed with the chairman of our full committee, Mr. STAGGERS, in his views toward broadcasting, nor he with mine, but I can tell you that nobody has HARLEY STAGGERS in his pocket.

Similarly, the chairman of our subcommittee, whom we are all so happy to see back and looking so well after a long siege of illness, is perhaps one of the most aggressive questioners of witnesses that I have seen in my 10 years in Congress. He is never impolite, but he never lets anybody get away with evasions or indirection. I can assure you that representatives of both the educational broadcast stations and the public corporation appearing before our committee have been subjected to the most rigorous cross-examination.

I do not have to tell you that men like BOB TIERNAN, FRED ROONEY, and GOODLOE BYRON are equally attentive to their responsibilities as Members of this body.

On the other side, Mr. KEITH, of Massachusetts, has provided in his first year as ranking minority member of this subcommittee a very progressive and enlightened leadership on this subject.

We have already heard from Mr. FREY, the gentleman from Florida, one of the abler new members of this body. I am sorry the gentleman from Ohio (CLARENCE BROWN) will not be back until tomorrow. He has addressed himself with special concern to educational aspects of public broadcasting and has made sure, by a great deal of hard personal work, that those interests are protected. I do not have to tell the Members the gentleman from Texas (Mr. COLLINS) has been very attentive to the public interest as he sees it in regard to public broadcasting.

So the bill we bring before the Members from this group of men is not the bill that the public broadcasters themselves would have preferred, nor the bill perhaps that any of us individually would have preferred. It represents a working out of differences of opinion, and differences of emphasis.

There will be, and there has been today some allusion to the salary matter. This concerns principally three salaries alleged to be excessive. Two of them are paid by an independent corporation, the National Public Affairs Center for Television. This is an independent agency funded in part by public funds and up to almost 50 percent by private foundation funds. Recently combined with the Washington, D.C., public television out-

let, WETA, it is now producing public affairs programing for the Public Broadcast Service, distributed nationally.

If anyone can address himself with some objectivity to this matter of the salaries paid by NPACT to its on-the-air talent, I think I am that one. It was I who first called upon the Public Broadcasting Corporation to provide a list of those salaries; it was I who objected in this well, when they were a little slow in coming up with those figures; it was I who, upon first revelation of those salaries, expressed the view that the prime task for public broadcasting should be not to compete in the marketplace for commercial talent, but to develop its own star system. I think some mistake may have been made in hiring Sander Vanocur at $85,000, and Robert McNeill at $65,000, respectively. The third salary in question was authorized by the Public Broadcast Corporation for John Macy, former Chairman of the Civil Service Commission, who is the head of the Public Broadcasting Corporation and draws a salary of $65,000.

It can be said that if we were to go into the marketplace and try to hire men with experience in network broadcasting on public affairs, we might have to pay more than $85,000 or $65,000.

There has been some objection to what is conceived to be the ideological slant of the men who were hired. Let me say something about the NPACT operation. The No. 3 man over there is a man I have known for a great many years, because he comes from my hometown. He was political editor of the San Diego Union. Twice he was detached from his service with the newspaper in order to assist Richard Nixon, first in his campaign to be elected Governor of California, and then in his successful quest for the Presidency. So this NPACT team has political balance.

If there is an ideological slant, in whatever their private views may be, moreover, I defy anyone to show me where that slant has shown up in any of the public affairs broadcasting that has been aired by this NPAC team—and they have been on every Tuesday night for the last 15 weeks. The job that they are doing is exactly the kind of job that has been set out for this new form of broadcasting, which is aimed to give some variation, and to breathe some new life into what is put out on television and radio.

Mr. Chairman, I know I am running out of time, but I would like to emphasize the work that is being done in public radio under this funding. We usually think of this legislation in terms of television. I should imagine if any of us can think of any part of the broadcast spectrum which needs attention, it is radio. Commercial radio has been going to pot.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. STAGGERS. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. VAN DEERLIN. Thank you very much, Mr. Chairman. In 3 short years, the Corporation has succeeded in increasing the number of full-service public radio stations from 73 to 121. Today, 62 of the Nation's 100 largest cities are served by such a station, as well as many rural communities.

More important, Corporation aid has sparked the same kind of programing improvements in radio, as it has in television. The result has been to add a new source of information and enlightenment to the American communications scene.

National Public Radio, the national interconnection agency that CPB helped create and which it funds, has been in the lead of this movement. Among its achievements have been the broadcast of almost 100 hours of hearings held by the U.S. Senate and the House of Representatives; live broadcasts of more than 60 major addresses from the National Press Club, and numerous special events, such as live coverage on the United Nation's debate on the admission of Red China. In addition, it has provided a broad range of cultural programs.

More than mere sentiment for an era long past prompts this redevelopment and resurgence of radio, for the medium has unique capabilities that other media lack. Being highly mobile, radio provides a sense of immediacy with which even television cannot always compete. It is also efficient, being able to provide the same kind of program as television at only only one-tenth the cost.

As recently as on the day of the tragedy at Laurel, Md., in which Governor Wallace was shot, I happened on the way home that evening to hear two public radio stations in their handling of that story. I can tell the Members it was professional and first-rate in every respect.

As I remarked a moment ago to our colleague from Iowa, I am hopeful that encouragement of public radio might give us a few more broadcasters such as the old "Voice of Iowa," H. R. GROSS, used to be.

I should like to point out that the increase in funds which is provided in this legislation—almost all of it—will go directly through to the local stations. If there is one thing we have set out to preserve in the public broadcast law in this Nation, it is the independence and the integrity of local management. There is going to be no network pushing anything down the throats of these independently operated stations.

We have $10 million in the bill for facilities grants to the stations. And we have a provision that 30 percent of all the general funds will go directly through to the local stations.

The CHAIRMAN. The time of the gentleman from California has again expired.

Mr. STAGGERS. Mr. Chairman, I yield the gentleman 1 additional minute.

Mr. VAN DEERLIN. The chairman has been overly generous with me, and I hope I have not abused his kindness.

If you Members have been hearing from managers of local stations, I know you have learned there are a great many things they are eager to do in local programs which they have not been able to do because of a lack of funding.

I am delighted to assure Members that under the terms of this bill, 50 cents out of every dollar we spend, if the Appropriations Committee goes along, will go directly through to the local stations—to be spent as they see fit, under the guidance of boards of prominent citizens in each community.

There are 220 of these television stations, many of them affiliated with colleges and universities in our districts, and 121 full service radio stations.

I do hope the Members will all come to the floor with open minds tomorrow, to consider what we can do to preserve and extend the benefits of a truly people's broadcasting service in the United States.

Mr. KEITH. Mr. Chairman, I yield myself such time as I may consume.

I want again to acknowledge the very great contribution which the modest gentleman from California (Mr. VAN DEERLIN) has made to this legislation and to the cause of public broadcasting. He has been an enlightened contributor to the deliberations of the committee, and the legislation is much improved by his contribution.

The gentleman from California suggested that there had never been any justifiable complaint as it relates to the objectivity of, as I shall call them, the Sander Vanocur programs on NPACT. It is my recollection that on at least two occasions following speeches by the President, all of those who were asked for comments were opposed to the philosophy and the content of the President's remarks. The two speeches were, on the one hand, busing, and, on the other the renewed bombing in Vietnam.

Are you aware of those programs. Have they been brought to your attention?

Mr. VAN DEERLIN. If the gentleman will yield, I was referring to the regular Tuesday night "Campaign 1972" programs that have been telecast this year by NPACT.

Mr. KEITH. Yes. There were two programs produced by NPACT, which Mr. Vanocur introduced to the television audience. He admitted in his introduction, that panelists were not balanced, that they were in fact, in opposition to the President's speech.

I will say that the record does show that he made an effort to find people who could give balance to the program, but indicated he was unable to do so.

Mr. VAN DEERLIN. Will the gentleman yield for one moment further?

Mr. KEITH. Yes.

Mr. VAN DEERLIN. When the Chairman of the Federal Communications Commission, Dean Burch, appeared before our subcommittee on this legislation, this year, he testified in response to a question that he knew of no complaints under the Fairness Doctrine which had reached the FCC in relation to public broadcasting, as compared with the numerous complaints which come in response to programs and utterances on commercial television.

Of course, it can be argued that more people are watching commercial television, and that this would account for

a preponderance of complaints against commercial TV. But it does seem strange that there should have been at that time—and this was in the last 4 months—not one single complaint directed to the FCC on this score.

Mr. KEITH. I recall the question. I believe it was by Mr. MACDONALD of Mr. Burch and his response was, "Yes. I checked just this morning and there were none." So this morning we called his office and asked if that same condition exists today, and by and large it does. There are one or two complaints that have been filed by an organization I believe known as AIM, which protests the interconnection system. He felt these complaints that were lodged with his office were not within the jurisdiction of the FCC. The complaints should, I believe, more properly have been brought against the individual station which by choice accepted the program. One of those had to do with sex education and the other with treatment of blacks in the penal system. But he did not feel it was his responsibility to investigate the charges—and certainly those who brought the protest should have carried it, in my judgment, to the individual stations, because all of them voluntarily used these programs, as contrasted to the network approach.

Mr. VAN DEERLIN. Does the gentleman have time to yield for one moment further?

Mr. KEITH. I will be glad to.

Mr. VAN DEERLIN. I wonder if all of the Members are aware that public broadcasting operates under a stricture which is even more comprehensive than commercial broadcasting. We have in our law for public broadcasters the statement that there shall be "strict adherence to objectivity and balance," to an extent which leaves them open to challenge if there is not almost a minute-by-minute distribution of time on controversial issues. Commercial television is under a general requirement of the Fairness Doctrine which says that an effort must be made to seek out the views of opposition forces, and to give them a comparable opportunity to be heard. But it does not require anything like the language of the amendment that we put into the public broadcasting bill 3 years ago.

Mr. KEITH. I think further than that—and I would like to comment upon the observations which the gentleman has made—the charter of the private network is to make money for the stockholders and the charter of these stations and services is entirely in the public interest. They are not looking to improve their ratings and their earnings. They are charged by Congress with educating and enlightening the public and for that reason I believe that they have, in-house, a better overview of the operation. They are, therefore, more likely to be objective than are the networks.

I would be glad to yield to the gentleman from Massachusetts (Mr. MACDONALD) who has done such an extraordinary job in this field, and have his remarks as chairman of the subcommittee on this subject.

Mr. MACDONALD of Massachusetts. Would not the gentleman say that the most important thing here is for the Congress not to get engrossed in a swamp of detail, but to keep the Congress and other political entities out of the running of public broadcasting and to look at public broadcasting as a whole.

The No. 1 question to be answered in the mind of everyone, in my judgment, is "Is public broadcasting doing a good job in its entirety?" If the answer in your mind and if the answer in the mind of all the Members is "No," then do you not think we should avoid getting involved in the swamp of trying to run public broadcasting, and judge it by the product it produces and its effect upon the American people?

Mr. KEITH. Yes, I do, but I believe, as you indicated in your questioning of the witnesses before our committee, we, by reason of our responsibility as committee members, must respond to the questions of our colleagues in the Congress.

I think when sufficient details are furnished in answer to the questions that are asked they are going to find that the program is a lot better than has been indicated in the comments that we and others have made in the committee and on the floor of the House from time to time.

The CHAIRMAN. The time of the gentleman from Massachusetts (Mr. KEITH) has expired.

Mr. HANSEN of Idaho. Mr. Chairman, will the gentleman from West Virginia yield to me for a unanimous-consent request?

Mr. STAGGERS. Yes, I yield to the gentleman from Idaho.

Mr. HANSEN of Idaho. Mr. Chairman, public television came to southeastern Idaho for the first time 10 months ago with the inauguration of public television station KBGL–TV in Pocatello, licensed to Idaho State University.

KBGL–TV is a station serving the cultural, educational, and informational needs of southeast Idaho. The station offers solid local programing on community issues and events, supplementing this fare with a selection of programs made available by the Public Broadcasting Service, public television's national interconnection facility.

I am proud of the progress made by this station and hope that it will meet with every success in the future.

Since KBGL–TV has joined the public broadcasting community, it has met with one of the most crucial problems facing noncommercial broadcasting today—financial anemia.

Traditional sources of funding, such as community subscriptions, contributions, auctions, and State and local funding have never adequately met the costs of quality local programing production. The stations' local production units have always been restrained by subminimal budgets, which in turn have deprived local communities of additional public programing services.

In 1967, Congress enacted the Public Broadcasting Act to meet this need. The Corporation for Public Broadcasting—CPB—was established to be a conduit organization through which Federal funds flowed to local noncommercial broadcasting stations. To distribute these Federal funds effectively and equitably to the 223 public television and 121 qualified public radio stations, the Corporation established a system of annual community service grants to help stations supplement and expand their programing and operational capability. Other programs such as fellowships, aid to nonqualified stations, production and special project grants and competitions have also been made available to these stations during the past 5 years.

Today, we are considering H.R. 13918, a 2-year authorization bill for the Corporation for Public Broadcasting. There has been some talk about reducing this bill to a 1-year authorization, and I would like to take a moment to speak about this bill for I feel the future of stations such as KBGL–TV will be adversely affected should such action be taken.

Despite the administration's support for a 1-year authorization at $45 million, the House Commerce Committee reported H.R. 13918 as a 2-year measure with authorization limits at $65 million for fiscal year 1973 and $90 million for fiscal year 1974. Let me assure you there is no argument over the need for such legislation. The only issue involved is how much money for how long a period of time?

I feel the 2-year authorization recommendation of H.R. 13918 is extremely important given the leadtime period of 18 to 24 months needed to successfully develop and produce original program series of high quality. This leadtime period is necessary for both national and local programing production units. "Sesame Street" was on the drawing board for 21 months before the series was even aired. Programs produced by the BBC, which have appeared on public television, such as "Civilisation," "Forsyte Saga" and "Henry VIII" have also taken over 2 years to plan and produce. How ironic it is that during the very time the United States is preparing for its bicentennial celebration, the British are filming "The Last of the Mohicans" in Scotland. We must be aware that if we want programs of similar quality produced in this country, we must be prepared to make adequate funds available over a sufficient amount of time. Annual authorizations and appropriations procedures are just not condusive to such programing objectives.

The administration testified during the House Communications and Power Subcommittee hearings 2 months ago that they will offer the subcommittee a long-range financing plan by next June. Even if the plan were ready in January, there would be little likelihood of completing the legislative process in both Houses of Congress before the end of fiscal year 1973. It will take a full 2 years to develop and implement a truly refined and workable plan, and I see no need to come back next year for another 1-year authorization while such a proposal is under consideration.

I therefore urge the support of a 2-year authorization at the levels contained in H.R. 13918 as reported almost unanimously by the committee.

Mr. STAGGERS. Mr. Chairman, I yield myself the balance of the time.

Mr. Chairman, I have been very much impressed by the arguments that have been made here today. Certainly, the House owes a debt of gratitude to the gentleman from Massachusetts (Mr. MACDONALD) for his courage in being here and in handling this bill. The gentleman has been in the hospital and has just gotten out and gotten back. In fact, by being here he may be endangering his health.

I would like to compliment the gentleman from Massachusetts (Mr. KEITH) for his very able handling of this legislation on his side of the aisle. I would also like to compliment the gentleman from Florida (Mr. FREY) for his very effective and informative statement. I should also like to say thanks to the gentleman from California (Mr. VAN DEERLIN) and the gentleman from Maryland (Mr. GUDE) for their statements on behalf of this legislation.

Mr. Chairman, I would like to remind the Members that for each and every dollar the Federal Government puts into public broadcasting, $11 is contributed from other sources. I think most of the Members have heard from their people back home, from educators, and from the people who listen to the public broadcasts. They know what a good job public broadcasting is doing throughout the United States in carrying programs which inform, enlighten, and educate.

We should expand this program in order to be able to bring further education to our children and to provide programing for the elderly, which the gentleman from Maryland (Mr. GUDE) referred to.

I would also like to compliment the gentleman from Texas (Mr. COLLINS) with regard to his daughter, Nancy. In contributing her personal money to the public broadcasting station in Boston, she proved herself to be not only wise but public spirited. I feel that all over our Nation young people feel that these public broadcasting stations are doing a good job, and that they are very much in favor of them.

So I wish to commend his very percipient daughter, and to say that we thoroughly appreciate what she did.

With that, Mr. Chairman, I would end the general debate today, and ask that the first paragraph of the bill be read.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Public Broadcasting Act of 1972".

MOTION OFFERED BY MR. STAGGERS

Mr. STAGGERS. Mr. Chairman, I move that the Committee do now rise.

Mr. GROSS. Mr. Chairman, on that motion I demand tellers.

The CHAIRMAN. The gentleman from Iowa is demanding tellers on the motion that the Committee do now rise?

Mr. GROSS. That is correct, Mr. Chairman.

The CHAIRMAN. The Chair will state to the gentleman that the Chair has not yet put the motion.

The question is on the motion offered by the gentleman from West Virginia that the Committee do now rise.

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. GROSS. Mr. Chairman, on that I demand tellers.

Tellers were refused.

Mr. GROSS. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will advise the gentleman from Iowa that a quorum is not needed upon the motion that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. BOGGS) resumed the chair.

CALL OF THE HOUSE

Mr. GROSS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

Mr. GIAIMO. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 175]

Abernethy	Esch	Mann
Abourezk	Eshleman	Mazzoli
Abzug	Evans, Colo.	Metcalfe
Addabbo	Evins, Tenn.	Michel
Alexander	Fascell	Mikva
Anderson, Ill.	Flynt	Miller, Calif.
Anderson, Tenn.	Ford, Gerald R.	Mills, Md.
Arends	Ford, William D.	Minshall
Ashbrook	Frelinghuysen	Mitchell
Badillo	Fulton	Mizell
Baring	Galifianakis	Murphy, N.Y.
Barrett	Gallagher	Nichols
Belcher	Gettys	O'Neill
Bell	Gibbons	Patten
Bingham	Griffin	Pirnie
Blanton	Hagan	Podell
Bow	Halpern	Poff
Brown, Ohio	Hanna	Pryor, Ark.
Broyhill, N.C.	Harsha	Pucinski
Burton	Harvey	Railsback
Byrnes, Wis.	Hathaway	Rangel
Caffery	Hawkins	Reid
Carey, N.Y.	Hébert	Rodino
Chisholm	Hogan	Roncalio
Clausen, Don H.	Holifield	Rooney, N.Y.
Clawson, Del	Horton	Rostenkowski
Clay	Hutchinson	Roybal
Collier	Ichord	St Germain
Colmer	Jarman	Sandman
Conover	Jonas	Sarbanes
Conte	Jones, Tenn.	Satterfield
Conyers	Kuykendall	Scheuer
Corman	Kyros	Schmitz
Cotter	Landrum	Sebelius
Daniels, N.J.	Leggett	Shipley
Davis, Ga.	Long, La.	Sisk
Davis, S.C.	Long, Md.	Smith, Calif.
Dickinson	Lujan	Smith, Iowa
Diggs	McCloskey	Spence
Dingell	McDade	Springer
Dorn	McDonald, Mich.	Stanton, J. William
Dowdy	McEwen	Stanton, James V.
Drinan	McFall	Stephens
Dwyer	McKinney	Stokes
Edwards, Calif.	Madden	Stubblefield
Esch	Mann	Stuckey
Eshleman	Mazzoli	Terry
Evans, Colo.	Metcalfe	Thompson, N.J.
Evins, Tenn.	Michel	Veysey
Fascell	Mikva	Wiggins
Flynt	Miller, Calif.	Wilson, Bob
Ford, Gerald R.	Mills, Md.	Wilson, Charles H.
Ford, William D.	Minshall	Wolff
Frelinghuysen	Mitchell	Yatron
Fulton	Mizell	
Galifianakis	Murphy, N.Y.	
Gallagher	Nichols	
Gettys	O'Neill	
Gibbons	Patten	
Griffin	Pirnie	
Hagan	Podell	
Halpern	Poff	
Hanna	Pryor, Ark.	
Harsha	Pucinski	
Harvey	Railsback	
Hathaway	Rangel	
Hawkins	Reid	
Hébert	Rodino	
Hogan	Roncalio	
Holifield	Rooney, N.Y.	
Horton	Rostenkowski	
Hutchinson	Roybal	
Ichord	St Germain	
Jarman	Sandman	
Jonas	Sarbanes	
Jones, Tenn.	Satterfield	
Kuykendall	Scheuer	
Kyros	Schmitz	
Landrum	Sebelius	
Leggett	Shipley	
Long, La.	Sisk	
Long, Md.	Smith, Calif.	
Lujan	Smith, Iowa	
McCloskey	Spence	
McDade	Springer	
McDonald, Mich.	Stanton, J. William	
McEwen	Stanton, James V.	
McFall	Stephens	
McKinney	Stokes	
Madden	Stubblefield	

The SPEAKER pro tempore (Mr. BOGGS). On this rollcall 289 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

Mr. GIAIMO, Chairman of the Committee of the Whole House on the State of the Union, then reported that that Committee, having had under consideration the bill (H.R. 13918) to provide for improved financing for the Corporation for Public Broadcasting, and for other purposes, had come to no resolution thereon.

APPOINTMENT OF REPRESENTATIVE RICHARD H. POFF TO THE VIRGINIA SUPREME COURT

(Mr. DOWNING asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DOWNING. Mr. Speaker, I take this time to announce to the House that the Governor of Virginia, the Honorable Linwood Holton, has appointed our colleague, the Honorable RICHARD H. POFF, to the Virginia Supreme Court.

Mr. Speaker, I commend the Governor for this action. I think this appointment is a very popular and solid one.

Mr. Speaker, I have reserved 30 minutes on tomorrow so that the Members can make whatever remarks they care to make with reference to the appointment of our colleague to the Virginia Supreme Court.

THE QUESTION OF PROHIBITING THE SALE OF HANDGUNS

(Mr. MONTGOMERY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MONTGOMERY. Mr. Speaker, the attempted assassination of Gov. George Wallace has revived the debate over whether or not the Congress should prohibit the sale of handguns or the so-called Saturday night special. The Saturday night special is a cheaply constructed handgun or pistol which has little or no accuracy. This type of handgun is most often used in armed robberies and murders. It has no practical application as a target pistol and is little or no use to a homeowner in protecting his property because of the lack of accuracy. These are also the types of handguns which are the hardest for the police or FBI to trace when they have been used in the commission of a crime. Criminals usually use this type of pistol because they are easy to obtain, scare the victim just as effectively as other types of guns, and can kill or wound the victim at close range.

It would be very easy to rush forward right after the shooting of Governor Wallace and start supporting tighter gun control laws. But I feel that it would also

be wrong to do so without studying the possible effects of such legislation. My greatest fear is that we would only be opening the door to even more legislation which would deny the people of America the rights of the second amendment to the Constitution which says in part:

The right of the people to keep and bear arms shall not be infringed.

I believe the best policy would be to look into the possibility of passing stricter laws and tougher penalties for any crime committed with a handgun. There have been some proposals that there be a mandatory sentence of 50 years whenever a person is convicted of a crime with a handgun and the person would not be eligible for parole for a minimum of 25 years. If another person were killed during a criminal act with a handgun there would be a mandatory sentence of 99 years upon conviction with no chance for parole for a minimum of 50 years.

The word "mandatory" is very important since the judge and jury would not have any say-so in the length of the prison sentence. If a person were convicted of a robbery or murder with a handgun, then he would automatically be sentenced to 50 years or 99 years. I realize these would be extreme sentences, but I feel they would effectively quell the use of handguns in criminal acts. A law of this type should also satisfy those people who are opposed to capital punishment, but it would also effectively keep the gun-toting criminal off the streets.

In too many cases we have seen criminals convicted of armed robbery or murder given short sentences and returned to the streets to only kill and rob again. A tough law of this type should also serve as a deterrent to anyone who is considering the possibility of armed robbery or killing another human being with a handgun.

I have a feeling that even if the Congress were to pass a law prohibiting handguns or the Saturday night special we would not be able to stop the criminal from obtaining such pistols. There are already so many in circulation that it would still be easy to steal one. This would mean that we would only be placing the law-abiding citizens at the mercy of criminals.

Mr. Speaker, I realize that action needs to be taken to prevent future attacks on our political leaders and also prevent armed robberies and murders, but we must make certain that when we act we do not infringe upon the rights of law-abiding citizens in America. Any laws passed must be directed toward the criminal and must contain tough prison sentences.

DR. IRVING GREENBERG DELIVERS OPENING PRAYER IN THE HOUSE

(Mr. RYAN asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. RYAN. Mr. Speaker, on May 16, Dr. Irving Greenberg, Rabbi of the Riverdale Jewish Center, delivered the opening prayer in the House of Representatives. It was through the thoughtful invitation of our distinguished colleague JONATHAN BINGHAM that we were honored by the Rabbi's presence. Because of congressional reapportionment, the Riverdale Jewish Center is now in the 20th Congressional District of New York, and I feel very privileged in having the opportunity to serve that fine congregation. At the same time I know that Congressman BINGHAM'S able representation will be greatly missed.

A summa cum laude graduate from Brooklyn College, where he was also elected to Phi Beta Kappa in 1954, Dr. Greenberg received his master's degree from Harvard University in 1954, and his Ph. D. from Harvard in 1960. He was ordained in 1953 at the Beth Joseph Rabbinical Seminary.

Dr. Greenberg served as Rabbi of the Young Israel of Brookline in Brookline, Mass., from 1956 to 1960. At the same time he was a lecturer in Near Eastern Judaic Studies at Brandeis University, and director of the Hillel Foundation at Brandeis.

From 1961 to 1962, Dr. Greenberg was a Fulbright Visiting Professor in History at Tel Aviv University in Israel under the U.S. Government educational exchange program.

In addition to his duties at the Riverdale Jewish Center, he is currently assistant professor of history at Yeshiva University, a member of the board of directors of the Religious Education Association, chairman of the advisory board of the Center for Russian Jewry, and a member of the advisory board of the Student Struggle for Soviet Jewry.

Dr. Greenberg has numerous publications to his credit, and his articles have appeared in Commentary, Congress Bi-Weekly, and American Jewish Historical Quarterly, among others.

The tremendous energy he brings to all of his undertakings has earned Dr. Greenberg the respect of his colleagues and the congregation he has so ably led. Beginning in September, he will take on yet an additional responsibility, for he will serve as chairman of the newly created Jewish Studies Department at the City College of New York.

I am most pleased that we had the opportunity to hear Dr. Greenberg's eloquent and thoughtful prayer. His visit to the House came on the day that the Apollo 16 astronauts were received by the House, and Dr. Greenberg appropriately took note of this event with the following words:

May our vision exploring the heavens, bringing men back safely, overcome our blindness neglecting earth, abandoning men to suffering.

CONGRATULATIONS TO PRESIDENT NIXON ON THE STRATEGIC ARMS LIMITATION AGREEMENT

(Mr. STRATTON asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. STRATTON. Mr. Speaker, I take this time, as a member of the Committee on Armed Services, to congratulate the President on achieving the strategic arms limitation agreement in Moscow last week. I believe it represents a historic step forward in the direction of removing the threat of nuclear war from the world, and I believe it deserves to be ratified by the other body.

Incidentally, Mr. Speaker, it ought to be pointed out that the Moscow agreement is actually based on three bits of important preliminary diplomatic spadework carried out by three other Presidents. First is the "open skies" proposal of President Eisenhower back in 1959, which is now incorporated in this agreement in the reconnaissance satellites being operated by both countries.

Second is the Nuclear Test Ban Treaty, concluded by President Kennedy in 1963, which first demonstrated the feasibility of concluding a successful agreement relating to nuclear weapons without the necessity for on-the-site inspection.

The third is the dramatic effort by President Johnson and Defense Secretary McNamara at the Glassboro summit meeting in 1967 to convince the Soviets to halt construction of their new Moscow-based ABM system because it would only undermine the credibility of America's own deterrent offensive nuclear arsenal and thereby needlessly escalate the arms race without increasing real security on either side. The new Moscow agreement really represents a belated recognition of this truth which President Johnson and Secretary McNamara tried so hard to sell to Premier Kosygin at Glassboro. And so the Soviets have now come around after 6 years to recognizing the paradoxical principle that in the long run the best hope of avoiding nuclear war lies in leaving both countries equally exposed to a devastating nuclear "first strike" from the other.

This is precisely what this new pact does, and in so doing it merely formalizes a "nuclear stalemate" that has existed between our two countries for the past decade or so, a condition sometimes referred to as a "balance of terror." Since both countries are equally vulnerable to the other's nuclear forces, neither one can really benefit from starting a nuclear exchange.

I don't put too much stock, Mr. Speaker, in charges that this new agreement gives the Soviets some nuclear edge, especially in missile-firing submarines. This may, indeed, be the case, although we must recognize that we ourselves have some degree of our own in other areas, including our advantages in the field of MIRV'd weapons. What is important, it seems to me, is that by this treaty we have achieved some kind of halt to a nuclear arms race that had appeared to have no end. In the absence of such an agreement the Soviets would still have been free to continue their frenetic development of more and greater land-based missiles as well as their construction of increased numbers

of nuclear missile-firing Polaris-type submarines.

Mr. Speaker, let me make one other comment. In my judgment this new Moscow agreement was made possible only because Congress in past years has backed up the President's position that our best hope of achieving a satisfactory arms limitation agreement lay in maintaining our military strength rather than in disarming unilaterally. Obviously the decision of Congress to continue with development of the ABM was a very wise one. Without an American ABM there would never have been an ABM agreement with the Soviets; and, as the Moscow discussions have made clear, an ABM agreement is the key to a broader limitation on offensive weapons. Had Congress followed the recommendations of those who suggested that we never begin an ABM, or had we followed the suggestions of those who have been urging us to disarm unilaterally, this treaty would never have been concluded at all.

Mr. Speaker, I do not suggest for a moment that these new agreements are perfect or that they will remove all further need to be concerned about our security, either nuclear or nonnuclear. But they do represent a significant advance in the direction of rational restraints on military power on which we should certainly hope to be able to continue to build; and as such they deserve to be supported by this Congress and by the American people.

USHERING IN A GENERATION OF PEACE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Minnesota (Mr. QUIE) is recognized for 60 minutes.

Mr. QUIE. Mr. Speaker, this past weekend, the President of the United States spoke directly to the Russian people over television. He and the leaders of the Union of Soviet Socialist Republics had just finished days of negotiations which may, indeed, as he says usher in a generation of peace.

The leaders of our two nations have agreed on joint ventures in space; they have agreed on ways of working together to protect the environment; to advance health, to cooperate in science and technology.

They have agreed on means of preventing incidents at sea and established a commission to expand trade between our two nations.

And, most important, they have taken an historic first step in the limitation of nuclear strategic arms.

We all agreed with the President, I am sure, when he said:

> There is an old proverb that says: "Make peace with man and quarrel with your sin." The hardships and evils that beset all men and all nations, these and these alone, are what we should make war upon.

Our President desires peace, and has traveled thousands and thousands of miles this year to help insure that our generation and that of our children will have a better opportunity to live in peace with the giant powers of the People's Republic of China and the U.S.S.R. These nations account for almost 1 billion of the world's 3.7 billion population.

This President has a mammoth job in winding down the war in Vietnam, in seeking to maintain peaceful relations with the world powers, in promoting economic stability among the world's peoples, and in maintaining harmony in our own country.

We should all, I feel, stand solidly behind President Nixon and prayerfully support his efforts to bring peace to a world hungering for it.

Mr. Speaker, I should like at this point to include the President's television address to the Russian people:

TRANSCRIPT OF NIXON'S TELEVISION ADDRESS TO THE SOVIET PEOPLE FROM THE GREAT KREMLIN PALACE

Following is a transcript of President Nixon's broadcast address from Moscow yesterday, as recorded by The New York Times:

Dobry vecher [Good evening]. I deeply appreciate this opportunity your government has given me to speak directly with the people of the Soviet Union to bring you a message of friendship from all the people of the United States and to share with you some of my thoughts about the relations between our two countries and about the way to peace and progress in the world.

This is my fourth visit to the Soviet Union. On these visits I have gained a great respect for the peoples of the Soviet Union. For your strength, your generosity, your determination. For the diversity and richness of your cultural heritage. For your many achievements.

In the three years I have been in office one of my principal aims has been to establish a better relationship between the United States and the Soviet Union.

Our two countries have much in common. Most important of all, we have never fought one another in war. On the contrary, the memory of your soldiers and ours embracing at the Elbe as allies in 1945 remains strong in millions of hearts in both of our countries.

It is my hope that that memory can serve as an inspiration for the renewal of Soviet-American cooperation in the nineteen-seventies.

As great powers, we shall sometimes be competitors, but we need never be enemies.

Thirteen years ago, when I visited your country as Vice President, I addressed the people of the Soviet Union on radio and television—as I am addressing you tonight.. I said then, "let us have peaceful competition not only in producing the best factories but in producing better lives for our people. Let us cooperate in our exploration of outer space. Let our aim be not victory over other peoples, but the victory of all mankind over hunger, want, misery and disease wherever it exists in the world."

In our meetings this week, we have begun to bring some of those hopes to fruition. Shortly after we arrived here on Monday afternoon, a brief rain fell on Moscow of a kind that I am told is called a "mushroom rain"—a farm rain, the sunshine breaking through, that makes the mushrooms grow, and is therefore considered a good omen.

The month of May is early for mushrooms, but as our talks progress this week, what did grow was even better—a far-reaching set of agreements that can lead to a better life for both of our peoples, to a better chance for peace in the world.

We have agreed on joint ventures in space; we have agreed on ways of working together to protect the environment, to advance health, to cooperate in science and technology.

We have agreed on means of preventing incidents at sea; we have established a commission to expand trade between our two nations.

Most important, we have taken an historic first step in the limitation of nuclear strategic arms.

This arms control agreement is not for the purpose of giving either side an advantage over the other. Both of our nations are strong. Each respects the strength of the other. Each will maintain the strength necessary to defend its independence.

NO WINNERS, ONLY LOSERS

But in an unchecked arms race between two great nations there would be no winners, only losers. By setting this limitation together the people of both of our nations, and of all nations, can be winners.

If we continue in the spirit of serious purpose that has marked our discussions this week, these agreements can start us on a new road of cooperation for the benefit of our people, for the benefit of all peoples.

There is an old proverb that says "Make peace with man and quarrel with your sin." The hardships and evils that beset all men and all nations, these and these alone are what we should make war upon.

As we look at the prospects for peace, we see that we have made significant progress at reducing the possible sources of direct conflict between us. But history tells us that great nations have often been dragged into war without intending it by conflicts between smaller nations.

As great powers we can and should use our influence to prevent this from happening.

Our goal should be to discourage aggression in other parts of the world—and particularly among those smaller nations that look to us for leadership and example.

With great power goes great responsibility. When a man walks with a giant tread, he must be careful where he sets his feet.

There can be true peace only when the weak are as safe as the strong.

The wealthier and more powerful our own nations become, the more we have to lose from war, and the threat of war, anywhere in the world.

Speaking for the United States, I can say this: We covet no one else's territory, we seek no dominion over any other people. We seek the right to live in peace, not only for ourselves but for all the peoples of this earth.

Our power will only be used to keep the peace, never to break it. Only to defend freedom, never to destroy it.

No nation that does not threaten its neighbors has anything to fear from the United States.

Soviet citizens have often asked me, does America truly want peace? I believe that our actions answer that question far better than any words could do. If we did not want peace, we would not have reduced the size of our armed forces by a million men, by almost one-third, during the past three years.

If we did not want peace, we would not have worked so hard at reaching an agreement on the limitation of nuclear arms; at achieving a settlement of Berlin; at maintaining peace in the Middle East; at establishing better relations with the Soviet Union, with the People's Republic of China, with other nations of the world.

Mrs. Nixon and I feel very fortunate to have had the opportunity to visit the Soviet Union. To get to know the people of the Soviet Union, friendly and hospitable, cou-

rageous and strong. Most Americans will never have a chance to visit the Soviet Union. And most Soviet citizens will never have a chance to visit America.

Most of you know our country only through what you read in your newspapers and what you hear and see on radio and television and motion pictures. This is only a part of the real America.

I would like to take this opportunity to try to convey to you something of what America is really like—not in terms of its scenic beauty, its great cities, its factories, its farms or its highways, but in terms of its people.

In many ways, the people of our two countries are very much alike. Like the Soviet Union, ours is a large and diverse nation. Our people, like yours, are hardworking. Like you, we Americans have a strong spirit of competition.

But we also have a great love of music and poetry, of sports and of humor.

Above all, we, like you, are an open, natural and friendly people. We love our country. We love our children.

And we want for you, and for your children, the same peace and abundance that we want for ourselves and for our children.

We Americans are idealists, we believe deeply in our system of government. We cherish our personal liberty. We would fight to defend it if necessary, as we have done before.

But we also believe deeply in the right of each nation to choose its own system.

Therefore, however much we like our own system for ourselves, we have no desire to impose it on anyone else.

As we conclude this week of talks, there are certainly fundamental premises of the point of view which I believe deserve emphasis.

In conducting these talks, it has not been our aim to divide up the world into spheres of influence, to establish a condominium, or in any way to conspire together against the interests of any other nation.

Rather, we have sought to construct a better framework of understanding between our two nations. To make progress in our bilateral relationships. To find ways of insuring that future frictions between us would never embroil our two nations—and therefore the world—in war.

While ours are both great and powerful nations, the world is no longer dominated by two superpowers. The world is a better and safer place because its power and resources are more widely distributed.

Beyond this, since World War II, more than 70 new nations have come into being.

We cannot have true peace unless they—and all nations—can feel that they share it.

America seeks better relations not only with the Soviet Union but with all nations. The only sound basis for a peaceful and progressive international order is a sovereign equality and mutual respect.

We believe in the right of each nation to chart its own course, to choose its own system, to go its own way without interference from other nations.

STORY OF THE WOODSMAN

As we look to the longer term, peace depends also on continued progress in the developing nations. Together with other advanced industrial countries, the United States and the Soviet Union share a twofold responsibility in this regard. On the one hand, to practice restraint in those activities such as the supply of arms that might endanger the peace of developing nations. And, second, to assist them in their orderly economic and social development—without political interference.

Some of you may have heard an old story told in Russia of a traveler who was walking to another village. He knew the way but not the distance. Finally, he came upon a woodsman chopping wood by the side of the road.

And he asked the woodsman: How long will it take to reach the village?" The woods man replied, "I don't know." The traveler was angry because he was sure the woodsman was from the village and therefore knew how far it was.

And so he started off down the road again. After he had gone a few steps, the woodsman called out: "Stop. It will take you about 15 minutes." The traveler turned and demanded, "Why didn't you tell me that in the first place?"

The woodsman replied, "Because then I didn't know the length of your stride."

In our talks this week with the leaders of the Soviet Union, both sides have had a chance to measure the length of our strides toward peace and security.

I believe that those strides have been substantial. And that now we have well begun the long journey which will lead us to a new age in the relations between our two countries.

It is important to both of our peoples that we continue those strides.

HELP FOR THE SICK

As our two countries learn to work together, our people will be able to get to know one another better. Greater cooperation can also mean a great deal in our daily lives.

As we learn to cooperate in space, in health, in the environment, in science and technology, our cooperation can help sick people get well. It can help industries produce more consumer goods. It can help all of us enjoy the cleaner air and water. It can increase our knowledge of the world around us.

As we expand our trade, each of our countries can buy more of the other's goods and market more of our own. As we gain experience with arms control, we can bring closer the day when further agreements can lessen the arms burden of our two nations, and lessen the threat of war in the world.

Through all the pages of history, through all the centuries, the world's people have struggled to be free from fear. Whether fear of the elements, or hunger, or fear of their own rulers, or fear of their neighbors in other countries.

And yet time and again people have vanquished the source of one fear only to fall prey to another. Let our goal now be a world free of fear.

A world in which nation will no longer prey upon nation. In which human energies will be turned away from production for war, and toward more production for peace. Away from conquest and toward invention, development, creation. A world in which, together, we can establish that peace which is more than the absence of war. Which enables man to pursue those higher goals that the spirit yearns for.

Yesterday, I laid a wreath at the cemetery which commemorates the brave people who died during the siege of Leningrad in World War II. At the cemetery, I saw the picture of a 12-year-old girl. She was a beautiful child. Her name was Tanya. The pages of her diary tell the terrible story of war.

In the simple words of a child she wrote of the deaths of the members of her family. Zhenya in December. Grannie in January. Then Leka. Then Uncle Vasya. Then Uncle Lyosha. Then Mama. Then the Savichevs.

And then, finally, these words, the last words in her diary:

"All are dead. Only Tanya is left."

As we work toward a more peaceful world, let us think of Tanya and of other Tanyas and their brothers and sisters everywhere.

Let us do all that we can to insure that no other children will have to endure what Tanya did and that your children and ours and all the children of the world can live their full lives together in friendship and in peace.

Spasibo i do svidaniya [Thank you and good-by.]

FEDERAL FISCAL RESPONSIBILITY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. ESCH) is recognized for 15 minutes.

Mr. ESCH. Mr. Speaker, the following is a white paper prepared through research conducted in the past few weeks by members of my staff and with the assistance of the Congressional Research Service.

The white paper details several reasons why I believe that enactment of the Federal Fiscal Responsibility Act of 1972 would move our Nation to greater responsibility in fiscal and budgetary matters. In line with my concern for Federal fiscal responsibility, I am including an estimate by the Acting Public Printer of the cost of printing this manuscript in the CONGRESSIONAL RECORD. In a letter to me the Acting Public Printer stated that my white paper will cost an estimated $1,645 and will cover 11¾ pages in the CONGRESSIONAL RECORD.

In recent years Congress has abdicated its role in the budgetary process to a minimum level of policy assent. If Congress is to reassert its role in the process it must move to modernize its appropriations procedures. Senator WARREN MAGNUSON put it this way last year in hearings on the budgetary process:

> Congress is attempting literally to run a business ten times as large as A.T. & T. or GM combined or 50 corporations combined with machinery as obsolete as a quill pen and a slanting bookkeeper's desk.

Enactment of the Fiscal Responsibility Act of 1972, which I introduced on March 23, will make a major contribution toward helping Congress to improve its planning process and increase its oversight capabilities for Federal programs.

In these days of $246 billion budgets, it has become obvious that Congress lacks the capability for comprehensive consideration of the budget. Since 1956 the budget has increased by over 300 percent. Yet in the best of years the Congress has less than 6 months to review the 1,100-page budget document before the beginning of the fiscal year.

In order to present a complete picture of Federal spending, President Nixon forwarded his first budget in a unified format which included all trust funds. While this innovation has helped Congress see the total budgeting picture, it does not assure that Congress considers the budget from this comprehensive perspective.

The tremendous growth of Federal budgets is best illustrated by the following charts. Chart 1 compares budget estimates and appropriations since fiscal year 1946. Chart 2 compares budget data since 1954 on a Federal funds and unified-budget basis.

CHART 1.—COMPARISON OF BUDGET ESTIMATES AND APPROPRIATIONS BY SESSIONS OF CONGRESS

Congress and session	Budget estimates	Appropriations	Increase (+) or decrease (−), appropriations compared with estimates
79th Cong., 1st sess., fiscal year 1946 and prior fiscal years	$68,941,364,648	$67,545,660,880	−$1,395,703,768
79th Cong., 2d sess., fiscal year 1947 and prior fiscal years	35,153,239,093	33,571,494,011	−1,581,745,082
80th Cong., 1st sess., fiscal year 1948 and prior fiscal years	36,725,853,652	34,159,097,708	−2,566,655,944
80th Cong., 2d sess., fiscal year 1949 and prior fiscal years	41,053,346,713	38,282,717,957	−2,770,628,756
81st Cong., 1st sess., fiscal year 1950 and prior fiscal years	45,524,384,067	43,708,265,798	−1,816,118,269
81st Cong., 2d sess., fiscal year 1951 and prior fiscal years	80,172,585,565	72,200,190,841	−1,972,394,724
82d Cong., 1st sess., fiscal year 1952 and prior fiscal years	102,449,917,037	97,729,806,397	−4,720,110,640
82d Cong., 2d sess., fiscal year 1953 and prior fiscal years	91,205,894,252	82,596,777,411	−8,609,116,841
83d Cong., 1st sess., fiscal year 1954 and prior fiscal years	73,976,821,699	61,942,992,897	−12,033,828,802
83d Cong., 2d sess., fiscal year 1955 and prior fiscal years	57,422,327,386	54,812,457,263	−2,609,870,123
84th Cong., 1st sess., fiscal year 1956 and prior fiscal years	62,030,092,195	59,954,284,321	−2,075,807,874
84th Cong., 2d sess., fiscal year 1957 and prior fiscal years	68,587,724,820	68,330,229,608	−257,495,212
85th Cong., 1st sess., fiscal year 1958 and prior fiscal years	73,113,555,340	68,070,096,556	−5,043,458,784
85th Cong., 2d sess., fiscal year 1959 and prior fiscal years	81,737,060,999	81,119,818,276	−617,242,723
86th Cong., 1st sess., fiscal year 1960 and prior fiscal years	83,452,687,259	81,572,357,732	−1,880,329,527
86th Cong., 2d sess., fiscal year 1961 and prior fiscal years	$84,010,398,836	$83,799,241,957	−$211,156,879
87th Cong., 1st sess., fiscal year 1962 and prior fiscal years	101,185,574,673	96,194,946,610	−4,990,628,063
87th Cong., 2d sess., fiscal year 1963 and prior fiscal years	107,203,876,735	102,661,536,812	−4,542,339,923
88th Cong., 1st sess., fiscal year 1964 and prior fiscal years	110,270,774,856	103,798,631,671	−6,472,140,185
88th Cong., 2d sess., fiscal year 1965 and prior fiscal years	[1] 110,204,088,176	[2] 106,070,110,056	−4,133,978,120
89th Cong., 1st sess., fiscal year 1966 and prior fiscal years	[3] 121,719,754,896	[4] 119,310,113,527	−2,409,641,369
89th Cong., 2d sess., fiscal year 1967 and prior fiscal years	[5] 144,812,809,086	[6] 143,883,626,282	−929,182,804
90th Cong., 1st sess., fiscal year 1968 and prior fiscal years	[7] 162,988,905,929	[8] 156,917,115,912	[9] −6,071,790,017
90th Cong., 2d sess., fiscal year 1969 and prior fiscal years	[10] 209,439,260,996	[11] 196,537,244,324	−12,902,016,672
Consisting of:			
Trust funds	(54,012,887,000)	(54,012,887,000)	
All other (Federal funds)	(155,426,373,996)	(142,524,357,324)	(−12,902,016,672)
91st Cong., 1st sess., fiscal year 1970 and prior fiscal years	[12] 210,843,237,215	[13] 207,248,470,494	−3,594,755,721
Consisting of:			
Trust funds	(60,619,823,000)	(60,619,823,000)	
All other (Federal funds)	(150,223,414,215)	(146,628,658,494)	(−3,594,755,721)
91st Cong., 2d sess., fiscal year 1971 and prior fiscal years	[14] 217,605,978,434	[15] 232,139,894,882	+14,533,916,448
Consisting of:			
Trust funds	(65,381,174,000)	(65,381,174,000)	
All other (Federa funds)	(152,224,804,434)	(166,758,720,882)	(+14,533,916,448)

[1] Includes $225,000,000 requested in 1965 for fiscal year 1966.
[2] Includes $75,000,000 appropriated in 1965 for fiscal year 1966.
[3] Includes $937,500,000 requested in 1966 for fiscal year 1967.
[4] Includes $926,000,000 appropriated in 1966 for fiscal year 1967.
[5] Includes $900,000,000 requested in 1967 for fiscal year 1968.
[6] Includes $875,000,000 appropriated in 1967 for fiscal year 1968.
[7] Includes $1,055,000,000 requested in 1968 for 1969.
[8] Includes $995,000,000 appropriated in 1968 for fiscal year 1969.
[9] Does not reflect additional reductions in controllable obligations effected pursuant to Public Law 90–218 (H.J. Res. 888) estimated at $3,400,617,000 on June 30, 1968. Reserves established $6,075,520,000; reserves subsequently released, $2,674,903,000; reserves remaining $3,400,617,000. (See pp. 278–282 for detail.)
[10] As in tables IV and IVa, VIIIa, and VIIIb, these totals are adjusted to exclude $12,800,000,000 of interfund and intergovernmental transactions—see par. 4, "Compilers' Notes", p. 3. Budget estimates include $2,895,000,000 requested in 1969 for 1970.
[11] As in tables IV and IVa, VIIIa and VIIIb, these totals are adjusted to exclude $12,800,000,000 of interfund and intergovernmental transactions—see par. 4, "Compilers' Notes", p. 3. Appropriations include $1,965,814,300 appropriated in 1969 for 1970.
[12] Totals adjusted to exclude $13,915,525,000 of interfund and intergovernmental transactions—see par. 4, "Compilers' Notes", p. 3. Budget estimates include $1,651,000 requested in 1970 for 1971.
[13] Totals adjusted to exclude $13,915,525,000 of Interfund and intergovernmental transactions—see par. 4, "Compilers' Notes", p. 3. Appropriations include $214,000,000 appropriated in 1970 for 1971.
[14] Totals adjusted to exclude $18,232,767,000 of interfund and intergovernmental transactions—see par. 4, "Compilers' Notes", p. 3. Budget estimates include $188,011,000 requested in 1971 for 1972.
[15] Totals adjusted to exclude $18,232,767,000 of interfund and intergovernmental transactions—see par. 4, "Compilers' Notes", p. 3. Appropriations include $150,000,000 appropriated in 1971 for 1972.

Note: Concept of "budget estimates" and "appropriations" as used in the above tabulations, beginning with the 90th Cong., 2d sess., differs to some limited general extent from previous tabulations, and significantly differs in respect to inclusion of trust fund appropriation amounts not included in this tabulation prior to the 90th Cong., 2d sess. See explanation, par. 4, 'Compilers Notes", p. 3. Also, beginning with the 85th Cong., 2d sess. (fiscal year 1959), figures exclude amounts relating to refunding Internal Revenue collections and sinking fund and other debt retirement funds.

Source: S. Doc. 91–122

CHART 2.—COMPARISON OF U.S. GOVERNMENT ANNUAL BUDGET DATA ON THE UNIFIED BUDGET CONCEPT AND THE FEDERAL FUNDS BASIS AND PUBLIC DEBT OUTSTANDING AT FISCAL YEAR END, 1954–73

[In million of dollars]

	Unified budget concept [1]			Federal funds budget basis [1]			
Fiscal year	Receipts	Outlays	Surplus or deficit (−)	Receipts	Outlays	Surplus or deficit (−)	U.S. Government public debt [2]
1954	67,719	70,890	−1,170	62,790	65,924	−3,134	270,790
1955	65,479	68,509	−3,041	58,112	62,279	−4,167	273,915
1956	74,547	70,460	4,087	65,376	63,761	1,606	272,361
1957	79,990	76,741	3,249	68,768	67,142	1,626	270,188
1958	79,636	82,575	−2,939	66,580	69,731	−3,151	276,013
1959	79,249	92,104	−12,855	65,827	77,071	−11,244	284,398
1960	92,492	92,223	269	75,650	74,865	785	286,065
1961	94,389	97,795	−3,406	75,179	79,336	−4,157	288,862
1962	99,676	106,813	−7,137	79,703	86,594	−6,891	298,212
1963	106,560	111,311	−4,751	83,550	90,141	−6,591	306,099
1964	112,662	118,584	−5,922	87,205	95,761	−8,556	312,164
1965	116,833	118,430	−1,596	90,943	94,807	−3,864	317,581
1966	130,856	134,652	−3,796	101,427	106,512	−5,085	320,102
1967	149,552	158,254	−8,702	111,835	126,779	−14,944	326,471
1968	153,671	178,833	−25,161	114,726	143,105	−28,379	350,743
1969	187,784	184,548	3,236	143,236	148,811	−5,490	356,932
1970	193,743	196,588	−2,845	143,158	156,301	−13,143	373,425
1971	188,392	211,425	−23,033	133,785	163,651	−29,866	399,475
1972 (estimate)	197,827	236,610	−38,783	137,788	182,519	−44,731	446,022
1973 (estimate)	220,785	246,257	−25,472	150,617	186,784	−36,167	481,878
Cumulative deficit (1954–73)			−159,768			−225,543	

[1] The unified budget concept includes both Federal funds and trust funds for receipts and outlays. Federal funds correspond roughly to the old administrative concept used by the Federal Government prior to fiscal year 1969. Federal funds are those which the Government administers as owner as distinguished from those administered in a trustee or fiduciary capacity (the trust funds). Historical functions of Government, such as National Defense, Veterans' Benefits, Commerce, Labor, Agriculture, interest on the public debt, and others are paid from Federal funds (tax revenue and borrowed funds). Income taxes (individuals and corporations), most excise taxes, estate and gift taxes, customs duties, and miscellaneous receipts are paid into the Federal funds accounts from which all Federal funds expenditures are paid. All trust funds receipts are paid into the specific trust fund accounts for which the revenue is earmarked. All trust fund payments are made from the specific trust funds accounts. Trust funds surplus receipts are invested in Federal securities (public debt or Federal agencies obligations). At the end of fiscal year 1971 the trust funds owned $96,000,000,000 of public debt securities. Major Federal trust funds are: old-age and survivors insurance, disability insurance, health insurance, unemployment, Federal employees retirement, railroad employees retirement, and the highway trust fund.
[2] Since the Second Liberty Bond Act of Sept. 24, 1917, the U.S. Government gross public debt has been subject to a statutory ceiling or maximum limit. Public Law 92–5, Mar. 17, 1971, established a debt limit of $400,000,000,000 and temporarily increased the limit to $430,000,000,000 through June 30, 1972. Since 1954 there have been 21 legislative measures increasing or extending the public debt limit. During this period the debt limit has been raised from $275,000,000,000 to $430,000,000,000. New legislation is expected in the immediate future to raise the public debt limit above the current level of $430,000,000,000 so as to permit financing of the current budget deficit.

Sources: U.S. Office of Management and the Budget (selected budget documents). U.S. Treasury Department (selected Treasury reports).

As our budget has grown, Congress has been forced to increase its reliance on continuing appropriations measures. These stopgap measures extend the time available for consideration of the budget, but wreak havoc on orderly budgeting and spending. They allow the processes of government to continue, but they do not allow rational planning and spending of funds.

Starting in 1954 Congress dramatically increased its use of the continuing appropriation. Chart 3 presents a record of continuing appropriations since 1954.

CHART 3—A RECORD OF CONTINUING RESOLUTIONS: FISCAL YEARS 1954–72

The single source for this record was the *Final Calendars* for each session of Congress from the 1st Session of the 83rd Congress through the 1st Session, 92nd Congress. Two points of variance in the Calendars' record of continuing resolutions might be noted:

(1) Continuing resolutions and their legislative history were included in the tables titled "Status of Major Bills" at the back of the Calendars for the 91st and 92nd Congresses. They were not included in such tables of the Final Calendars for the 83rd-90th Congresses; however continuing resolutions are listed in the index under "Appropriations, Continuing Resolutions" and their legislative histories appear under "House Joint Resolutions" in the body of each Calendar.

(2) Continuing resolutions were consistently termed "temporary resolutions" before the 85th Congress and both terms were employed for the same kind of resolution during the 85th and 86th Congresses.

"Temporary resolutions" and "continuing resolutions" are stopgap funding provisions that enable various agencies of the Government to continue their operations uninterrupted pending final action on the regular appropriation bills.

Although the terms are used interchangeably on the floor and in committee, the resolutions are consistently listed as "continuing resolutions" in the Calendars from the 87th Congress to the present.

A RECORD OF CONTINUING RESOLUTIONS: FISCAL YEARS 1954–72

Number of bill	Reported	Passed House	Reported in Senate	Passed Senate	Reported to conference	Date approved	Law No.
CONTINUING APPROPRIATIONS, FISCAL YEAR 1954							
1. H.J. Res. 287	June 27, 1953, Report 681	June 27, 1953	June 27, 1953, Report 474	June 29, 1953	N/A, 1953	June 30, 1953	83-91
CONTINUING APPROPRIATIONS, FISCAL YEAR 1955							
1. H.J. Res. 552	June 30, 1954, Report 2008	June 30, 1954	N/A, 1954	July 2, 1954	N/A, 1954	July 6, 1954	83-475
CONTINUING APPROPRIATIONS, FISCAL YEAR 1956							
1. H.J. Res. 366	June 30, 1955, Report 1033	June 30, 1955	N/A, 1955	June 30, 1955	N/A, 1955	June 30, 1955	84-123
CONTINUING APPROPRIATIONS, FISCAL YEAR 1957							
1. H.J. Res. 671	July 2, 1956, Report 2550	July 2, 1956	N/A, 1956	July 2, 1956	N/A, 1956	July 3, 1956	84-658
CONTINUING APPROPRIATIONS, FISCAL YEAR 1958							
1. H.J. Res. 391	Discharged, 1957	July 1, 1957	N/A, 1957	July 1, 1957	N/A, 1957	July 1, 1957	85-7
2. H.J. Res. 426	July 30, 1957, Report 931	July 30, 1957	July 30, 1957, Report 771	Aug. 13, 1957	N/A, 1957	Aug. 14, 1957	85-13
CONTINUING APPROPRIATIONS, FISCAL YEAR 1959							
1. H.J. Res. 640	June 27, 1958, Report 2046	June 27, 1958	June 27, 1958, Report 1765	June 27, 1958	N/A, 1958	June 30, 1958	85, 472
2. H.J. Res. 672	July 29, 1958, Report 2298	July 29, 1958	N/A, 1958	July 30, 1958	N/A, 1958	July 31, 1958	85-572
CONTINUING APPROPRIATIONS, FISCAL YEAR 1960							
1. H.J. Res. 439	June 25, 1959, Report 578	June 30, 1959	June 30, 1959, Report 455	June 30, 1959	N/A, 1959	July 1, 1959	86-76
2. H.J. Res. 475	N/A, 1959	July 29, 1959	N/A, 1959	July 29, 1959	N/A, 1959	July 31, 1959	86-118
3. H.J. Res. 510	N/A, 1959	Aug. 31, 1959	N/A, 1959	Aug. 31, 1959	N/A, 1959	Sept. 3, 1959	86-224
CONTINUING APPROPRIATIONS, FISCAL YEAR 1961							
1. H.J. Res. 778	N/A, 1960	July 1, 1960	N/A, 1960	July 1, 1960	N/A, 1960	July 2, 1960	866-569
CONTINUING APPROPRIATIONS, FISCAL YEAR 1962							
1. H.J. Res. 465	June 29, 1961, Report 612	June 29, 1961	N/A, 1961	June 29, 1961	N/A, 1961	June 30, 1961	87-65
2. H.J. Res. 544	N/A, 1961	Aug. 28, 1961	N/A, 1961	Aug. 28, 1961	N/A, 1961	Aug. 30, 1961	87-182
CONTINUING APPROPRIATIONS, FISCAL YEAR 1963							
1. H.J. Res. 769	June 28, 1962, Report 1944	June 28, 1962	N/A, 1962	June 28, 1962	N/A, 1962	July 1, 1962	87-513
2. H.J. Res. 839	N/A, 1962	July 26, 1962	July 27, 1962, Report 1789	July 27, 1962	N/A, 1962	July 31, 1962	87-564
3. H.J. Res. 864	N/A, 1962	Aug. 28, 1962	Aug. 28, 1962, Report 1978	Aug. 29, 1962	N/A, 1962	Aug. 31, 1962	87-625
4. H.J. Res. 897	N/A, 1962	Sept. 28, 1962	N/A, 1962	Sept. 28, 1962	N/A, 1962	Sept. 29, 1962	87-724
CONTINUING APPROPRIATIONS, FISCAL YEAR 1964							
1. H.J. Res. 508	June 25, 1963, Report 448	June 25, 1963	June 25, 1963, Report 306	June 25, 1963	N/A, 1963	June 29, 1963	88-55
2. H.J. Res. 667	N/A, 1963	Aug. 27, 1963	N/A, 1963	Aug. 27, 1963	N/A, 1963	Aug. 28, 1963	88-109
3. H.J. Res. 782	N/A, 1963	Oct. 28, 1963	N/A, 1963	Oct. 28, 1963	N/A, 1963	Oct. 30, 1963	88-162
4. H.J. Res. 809	N/A, 1963	Nov. 26, 1963	N/A, 1963	Nov. 27, 1963	N/A, 1963	Nov. 29, 1963	88-188
CONTINUING APPROPRIATIONS, FISCAL YEAR 1965							
1. H.J. Res. 1056	N/A, 1964	June 25, 1964	June 25, 1964, Report 1116	June 25, 1964	N/A, 1964	June 29, 1964	88-325
2. H.J. Res. 1160	N/A, 1964	Aug. 18, 1964	N/A, 1964	Aug. 18, 1964	N/A, 1964	Aug. 22, 1964	88-488

CONTINUING APPROPRIATIONS, FISCAL YEAR 1966

Number of bill	Reported	Passed House	Reported in Senate	Passed Senate	Reported to conference	Date approved	Law No.
1. H.J. Res. 553	June 28, 1965, Report 553	June 28, 1965	N/A, 1965	June 28, 1965	N/A, 1965	June 30, 1965	89-58
2. H.J. Res. 591	July 28, 1965, Report 689	July 28, 1965	N/A, 1965	July 28, 1965	N/A, 1965	July 30, 1965	89-96
3. H.J. Res. 639	Aug. 25, 1965, Report 856	Aug. 25, 1965	N/A, 1965	Aug. 30, 1965	N/A, 1965	Sept. 1, 1965	89-159
4. H.J. Res. 673	Sept. 27, 1965, Report 1095	Sept. 28, 1965	Sept. 29, 1965, Report 796	Sept. 29, 1965	N/A, 1965	Sept. 30, 1965	89-221
5. H.J. Res. 695	Oct. 13, 1965, Report 1157	Oct. 13, 1965	N/A, 1965	Oct. 13, 1965	N/A, 1965	Oct. 15, 1965	89-256

CONTINUING APPROPRIATIONS, FISCAL YEAR 1967

1. H.J. Res. 1180	June 27, 1966, Report 1662	June 28, 1966	N/A 1966	June 28, 1966	N/A 1966	June 30, 1966	89-481
2. H.J. Res. 1284	Aug. 29, 1966, Report 1907	Aug. 29, 1966	N/A, 1966	Aug. 29, 1966	N/A, 1966	Aug. 31, 1966	89-549
3. H.J. Res. 1308	Sept. 26, 1966	Sept. 28, 1966	N/A, 1966	Sept. 28, 1966	N/A, 1966	Sept. 30, 1966	89-611

CONTINUING APPROPRIATIONS, FISCAL YEAR 1968

1. H.J. Res. 652	June 21, 1967, Report 374	June 26, 1967	June 27, 1967, Report 366	June 28, 1967	N/A, 1967	June 30, 1967	90-38
2. H.J. Res. 804	Aug. 24, 1967, Report 596	Aug. 24, 1967	N/A, 1967	Aug. 24, 1967	N/A, 1967	Aug. 29, 1967	90-75
3. H.J. Res. 853	Sept. 28, 1967, Report 724	Oct. 3, 1967	Oct. 4, 1967, Report 580	Oct. 4, 1967	Oct. 4, 1967	Oct. 5, 1967	90-102
4. H.J. Res. 936	Discharged, 1967	Nov. 28, 1967	N/A, 1967	Nov. 28, 1967	N/A, 1967	Nov. 28, 1967	90-162
5. H.J. Res. 888	Oct. 16, 1967, Report 785	Oct. 18, 1967	Oct. 20, 1967, Report 672	Oct. 25, 1967	Dec. 7, 1967, Report 1011	Dec. 18, 1967	90-218

CONTINUING APPROPRIATIONS, FISCAL YEAR 1969

1. H.J. Res. 1368	June 26, 1968, Report 1588	June 27, 1968	N/A, 1968	June 28, 1968	N/A, 1968	June 29, 1968	90-366.
2. H.J. Res. 1420	July 26, 1968, Report 1800	July 26, 1968	N/A, 1968	July 26, 1968	N/A, 1968	July 31, 1968	90-447.
3. H.J. Res. 1461	Discharged, 1968	Sept. 26, 1968	Sept. 27, 1968	Sept. 30, 1968	N/A, 1968	Oct. 1, 1968	90-451.

CONTINUING APPROPRIATIONS, FISCAL YEAR 1970

1. H.J. Res. 782	N/A, 1969	June 17, 1969	N/A, 1969	June 17, 1969	N/A, 1969	June 18, 1969	91-31.
2. H.J. Res. 790	June 24, 1969, Report 324	June 24, 1969	June 25, 1969, Report 274	June 25, 1969	N/A, 1969	June 30, 1969	91-33.
3. H.J. Res. 966	Oct. 23, 1969, Report 595	Oct. 28, 1969	Nov. 12, 1969, Report 529	Nov. 13, 1969	N/A, 1969	Nov. 14, 1969	91-117.
4. H.J. Res. 1017	Discharged, 1969	Dec. 1, 1969	N/A, 1969	Dec. 4, 1969	N/A, 1969	Dec. 5, 1969	91-141.
5. H.J. Res. 1072	Discharged, 1969	Feb. 2, 1970	Feb. 3, 1970	Feb. 3, 1970	N/A, 1969	Feb. 9, 1970	91-193.
6. H.J. Res. 1232	May 14, 1970 Report 1094	May 14, 1970	N/A, 1969	May 14, 1970	N/A, 1969	May 19, 1970	91-257.

CONTINUING APPROPRIATIONS, FISCAL YEAR 1971

1. H.J. Res. 1264	June 18, 1970, Rept. 1220.	June 24, 1970	June 24, 1970, Rept. 959	June 24, 1970	N/A 1970	June 24, 1970	91-294
2. H.J. Res. 1328	July 27, 1970, Rept. 1334	July 28, 1970	July 29, 1970, Rept. 1041	July 29, 1970	N/A	July 30, 1970	91-370
3. H.J. Res. 1388	Discharged	Oct. 5, 1970	Oct. 6, 1970, Rept. 1280	Oct. 12, 1970	N/A	Oct. 15, 1970	91-454
4. H.J. Res. 1421	Discharged	Dec. 31, 1970	N/A	Jan. 2, 1971	N/A	Jan. 2, 1971	91-645
5. H.J. Res. 468	Mar. 15, 1971 Rept. 41	Mar. 18, 1971	Mar. 19, 1971, Rept. 40	Mar. 24, 1971	N/A	Mar. 30, 1971	92-7

CONTINUING APPROPRIATIONS, FISCAL YEAR 1972

1. H.J. Res. 742	June 23, 1971, Report 302	June 24, 1971	June 25, 1971, Repor 240	June 29, 1971	N/A	July 1, 1971	92-38
2. H.J. Res. 829	Aug. 2, 1971, Report 439	Aug. 2, 1971	Aug. 5, 1971, Report 354	Aug. 6, 1971	N/A	Aug. 9, 1971	92-71
3. H.J. Res. 916	Oct. 6, 1971, Report 551	Oct. 6, 1971	Oct. 7, 1971, Report 391	Oct. 8, 1971	N/A	Oct. 15, 1971	92-139
4. H.J. Res. 946	Nov. 4, 1971, Report 612	Nov. 10, 1971	N/A	Nov. 16, 1971	Nov. 18, 1971, Report 676	Nov. 20, 1971	92-162
5. H.J. Res. 1005	N/A	Dec. 15, 1971	Dec. 15, 1971, Report 585	Dec. 17, 1971	N/A	Dec. 18, 1971	92-201

Note: N/A—Not available.

NUMBER OF CONTINUING RESOLUTIONS BY CONGRESS

83d Cong	2
84th Cong	2
85th Cong	4
86th Cong	4
87th Cong	6
88th Cong	6
89th Cong	8
90th Cong	8
91st Cong	11
92d Cong. (1st sess.)	5

The continuing appropriations process does little to assure careful Federal planning. It helps to create an uneven funding pattern for Federal programs. Many may be funded late in the fiscal year so that Federal officials are forced to "use or lose" funds in a short period of time because funds not used by the end of the fiscal year revert back to the Treasury. Since 1964 the average delay between the beginning of the fiscal year and passage of all appropriation acts has been over 3 months. In the last 9 years we have passed a total of only seven appropriation acts before the beginning of the fiscal year. This record rests on the base of 116 appropriation measures presented during that period. During our consideration of the fiscal year 1972 budget, four of the 14 measures considered were passed later than 4 months into the new fiscal year. One of the bills was finally passed 252 days into the new fiscal year. Chart 4 illustrates the delay in approval dates for appropriation acts between fiscal 1964 and 1972.

CHART 4.—APPROVAL DATES AND NUMBER OF ELAPSED DAYS AFTER BEGINNING OF FISCAL YEAR FOR ALL REGULAR APPROPRIATION ACTS, FISCAL YEARS 1964-72

Titles of appropriation act [1]	Fiscal years— 1964 (1963 [2])	1965 (1964 [2])	1966 (1965 [2])	1967 (1966 [2])	1968 (1967 [2])	1969 (1968 [2])	1970 (1969 [2])	1971 (1970 [2])	1972 (1971 [2])	Total number of elapsed days between start of fiscal year and appropriations: Total	Average per year
Agriculture, environmental and consumer protection programs:											
Date of approval	Dec. 30	Sept. 2	Nov. 2	Sept. 7	Oct. 24	Aug. 3	Nov. 26	Dec. 22	Aug. 10		
Number of days elapsed beyond beginning of fiscal year	183	64	125	69	116	39	149	175	41	961	107

Footnotes at end of table.

CHART 4.—APPROVAL DATES AND NUMBER OF ELAPSED DAYS AFTER BEGINNING OF FISCAL YEAR FOR ALL REGULAR APPROPRIATION ACTS, FISCAL YEARS 1964–72.—Continued

Titles of appropriation act[1]	Fiscal years— 1964 (1963[2])	1965 (1964[2])	1966 (1965[2])	1967 (1966[2])	1968 (1967[2])	1969 (1968[2])	1970 (1969[2])	1971 (1970[2])	1972 (1971[2])	Total number of elapsed days between start of fiscal year and appropriations: Total	Average per year
Department of Defense:											
Date of approval	Oct. 17	Aug. 19	Sept. 29	Oct. 15	Sept. 29	Oct. 17	Dec. 29	Jan. 1, 1971	Dec. 18		
Number of days elapsed beyond beginning of fiscal year	109	50	91	107	91	109	182	185	171	1,095	122
District of Columbia:											
Date of approval	Dec. 30	Aug. 22	July 16	Nov. 2	Nov. 13	Aug. 10	Dec. 24	July 16	Dec. 18		
Number of days elapsed beyond beginning of fiscal year	183	53	16	125	136	41	177	16	171	918	102
Office of Education:											
Date of approval	([3])	([3])	([3])	([3])	([3])	([3])	([3])	Aug. 18	July 9		
Number of days elapsed beyond beginning of fiscal year								49	9	58	29
Foreign assistance and related agencies:											
Date of approval	Jan. 1, 1964	Oct. 7	Oct. 20	Oct. 15	Feb. 2, 1968	Oct. 17	Feb. 1, 1970	Dec. 31	Mar. 8, 1972		
Number of days elapsed beyond beginning of fiscal year	190	99	112	107	217	109	216	184	252	1,486	165
Independent offices and Department of HUD:											
Date of approval	Dec. 19	Aug. 30	Aug. 16	Sept. 6	Nov. 3	Oct. 4	Nov. 26	Dec. 17	Aug. 10		
Number of days elapsed beyond beginning of fiscal year	172	61	47	68	126	96	149	170	41	930	103
Department of Interior and related agencies:											
Date of approval	July 26	July 7	June 28	May 31	June 24	July 26	Oct. 29	July 31	Aug. 10		
Number of days elapsed beyond beginning of fiscal year	26	7				26	121	31	41	252	28
Labor and Health, Education, and Welfare and related agencies:											
Date of approval	Oct. 11	Sept. 19	Aug. 31	Nov. 7	Nov. 8	Oct. 11	Jan. 26, 1970	Jan. 11, 1971	Aug. 10		
Number of days elapsed beyond beginning of fiscal year	103	81	62	130	131	103	210	195	41	1,056	117
Legislative branch:											
Date of approval	Dec. 30	Aug. 20	July 27	Aug. 27	July 28	July 23	Dec. 12	Aug. 18	July 9		
Number of days elapsed beyond beginning of fiscal year	183	51	27	58	28	23	165	49	9	593	66
Military construction:											
Date of approval	Dec. 21	Sept. 2	Sept. 25	Nov. 2	Dec. 8	Sept. 26	Dec. 29	Dec. 11	Nov. 18		
Number of days elapsed beyond beginning of fiscal year	174	64	87	125	161	88	182	164	141	1,186	132
Public works and AEC:											
Date of approval	Dec. 31	Aug. 30	Oct. 28	Oct. 15	Nov. 20	Aug. 12	Dec. 11	Oct. 7	Oct. 5		
Number of days elapsed beyond beginning of fiscal year	184	61	120	107	143	43	164	99	97	1,018	113
Department of State, Justice, Commerce, the Judiciary and related agencies:											
Date of approval	Dec. 30	Aug. 31	Sept. 2	Nov. 8	Nov. 8	Aug. 9	Dec. 24	Oct. 21	Aug. 10		
Number of days elapsed beyond beginning of fiscal year	183	62	64	131	131	40	177	113	41	942	105
Department of Transportation and related agencies:											
Date of approval	([4])	([4])	([4])	([4])	Oct. 23	Aug. 8	Dec. 26	Mar. 30, 1971	Aug. 10		
Number of days elapsed beyond beginning of fiscal year					115	39	179	273	41	647	129
Treasury, Postal Service, and Executive Office of the President:											
Date of approval	June 13	Aug. 1	June 30	June 29	July 7	June 9	Sept. 29	Sept. 26	July 9		
Number of days elapsed beyond beginning of fiscal year		32			7		91	88	9	227	25
National Aeronautics and Space Administration:											
Date of approval	([5])	([5])	([5])	([5])	Nov. 8	([5])	([5])	([5])	([5])		
Number of days elapsed beyond beginning of fiscal year					131					131	131
Number of regular appropriation acts	12	12	12	12	14	13	13	14	14		
Number of acts approved prior to July 1	1	0	2	2	1	1	0	0	0		
Total number of days elapsed between start of fiscal year and approval of appropriation acts	1,690	685	751	1,027	1,533	756	2,162	1,791	1,105	11,500	1,278

[1] The titles of the appropriation acts are listed on the basis of fiscal year 1972 breakdown. Through the years there have been changes in some of the agencies and activities included in specific appropriation acts.

[2] The years listed at the head of the columns represent the calendar years applicable to the approval date of the specific acts.

[3] Prior to fiscal year 1971, appropriations for the Office of Education were included in the Labor, HEW Appropriation Act.

[4] Prior to establishment of the Department of Transportation, appropriations for various activities of this department were distributed among several appropriations acts, i.e., Coast Guard in the Treasury Act, highways in Commerce Act, and Federal Aviation Administration in independent Offices, etc.

[5] Appropriations for the National Aeronautics and Space Administration were provided in a separate act for fiscal year 1968. NASA appropriations generally are included in the Independent offices and Department of Housing and Urban Development Appropriations Act.

Source: U.S. Statutes at Large.

If Congress were able to consider the budget on a 12-month cycle the use of the continuing resolution could be substantially reduced. More importantly, Congress could become involved in developing long-range plans for Federal spending. Chart 4A illustrates congressional progress on passing budget measures as of May 25, 1972.

CHART 4A.—FISCAL YEAR 1973 APPROPRIATION BILLS, AND SUPPLEMENTAL APPROPRIATION BILLS FOR FISCAL YEAR 1972—SHOWING BUDGET AUTHORITY AND ESTIMATED OUTLAYS BY BILL, AS REQUESTED BY THE PRESIDENT, AS PASSED BY THE HOUSE AND SENATE, AND AS ENACTED IN THE 2D SESS. OF THE 92D CONG.

[In thousand of dollars]

	Budget request	House action to date	Senate action to date	Enacted
FISCAL YEAR 1973				
Legislative branch (H.R. 13955):				
Budget authority in bill	[1] 519,348	427,605	514,723	(7)
Requests not considered		85,721		
Outlays	523,054	436,390	518,754	
Requests not considered		81,164		
Outlays from current (1973) budget authority	[469,198]	[382,534]	[464,898]	
Requests not considered		[81,164]		

See footnotes at end of table.

	Budget request	House action to date	Senate action to date	Enacted
State, Justice, Commerce, the judiciary and related agencies (H.R. 14989):				
Budget authority in bill	[1] 4,704,327	4,587,104		
Requests not considered		16,338		
Adjustment to budget basis [4]	+138,690	+138,690		
Appropriations to liquidate contract authority	(233,312)	(233,312)		
Outlays [2]	4,286,768	4,199,495		
Requests not considered		13,273		
Outlays from current (1973) budget authority	[2,905,619]	[2,818,346]		
Requests not considered		[13,273]		
Housing and Urban Development, Space, Science, and related agencies (H.R. 15093):				
Budget authority in bill	[1] 20,258,183	19,718,490		
Requests not considered		84,998		
Outlays	19,055,965	19,023,035		
Requests not considered		2,430		
Outlays from current (1973) budget authority	[14,726,766]	[14,693,836]		
Requests not considered		[2,430]		
Transportation and related agencies (H.R. 15097):				
Budget authority in bill	[1] 2,946,542	2,791,614		
Requests not considered		37,361		
Adjustments to budget basis [5]	−118,834	−80,400		
Appropriations to liquidate contract authority	(5,418,000)	(5,393,990)		
Advance (1974) appropriation	(131,181)	(131,181)		
Outlays [2]	8,511,957	8,429,457		
Requests not considered		7,500		
Outlays from current (1973) budget authority	[2,076,888]	[2,012,388]		
Requests not considered		[7,500]		
Agriculture and Environmental and Consumer Protection:				
Budget authority in bill	[1] 12,952,220			
Appropriations to liquidate contract authority	(195,500)			
Outlays [2]	12,270,420			
Outlays from current (1973) budget authority	[10,226,616]			
Department of Defense:				
Budget authority in bill	[1] 76,986,184			
Outlays	72,586,284			
Outlays from current (1973) budget authority	[54,926,357			
District of Columbia:				
Budget authority in bill	343,306			
Outlays	371,048			
Outlays from current (1973) budget authority	[343,306]			
Foreign assistance and related agencies:				
Budget authority in bill	[1] 5,163,024			
Outlays	3,483,594			
Outlays, from current (1973) budget authority	[1,314,797]			
Interior and related agencies:				
Budget authority in bill	[1] 2,527,154			
Appropriations to liquidate contract authority	(228,540)			
Outlays	2,533,657			
Outlays from current (1973) budget authority	[1,785,873]			
Labor, Health, Education, and Welfare, and related agencies:				
Budget authority in bill	[1] 32,317,498			
Outlays	30,427,340			
Outlays from current (1973) budget authority	[21,780,679]			
Military construction:				
Budget authority in bill	3,017,800			
Outlays	1,998,300			
Outlays from current (1973) budget authority	[640,641]			
Public Works and Atomic Energy:				
Budget authority in bill	[1 3] 5,489,058			
Appropriations to liquidate contract authority	(53,000)			
Outlays [2]	5,709,840			
Outlays from current (1973) budget authority	[3,092,677]			
Treasury, Postal Service, and general Government:				
Budget authority in bill	[1] 5,066,603			
Outlays	5,186,644			
Outlays from current (1973) budget authority	[3,767,330]			
1972 Foreign Assistance and related agencies (H.R. 12067, Public Law 92-242) (scorekeeping effect of congressional action in current session):				
Outlays		[4] −105,000	[4] −105,000	−105,000
Urgent supplemental, 1972 (H.J. Res. 1097, Public Law 92-256):				
Outlays	5,765	5,765	5,765	5,765
2d supplemental, 1972 (H.R. 14582):				
Outlays	415,389	250,139	956,889	[6] 501,889
Requests not considered		65,250	8,500	8,500
Total, fiscal year 1973:				
Budget authority in bills	172,291,247	27,524,813	514,723	
Requests not considered		224,418		
Adjustments to budget basis [1 6]	+19,856			
Total, budget authority	172,311,103			
Appropriations to liquidate contract authority	(6,128,352)	(5,627,302)		
Advance (1974) appropriation	(131,181)	(131,181)		
Outlays [2]	167,366,025	32,239,281	1,376,408	402,654
Requests not considered		169,617	8,500	8,500
Outlays from current (1973) budget authority	[118,056,747]	[19,907,104]	[464,898]	
Requests not considered		[104,367]		
FISCAL YEAR 1972				
Foreign assistance and related agencies, 1972 (H.R. 12067, Public Law 92-242) (scorekeeping effect of congressional action in current session):				
Budget authority		[4] −353,230	[4] −353,230	−353,230
Outlays		[4] −50,000	[4] −50,000	−50,000
Urgent supplemental, 1972 (H.J. Res. 1097, Public Law 92-256):				
Budget authority	957,476	957,476	957,476	957,476
Outlays	951,711	951,711	951,711	951,711

CHART 4A.—FISCAL YEAR 1973 APPROPRIATION BILLS, AND SUPPLEMENTAL APPROPRIATION BILLS FOR FISCAL YEAR 1972—SHOWING BUDGET AUTHORITY AND ESTIMATED OUTLAYS BY BILL, AS REQUIRED BY THE PRESIDENT, AS PASSED BY THE HOUSE AND SENATE, AND AS ENACTED IN THE 2D SESS. OF THE 92D CONG.—Continued

	Budget request	House action to date	Senate action to date	Enacted
2d supplemental, 1972 (H.R. 14582):				
Budget authority	4,881,943	3,954,453	5,063,517	[8] 4,347,698
Budget authority treated in bill as offsetting receipts	66,138	66,138	66,138	66,138
Appropriations to liquidate contract authority	(33,000)	(33,000)	(33,000)	(33,000)
Requests not considered		106,682	16,000	16,000
Outlays	4,229,010	3,848,400	3,991,510	3,956,510
Requests not considered		15,610	7,500	7,500
Supplemental, special payments to international financial institutions, 1972 (H.J. Res. 1174, Public Law 92-301):				
Budget authority	1,600,000	1,600,000	1,600,000	1,600,000
Total, Fiscal Year 1972:				
Budget authority	7,505,557	6,224,837	7,333,901	6,618,082
Outlays	5,180,721	4,750,111	4,893,221	4,858,221

[1] Amended by H. Doc. 267, 268, 271, 272, 275, 277, 278, 286, 289, 291, 292, 300, and 301.
[2] Includes outlays from appropriations to liquidate contract authority.
[3] Includes $180,000,000 for Appalachian development, carried in the budget as permanent contract authority with $175,000,000 in appropriations to liquidate contract authority, and treated in the bill as direct appropriation.
[4] Enacted figure used for comparability.
[5] To adjust to budget basis, add $138,690,000 for maritime subsidies treated in budget as budget authority, and in the bill as appropriation to liquidate contract authority.
[6] To adjust to budget basis, (1) deduct $125,419,000 for Urban Mass Transportation appropriation which under law automatically is offset against prior year contract authority, (2) add $6,585,000 appropriation to airway trust fund treated in budget as offsetting receipt and as nonadd item in the transportation bill.
[7] Subject to or in conference.
[8] Pending signature.

The Fiscal Responsibility Act requires Congress to consider the economic state of the country at the beginning of each budgetary cycle. It is required to establish an overall limitation on expenditures 45 days after the President's economic message. Congress is encouraged at that time to establish a comprehensive plan for Federal budget priorities. Additionally, the Fiscal Responsibility Act reestablishes the fiscal year to coincide with the calendar year.

In 1842 Congress authorized changing the beginning of the fiscal year from January 2 to July 1. They customarily would meet in December to pass all the appropriations bills before January 1. The change in the fiscal year was required so that the Congress would review the budget carefully. Congress is now a full-time job. Our budget considerations should take into account changes in the budget. We now use machinery which we used 40 years ago to consider $5 billion budgets. If Congress is not to abdicate its responsibilities completely, it must modernize its mechanism to consider our budget of $240 billion. Deliberations on the budget would then become a series of competing spending decisions between departments and agencies. We have heard a great deal of rhetoric lately about changing the Nation's priorities, but Congress cannot have a hand in this process until it starts to consider the budget as a plan for action which makes basic choices between competing categories. Aaron Wildavsky, author of "The Politics of Budgetary Process," describes several different uses for the budget. He states that it is a financial document, a plan of "intended behavior," a statement of goals, a choice mechanism, and a contract. In recent years Congress has worked from the President's budget exclusively so that its adjustments have been made without reference to an overall congressionally established spending plan. The roles in the budget which include planning and evaluation are lacking in congressional deliberation. This seems incongruous in light of the many thousands of hours of thought and work which goes into individual pieces of legislation which creates the programs the budget later funds.

In the last 5 years Congress has found it necessary to pass 29 supplemental appropriations bills. These represent several midyear corrections in Federal spending policy. However, they also represent a serious deficiency in congressional budgetary planning. In the last 9 fiscal years we have appropriated almost $10 billion a year through supplementals. Chart 5 presents a record of supplemental appropriations since 1964. Chart 5A presents the cost of these supplemental measures for each fiscal year since 1964.

CHART 5.—A RECORD OF SUPPLEMENTAL RESOLUTIONS FISCAL YEARS 1964-72

Number of bill	Reported	Passed House	Reported in Senate	Passed Senate	Reported to conference	Date approved	Law No.
SUPPLEMENTAL APPROPRIATIONS, FISCAL YEAR 1964							
1. H.J. Res. 875 (HEW)	Dec. 14 (63) Report 1401	Dec. 19, 1963	Dec. 20 1963	Dec. 21, 1963	(1)	Feb. 10, 1963	88-268, 1963.
SUPPLEMENTAL APPROPRIATIONS, FISCAL YEAR 1965							
1. H.R. 12633	Sept. 17 (64) Report 1891	Sept. 22, 1964	Sept. 29, 1964	Oct. 1, 1964	Oct. 1, 1964	Oct. 7, 1964	88-635.
2. H.J. Res. 234 (Agriculture)	Jan. 26 (65) Report 2	Jan. 26, 1965	Feb. 1, 1965	Feb. 3, 1965	Feb. 8, 1965	Feb. 11, 1965	89-2.
3. H.R. 7091 (Second)	Apr. 2 (65) Report 224	Apr. 6, 1965	Apr. 23, 1965	Apr. 27, 1965	Apr. 28, 1965	Apr. 30, 1965	89-16.
4. H.J. Res. 447 (Defense)	May 5 (65) Report 286	May 5, 1965	May 5, 1965	May 6, 1965	N/A, 1965	May 7, 1965	89-18.
SUPPLEMENTAL APPROPRIATIONS, FISCAL YEAR 1966							
1. H.R. 10586 (Labor, HEW)	Aug. 19 (65) Report 818	Aug. 24, 1965	Sept. 2, 1965	Sept. 7, 1965	Sept. 7, 1965	Sept. 23, 1965	89-199.
2. H.R. 11588	Oct. 13 (65) Report 1162	Oct. 14, 1965	Oct. 19, 1965	Oct. 20, 1965	Oct. 20, 1965	Oct. 31, 1965	89-309.
3. H.R. 13546 (Defense)	Mar. 11 (66) Report 1316	Mar. 15, 1966	Mar. 17, 1966	Mar. 22, 1966	(2)	Mar. 25, 1966	89-374.
4. H.R. 14012 (Second)	Mar. 25 (66) Report 1349	Mar. 29, 1966	Apr. 25, 1966	Apr. 27, 1966	May 3, 1966	May 13, 1966	89-426.
SUPPLEMENTAL APPROPRIATIONS, FISCAL YEAR 1967							
1. H.R. 18381	Oct. 14 (66) Report 2284	Oct. 18, 1966	Oct. 19, 1966	Oct. 20, 1966	Oct. 20, 1966	Oct. 27, 1966	89-697.
2. H.R. 7123 (Defense)	Mar. 13 (67) Report 119	Mar. 16, 1967	Mar. 17, 1967	Mar. 20, 1967	(3)	Apr. 4, 1967	90-8.
3. H.R. 9481 (Second)	Apr. 28 (67) Report 217	May 3, 1967	May 17, 1967	May 19, 1967	May 23, 1967	May 29, 1967	90-21.
SUPPLEMENTAL APPROPRIATIONS, FISCAL YEAR 1968							
1. H.R. 14397	Dec. 12 (67) Report 1037	Dec. 12, 1967	Dec. 13, 1967	Dec. 14, 1967	Dec. 14, 1967	Jan. 2, 1968	90-239.
2. H.J. Res. 1268 (highways and claims)	May 9 (68) Report 1373	May 9, 1968	June 12, 1968	June 13, 1968	N/A	June 19, 1968	90-352.
3. H.R. 17734 (Second)	June 7 (68) Report 1531	June 11, 1968	June 19, 1968	June 26, 1968	June 27, 1968	July 9, 1968	90-392.

Footnotes at end of table.

CHART 5.—A RECORD OF SUPPLEMENTAL RESOLUTIONS FISCAL YEARS 1964–72—Continued

SUPPLEMENTAL APPROPRIATIONS, FISCAL YEAR 1969

Number of bill	Reported	Passed House	Reported in Senate	Passed Senate	Reported to conference	Date approved	Law No.
1. H.R. 20300	Oct. 7 (68) Report 1953	Oct. 9, 1968	Oct. 9, 1968	Oct. 10, 1968	Oct. 10, 1968	Oct. 21, 1968	90–608.
2. H.J. Res. 414 (unemployment compensation.)	N/A	Feb. 6, 1969	N/A	Feb. 7, 1969	N/A	Feb. 9, 1969	91–2.
3. H.J. Res. 584	Mar. 24 (69) Report 91–112	Mar. 25, 1969	Mar. 26, 1969	Mar. 27, 1969	N/A	Apr. 1, 1969	91–7.
4. H.R. 11400 (Second)	May 15 (69) Report 91–252	May 21 ,1969	June 11, 1969	June 19, 1969	June 24, 1969	July 22, 1969	91–47.

SUPPLEMENTAL APPROPRIATIONS, FISCAL YEAR 1970

1. H.R. 15209	Dec. 11 (69), Report 91–747	Dec. 11, 1969	Dec. 17, 1969	Dec. 18, 1969	Dec. 19, 1969	Dec. 26, 1969	91–166.
2. H.R. 17399 (Second)	Apr. 30 (70), Report 91–1033	May 7, 1970	June 8, 1970	June 22, 1970	June 23, 1970	July 6, 1970	91–305.

SUPPLEMENTAL APPROPRIATIONS, FISCAL YEAR 1971

[1] H.R. 19928	Dec. 9 (70) Report 91–1688	Dec. 10, 1970	Dec. 11, 1970	Dec. 14, 1970	Dec. 15, 1970	Jan. 8, 1971	91–665.
[2] H.J. Res. 465 (Labor)	Mar. 15, (71) Report 92–40	Mar. 16, 1971	Mar. 16, 1971	Mar. 16, 1971	N/A	Mar. 17, 1971	92–4.
[3] H.J. Res. 567 (Urgent)	Apr. 22 (71) Report 92–144	Apr. 22, 1971	Apr. 23, 1971	Apr. 23, 1971	N/A	Apr. 30, 1971	92–11.
[4] H.R. 8190 (Second)	May 6 (71) Report 92–187	May 12, 1971	May 13, 1971	May 19, 1971	May 20, 1971	May 25, 1971	92–18.

SUPPLEMENTAL APPROPRIATIONS, FISCAL YEAR 1972

1. H.J. Res. 915 (Labor)	Oct. 6 (71) Report 92–550	Oct. 6, 1971	Oct. 7, 1971	Oct. 8, 1971	N/A	Oct. 15, 1971	92–141.
2. H.R. 11955	Nov. 30 (71) Report 92–689	Dec. 2, 1971	Dec. 2, 1971	Dec. 3, 1971	Dec. 6, 1971	Dec. 15, 1971	92–184.
3. H.J. Res. 1097 (Second)	Mar. 9 (72) Report 92–909	Mar. 14, 1972	Mar. 14, 1972	Mar. 15, 1972	N/A	Mar. 21, 1972	92–256.
4. H.R. 14582 (Second)	Apr. 24 (72) Report 92–1015	Apr. 26, 1972	Apr. 27, 1972	May 1, 1972	May 3, 1972		

[1] Senate agreed to House amendment to Senate amendment Jan. 29, 1964.
[2] House agrees to Senate amendments Mar. 23, 1966.
[3] House agrees to Senate amendments Mar. 21, 1967.

Note: N/A—Not available.

Source: The Final Calendar for each Congress, 88th–91st, and the Calendar of May 3, 1972 of the 2d sess., 92d Cong. Supplemental resolutions and their legislative history are included in a table for each session titled "Status of Major Bills" at the back of the Calendars.

SUPPLEMENTAL APPROPRIATION BILLS, 1964–72

Fiscal year—									
1964	1965	1966	1967	1968	1969	1970	1971	1972	Total
1	4	4	3	3	4	2	4	4	2

CHART 5A.—TOTAL DOLLAR AMOUNT FOR SUPPLEMENTALS

FISCAL YEARS 1964–72 [1]

Fiscal year and Public Law	
1964: 88–264 (total)	$289,688,000
1965:	
88–635	1,117,196,068
89–2	1,600,000,000
89–16	2,227,563,977
89–18	700,000,000
Total	5,644,760,045
1966:	
89–199	1,223,181,500
89–309	4,741,644,602
89–374	13,135,719,000
89–426	2,788,143,303
Total	21,888,688,405
1967:	
89–697	5,025,264,579
90–8	12,196,520,000
90–21	2,197,931,417
Total	19,419,715,996
1968:	
90–239	1,842,923,790
90–352	50,980,863
90–392	6,295,831,498
Total	8,189,736,151
1969:	
90–608	446,688,727
91–2	36,000,000
91–7	1,000,000,000
91–47	4,352,357,644
Total	5,835,046,371
1970:	
91–166	278,281,318
91–305	6,021,535,005
Total	6,299,816,323
1971:	
91–665	1,853,372,792
92–4	50,675,000
92–11	1,037,872,000
92–18	7,028,195,973
Total	9,970,115,765
1972:	
92–141	270,500,000
92–184	3,406,385,371
92–256	957,476,059
(In conference)	4,347,698,270
Total	8,982,059,700

[1] These figures represent new budget—obligational—authority, not budget expenditures—budget outlays—which in addition to expenditures from new budget authority include billions of dollars of expenditures from carryover balances of appropriations made in previous years, and also expenditures from certain so-called permanent appropriations, such as interest on the public debt and a number of trust funds which Congress is not required to act upon at each session. Neither were release of reserves counted.

Source: Congressional Record—end-of-the-year tables titled "New Budget (Obligational) Authority in the Appropriation Bills, fiscal year ——" and general discussion on the supplemental bills themselves.

The Federal Fiscal Responsibility Act provides for periodic reassessments during the year of the congressional expenditure limitation. The Director of the Office of Management and Budget is required to submit a report to Congress at the end of the second and third quarters which details his estimate of how well Federal spending policies are complying with the expenditures limitation. If the Director estimates that spending will be in excess of the limitation for the present fiscal year he can establish pro rata reductions in all Federal departments and agencies to bring spending in line with the limitation. Upon submission of the Director's report Congress has 30 days to specify or exempt appropriations catagories where the reductions shall be made. This allows the Congress an on-going responsibility in staying within its own spending limits. Previous congressional expenditures limitations have been exceeded because Congress did not continue to monitor spending levels after they had established their priorities.

Several Members of Congress have introduced measures which would regulate executive impoundment of funds. The President has claimed the right not to spend appropriated funds since the time of Jefferson. The practice has become more widespread since the Dawes memorandum of 1921. Charles Dawes, the first Director of the Bureau of the Budget, stated that appropriations from the Congress "were to be treated as ceilings on expenditures rather than as directives to spend the full amount." Louis Fisher, who has written extensively on the Federal budgetary process, comments that the passage of the Employment Act of 1946 broadened the President's role in determining economic policy. This has lead all postwar Presidents toward the use of impoundment as one of their anti-inflationary tools

The impoundment of funds has been hotly debated since the Dawes memorandum. It can be defined as the withholding or delaying of expenditure or obligation of appropriated funds.

There is some question as to what constitutes impoundment for appropriated

funds which are made available on an "until expended basis." However, the President's use of impoundment is made more open to inquiry for funds which are appropriated on an annual basis. In a 1969 memorandum Assistant Attorney General Rehnquist questioned the practice of impoundment. He said:

With respect to the suggestion that the President has a constitutional power to decline to spend appropriated funds, we must conclude that existence of such a broad power is supported neither by reason or precedent.

He continued:

It may be argued that the spending of money is inherently an executive function, but the execution of any law is, by definition, an executive function and it seems an analogous proposition that because the executive branch is bound to execute the laws, it is free to decline to execute them.

Congress must use on-going evaluations as well as regulation of impoundment to insure that its appropriations acts will be carried out.

The Fiscal Responsibility Act establishes two types of impoundment. The first is a pro rata reduction across the board in any department or agency. If the President decides to impound on this basis he must notify Congress of his impoundment. Either House of Congress then has 60 days to disapprove of the impoundment. The President is allowed to establish variations of up to 10 percent between appropriations categories. This allows the President sufficient flexibility in carrying out his economic policies while preserving congressional prerogatives in establishing spending categories.

The second type of impoundment established in the bill is called special impoundment. In cases where the President decides that he wants to impound in one budget category without regard to the pro rata restrictions established under the regular impoundment procedure, he must come to Congress 30 days in advance of his proposed impoundment. Either House of Congress then has 30 days to disapprove of the proposed action. In cases of special impoundment Congress should have the opportunity to express its wishes on proposed cuts in a program prior to its implementation. The most common reasons given for impoundment are related to economic considerations. When impoundment is carried out for noneconomic considerations such as in impoundment which is targeted against a particular program or activity Congress should have the opportunity to review the proposed action taking into account the program goals established in the authorizing legislation.

In order to show the impact of impoundment on the Federal Budget Chart 6 is a copy of a statement of budgetary reserves compiled by Caspar Weinberger in April of this year.

BUDGETARY RESERVES, APRIL 1972

Under authority delegated by the President, the Office of Management and Budget operates a system of apportioning the funds provided by the Congress. The apportionments generally are for the current fiscal year and limit the amounts the agencies may obligate during specified periods.

There are occasions when the amounts of available funds are not fully apportioned. That is, some amounts are either withheld from apportionment, or their use is temporarily deferred. In these cases, the funds not apportioned are said to be held or placed "in reserve." This practice is one of long standing and has been exercised by both Republican and Democratic Administrations as a customary part of financial management.

The reasons for withholding or deferring the apportionment of available funds usually are concerned with routine financial administration. They have to do with the effective and prudent use of the financial resources made available by the Congress. Thus, specific apportionments sometimes await (1) development by the affected agencies of approved plans and specifications, (2) completion of studies for the effective use of the funds, including necessary coordination with the other Federal and non-Federal parties that might be involved, (3) establishment of a necessary organization and designation of accountable officers to manage the programs, (4) the arrival of certain contingencies under which the funds must by statute be made available (e.g., certain direct Federal credit aids when private sector loans are not available). In other cases the funds may be withheld in accordance with provisions of the Anti-Deficiency Act (31 U.S.C. 665) for such reasons as a change in conditions since they were appropriated or to take advantage of previously unforeseen opportunities for savings.

Table A, attached, lists the items and amounts currently reserved for such routine financial administration. They total $9.4 billion, which is a reduction of more than $1 billion since January of this year. This reduction is indicative of the fact that amounts are frequently released from reserve—and put to use—during each fiscal year as plans, designs, specifications, studies, project approvals, and so on are completed. As a result, the total amount held in reserve usually reaches a low point at the end of the fiscal year.

The reserves established for reasons of routine financial administration are recognized by all concerned to be temporary deferrals, and their need or wisdom is usually not questioned. In addition, however, there has been a long-standing and consistent practice in both Republican and Democratic Administrations to establish some—a much smaller amount of—reserves for reasons other than routine financial administration. It is these latter reserves which have sometimes been criticized as "impoundments" of funds.

Amounts being held in reserve for reasons other than routine financial administration generally could be used (i.e., obligated) during the apportionment time period. They have not been apportioned from time to time for such reasons as the Executive's responsibility to (1) help keep total Government spending within a congressionally-imposed ceiling, (2) help meet a statutory limitation on the outstanding public debt, (3) develop a governmentwide financial plan for the current year that synchronizes program-by-program with the budget being recommended by the President for the following year, or (4) otherwise carry out broad economic and program policy objectives.

Table B, attached, lists the items and amounts currently held in reserve for reasons other than routine financial administration. They total $1.6 billion, a reduction of almost $200 million from the amount so reserved in January of this year.

The total of all current reserves (i.e., Tables A and B) is 4.6% of the total unified budget outlays estimated for fiscal 1972. The comparable percentage at the end of fiscal years 1959 through 1961 ranged from 7.5% to 8.7%. At the end of fiscal 1967, it stood at 6.7%, and a range in the neighborhood of 6% has been normal in recent years. The amount currently reserved is expected to decline still further during the remainder of the fiscal year.

(In thousands of dollars)

Agency and account:	Amount
Executive Office of the President:	
Council on Environmental Quality and Offices of Environmental Quality	53
Apportionment awaits development of proposals for contract studies of environmental problems.	
National Security Council	108
Apportionment awaits development by the agency of approved plans.	
Special Action Office for Drug Abuse Prevention	682
Apportionment represents the balance of appropriation which cannot be utilized by the Office in 1972 due to late enactment of legislation. Release will occur as needed in 1973 operations.	
Funds appropriated to the President:	
Appalachian Regional Development Programs	40,000
Apportionment awaits development of approved plans and specifications.	
Economic Stabilization Activities	300
A total of $100 thousand is reserved for subsequent use, as needed and anticipated, by the U.S. Courts in support of the Temporary Emergency Court of Appeals. The remainder is reserved for contingencies and will be apportioned as required.	
International Security Assistance:	
Foreign military credit sales	98,100
Apportionment awaits development by affected agencies of coordinated plans and specifications.	
International development assistance:	
Prototype desalting plant	20,000
Apportionment awaits development by the agency of approved plans and specifications.	
Inter-American Foundation	41,624
Amount represents balance of initial funding from AID transfer to cover first 4 years of the Foundation's operations. Apportionments will continue to be made annually as plans and specifications are developed.	
Department of Agriculture:	
Agricultural Research Service:	
Construction	70
Represents residual amount of appropriation for planning that is not required for that purpose. Apportionment awaits additional appropriation for construction.	
Scientific Activities Overseas (special foreign currency program)	352
Amount shown here is in excess of current estimates of 1972 needs. If conditions change and the funds are needed, apportionments will be made.	
Animal and Plant Health Service	2,049
This amount is in excess of current estimate of 1972 needs. The funds will be apportioned, if needed, for animal and pest control.	

TABLE A.—*Budgetary reserve for routine financial administration, April 1972*

TABLE A.—*Budgetary reserve for routine financial administration, April 1972*—Con.

Department of Agriculture—Con.

Farmers Home Administration:

Mutual and self-help housing grants ---------- 729

Amount shown here is in excess of current estimates of 1972 needs. If conditions change and the funds are needed, apportionments will be made.

Direct loan account (farm operating loans limitation) ---------- 49,453

Amount reflects balances of loan authority now held pending demonstration of the need for funds.

Consumer and Marketing Service:

Consumer protective marketing, and regulatory programs---- 850

Amounts shown here is in excess of 1972 needs. If conditions change and funds are needed, apportionments will be made.

Perishable Commodities Act Fund ---------- 1

Amounts shown here is in excess of current estimates of 1972 needs. If conditions change and the funds are needed, apportionments will be made.

Forest Service:

Forest protection and utilization:

Cooperative range improvement ---------- 624

Amount shown here is in excess of current estimates of 1972 needs. If conditions change and the funds are needed, apportionments will be made.

Youth Conservation Corps----- 1,730

These funds will be released later for the fiscal year 1973 portion of the calendar year summer program.

Forest roads and trails-------- 402,040

Reserve reflects amount of available contract authority above the obligation program that was approved and financed by the appropriation Congress enacted to liquidate the obligations.

Expenses, brush disposal------ 13,803

Amount shown here is in excess of current estimates of 1972 needs. If conditions change and the funds are needed, apportionments will be made.

Forest Fire Prevention--------- 115

Amount shown here is in excess of current estimates of 1972 needs. If conditions change and the funds are needed, apportionments will be made.

Department of Commerce:

Bureau of the Census:

19th Decennial Census------- 11,028

These funds are to be used for printing costs and will be apportioned when needed for this purpose.

Regional Action Planning Commissions:

Regional Action Planning Commissions ---------- 300

Funds will be released when Mississippi Valley Regional Commission is formed.

Promotion of industry and commerce:

Trade adjustment assistance (financial assistance)--- 50,000

Amount shown here is in excess of current estimates of 1972 needs. If conditions change and the funds are needed, apportionments will be made.

Inter-American Cultural and Trade Center---------- 5,446

Funds will be released when plans for participation in U.S. Bicentennial are completed and approved.

National Oceanic and Atmospheric Administration:

Research, development, and facilities ---------- 294

These funds are for disaster relief to fisheries. Apportionment awaits arrival of contingencies under which the funds must, by statute, be made available.

Research, development, and facilities: (special foreign currency program) -------- 411

Apportionment awaits development of research contracts with foreign organizations.

Promote and develop fishery products and research pertaining to American fisheries ---------- 257

Amount shown here is in excess of current estimates of 1972 needs. If conditions change and the funds are needed, apportionments will be made.

National Bureau of Standards:

Plant and facilities---------- 1,495

Funds are for a new laboratory now in the planning stage. Apportionment awaits development of approved plans and specifications.

Department of Defense—Military

Shipbuilding and conversion--- 1,388,946

For use in subsequent years; these projects are fully funded when appropriated.

Other procurement programs--- 21,020

For use in subsequent years; these projects are fully funded when appropriated.

Military construction and family housing---------- 302,602

Apportionment awaits development by the agency of approved plans and specifications.

Civil defense programs------- 1,080

Amount is in excess of currently estimated needs. It will be used, as needed, in subsequent fiscal years.

Special foreign currency program ---------- 4,903

Apportionment awaits development by the agency of approved plans and specifications.

Department of Defense—Civil

Corps of Engineers:

Construction, general:

Lafayette Lake, Ind----- 183

Funds are being held in reserve because of local opposition to initiation of construction of the project.

Lukfata Lake, Oklahoma-- 450

Funds are being held in reserve because the State of Oklahoma is considering designating one of the streams to be inundated as a wild and scenic stream.

New York Harbor Collection and Removal of Drift---------- 80

Funds are being held in reserve because, although the project has been authorized by the Congress for initiation and partial accomplishment, initiation of construction must await approval of the Secretary of the Army and the President. The Secretary of the Army has neither approved the project nor sent the project report to the President.

Panama Canal Government:

Capital outlays---------- 850

Under a proposal now pending before the Congress, these fiscal year 1972 funds will be combined with the 1973 appropriation for the purchase of major items of capital equipment.

Wildlife conservation---------- 474

Includes estimated receipts not needed for current year program. Will be used in subsequent years.

Department of Health, Education, Welfare:

National Institutes of Health:

Buildings and facilities------ 2,565

Apportionment awaits development by the agency of approved plans and specifications. Construction obligations are to be incurred in subsequent years.

Office of Education:

School assistance in federally affected areas---------- 4,996

Apportionment awaits development by the agency of approved plans and specifications. Construction obligations are to be incurred in subsequent years.

Higher education---------- 1,462

Apportionment awaits development by the agency of approved plans and specifications.

Educational activities overseas (special foreign currency program)--------- 16

Apportionment of this amount awaits development of approved plans and specifications by the agency.

Social Security Administration:

Construction ---------- 12,095

Apportionment awaits development of approved plans and specifications by the agency. These plans will depend at least in part on the outcome of legislation pending before the Congress to authorize acquisition of these facilities through purchase contracts that will provide for installment payments.

Special Institutions:

Gallaudet College ---------- 516

This part of an appropriation for a national continuing education program for the deaf is being held pending the development of a plan for the effective use of the funds, including necessary coordination with the other Federal and non-Federal parties that might be involved.

Howard University --------- 3,714

Appointment of this amount awaits development of approved plans and specifications. Construction obligations are to be incurred in subsequent years.

Office of Child Development---- 54

TABLE A.—*Budgetary reserve for routine financial administration, April 1972*—Con.

Apportionment of this amount awaits development of approved plans and specifications.	
Department of Housing and Urban Development:	
Model cities programs	105,000
The 1972 appropriation is available for use in 1972 and 1973; the amount reserved is being allocated among cities to cover obligations to be made early in 1973. Thus, each such city will have in advance a target figure against which to plan.	
Department of the Interior:	
Bureau of Land Management:	
Public lands development, roads and trails	16,694
Reserve reflects amounts of available contract authority above the obligation program that was approved and financed by the appropriation Congress enacted to liquidate the obligations.	
Bureau of Indian Affairs:	
Road construction	53,699
Reserve reflects amounts of available contract authority above the obligation program that was approved and financed by the appropriation Congress enacted to liquidate the obligations.	
Bureau of Outdoor Recreation:	
Land and water conservation fund	30,000
Consists of 1972 annual contract authority which the 1973 budget shows as not being obligated. This contract authority, which was made available annually through fiscal year 1989 by Public Law 91–308, approved July 7, 1970, is not being used because the Federal agencies purchasing park lands have found annual contract authority cumbersome to administer. Instead, they prefer ordinary appropriations to finance such land purchases and the budget proposes appropriation of the full $300 million annual authorization for the fund, of which about $98 million is for Federal land purchases in 1973.	
Bureau of Mines:	
Drainage of anthracite mines	3,623
Funds are spent on a matching basis with Pennsylvania as that the State and Department of the Interior develop projects for this purpose. Apportionment awaits development of approved plans and specifications.	
Bureau of Sports Fisheries and Wildlife:	
Construction	9,075
Appropriated funds for D.C. Aquarium withheld because authorized facility cannot be constructed within the funding limits established by the authorization.	
National Park Service:	
Parkway and road construction	73,589
Reserve reflects amounts of available contract authority above the obligation program that was approved and financed by the appropriation Congress enacted to liquidate the obligations.	
Bureau of Reclamation:	
Construction and rehabilitation	1,055
Funds are being held in reserve pending completion and review of the economic restudy to determine the most effective use of funds for the Second Bacon Siphon and Tunnel Unit, Wash.	
Operation and maintenance and replacement of project works, North Platte project	84
This amount fulfills the legal requirements for this account of an annually established contingency reserve.	
Department of Justice:	
Federal Prison System:	
Buildings and facilities	4,299
The apportionment awaits development by the affected agency of approved plans and specifications.	
Department of State:	
Education exchange fund (earmarked proceeds of payment by Finland on World War I debt)	22
Apportionment awaits development by the agency of specific plans for the exchange of students.	
Bureau of Educational and Cultural Affairs:	
International Educational Exchange Activities (special foreign currency program)	5
Funds represent recent recovery of prior year obligations in excess of current year needs. These funds are expected to be utilized in the future.	
Department of Transportation:	
Coast Guard:	
Acquisition, construction and improvements	7,607
Funds are for equipment or improvements and will not be needed until construction on seven projects is in an advanced stage. They will be released when needed.	
Alteration of bridges	1,000
Apportionment awaits development of approved plans and specifications.	
Retired pay	571
Appropriation is in excess of needs due to a lag in voluntary retirements.	
Federal Aviation Administration:	
Facilities and equipment (Airport and Airway trust fund)	53,639
Grants-in-aid for airports (Airport and Airway trust fund)	56,458
Construction, National Capital Airports	900
U.S. International Aeronautical Exposition	218
Civil Supersonic aircraft development termination	4,506
Apportionment of the above FAA accounts awaits development of approved plans and specifications.	
Federal Highway Administration:	
Territorial Highways	5,000
New program established by the 1970 Highway Act, effective December 30, 1970. No appropriation was provided until August 1971, although $4.5M of contract authority was authorized for each of 1971 and 1972. Territories were not prepared to handle program and have just begun to organize agencies and prepare studies for use of the funds. Total obligations through December 31, 1971, were about $93,000.	
Federal-aid highways:	
(1) 1973 contract authority	5,700,000
(2) Remaining balance from prior reductions to meet outlay ceilings and abate inflation	246,798
Urban Mass Transportation Administration:	
Urban mass transportation	299,970
The Congress provided a total of $3.1B of contract authority for the five-year period 1971–1975. Executive Branch apportionments will result in $1.0B of this amount having been used by June 30, 1972, another $1.0B (including this $300M) will be apportioned July 1, 1972, for fiscal 1973, leaving $1.1B, or $550M per year for the fiscal years 1974 and 1975. By appropriation action in fiscal years 1971 and 1972, the Congress effectively limited the amount of the contract authority that could be used each fiscal year. Thus, the $300M shown is the difference between the $600M apportioned for 1972 and the $900M upper limit for which administrative expenses may be incurred under the 1972 Appropriation Act for the Department of Transportation: "Sec. 308. None of the funds provided in this Act shall be available for administrative expenses in connection with commitments for grants for Urban Mass Transportation aggregating more than $900,000,000 in fiscal year 1972." (Underlining supplied.)	
Treasury Department:	
Office of the Secretary:	
Construction, Federal Law Enforcement Training Center	22,239
Apportionment awaits development by the agency of approved plans and specifications.	
Expenses of administration of settlement of World War Claims Act of 1928	1
Amount shown here is in excess of current estimate of 1972 administrative costs. If conditions change and funds are needed, apportionment will be made.	
Bureau of the Mint:	
Construction	79
Apportionment awaits the completion of studies for the effective use of funds.	

Atomic Energy Commission:
Operating expenses:
Reactor development—
Funds held in reserve for the Liquid Metal Fast Breeder Reactor (LMFBR) demonstration plant awaiting the completion of detailed negotiations now underway involving AEC and the Commonwealth Edison Company and TVA ---------- 43,350
Biomedical Research—
Funds held in reserve pending development of a plan for effective utilization ---------- 370
Plant and capital equipment:
Funds held in reserve awaiting AEC's development of firm plans or specifications for two projects in the nuclear materials and weapons programs ---- 175
Funds held in reserve awaiting AEC's completion of feasibility studies or the results of research and development efforts for the national radioactive waste repository and two other projects ---------- 3,133
Funds held in reserve for possible cost overruns and other contingencies ---------- 5,000
Environmental Protection Agency:
Operations, research and facilities ---------- 35,294
Awaiting completion of EPA study of requirements for Cincinnati laboratory ($28.0M) and other laboratory facilities ($7.294M).
General Services Administration:
Operating expenses, Public Buildings Service ---------- 5,000
Amount shown here is in excess of the current estimate of 1972 needs. It reflects revised estimates of rent and utility costs. If conditions change and the funds are needed, apportionments will be made.
Construction, public buildings projects ---------- 45,514
San Antonio, Texas, project awaiting Congressional approval of revised prospectus—$7,402 thousand.
Philadelphia project—additional awards awaiting completion of present construction works—$23,046 thousand.
$10,803 thousand proposed in the 1973 budget for obligation in accordance with legislation now pending in the Congress to authorize private financing and installment payment/purchase of various projects.
$4,263 thousand is reserved to meet possible contingencies that might arise in the course of construction.
Sites and expenses, public buildings projects ---------- 14,665
Reserved to meet possible contingencies or for use in subsequent years—$10,380 thousand.
Projects involving space for Postal Service are being restudied—$4,285 thousand. Apportionment awaits the completion of this action for the effective use of the funds.
Operating expenses, Property Management and Disposal Service ---------- 769
Amount shown here is in excess of the current estimate of 1972 needs for stockpile disposals. If conditions change and the funds are needed, apportionments will be made.
Veterans Administration:
Grants to States for extended care facilities ---------- 8,420
State plans and requests for funds have not been presented to the extent originally expected.
Other Independent Agencies:
Cabinet Committee on Opportunities for Spanish-Speaking Peoples ---------- 30
Potential savings—
The obligation rate has been lower than anticipated because of operation under continuing resolution for two quarters.
Federal Communications Commission: Salaries and expenses (construction) ----------
These funds are intended for replacement of a monitoring station. They cannot be used until the Congress raises the current limitation on FCC's 1972 construction program. It is expected that this will take place before the end of fiscal year 1972.
Federal Home Loan Bank Board:
Interest adjustment payments ---------- 46,888
Amount which can be effectively utilized by the Board in the current year has already been apportioned.
Foreign Claims Settlement Commission: Salaries and expenses ---------- 19
Apportionment awaits development by the agency of approved plans.
Payment of Vietnamese and Pueblo prisoner of war claims ---------- 150
Apportionment awaits arrival of contingencies under which the funds must, by statute, be made available.
Smithsonian Institution:
Salaries and expenses, Woodrow Wilson International Center for Scholars ---------- 11
Reserved for contingencies. Will be apportioned if and when needed.
Temporary Study Commissions:
Commission on Highway Beautification ---------- 25
Amount being held for completion of Commission's work in 1973.
Commission on Population Growth and the American Future ---------- 30
A small contingency amount is set aside to cover any increases in contracted costs after the Commission completes its work and disbands in May, 1972.
National Commission on Consumer Finance ---------- 50
For terminating the Commission in 1973 after the report is completed.
Aviation Advisory Commission ---------- 587
Funds in 1972 reserve will be used in 1973 to carry Commission through its expiration date of March, 1973.
United States Information Agency:
Salaries and expenses (special foreign currency program) ---------- 407
Special international exhibitions ---------- 746
Apportionment of the above accounts awaits development of approved plans and specifications.
Water Resources Council:
Salaries and expenses ---------- 25
Funds in reserve pending establishment of new river basin commissions.

Total ---------- 9,394,669

TABLE B.—*Reserves for reasons other than routine financial administration, April 1972*
(In thousands of dollars)

Agency and account	
Department of Agriculture:	
Rural Electrification Administration—Loans	[a] 107,000
Farmers Home Administration: Sewer and water grants	[b] 58,000
Department of Housing and Urban Development:	
Rehabilitation loans	[c] 53,042
Grants for new community assistance	[a] 5,000
Basic water and sewer grants	[d] 500,000
Department of Transportation:	
Federal-aid highways	623,000
Rights-of-way for highways	50,000
Urban mass transportation	[e] [299,970]
Atomic Energy Commission	17,655
NERVA-Nuclear Rocket	(16,990)
Plowshare	(665)
National Aeronautics and Space Administration:	
NERVA-Nuclear Rocket	22,400
National Science Foundation:	
Educational and institutional support	[a] 21,000
Graduate traineeships	9,500
Reserves established pursuant to President's August 15, 1971, directive to curtail previously planned Federal employment levels	85,300
Total	1,551,897

FOOTNOTES

[a] Apportionment of entire amount is planned on July 1, 1972.

[b] This amount is planned to be used for continuation of the water and sewer grant program after the fiscal year 1972.

[c] Funds remaining from the 1972 appropriation for rehabilitation loans will be apportioned on July 1, 1972.

[d] This amount is planned to be used for continuation of the water and sewer grant program in 1973 and subsequent years.

[e] This item is listed here only because of public and congressional interest. It is not counted in the total of Table B because its planned use is consistent with congressional intent. The Congress provided a total of $3.1 billion of contract authority for the five-year period 1971–1975. Executive Branch apportionments will result in $1.0 billion of this amount having been used by June 30, 1972, another $1.0 billion (including this $300 million) will be apportioned July 1, 1972, for fiscal 1973, leaving $1.1 billion, or $550 million per year for the fiscal years 1974 and 1975.

Title 4 of the Fiscal Responsibility Act establishes a study commission made up of the Comptroller General and the leadership of the Appropriations Committees,

the Ways and Means Committee, and the Finance Committee. The Commission will study the appropriations procedures in Congress and recommend further measures which will modernize congressional budgetary procedure. The 55 members of the House Appropriations Committee and the 24 members of the Senate committee do a remarkable job indeed, considering the tools we give them. Their review of the budget includes many hundreds of subcommittee and committee sessions. Their work and the work of the Congress could be improved by a modernization of our appropriations process. However, they clearly need more assistance and improved procedures to handle the mass of information before them.

The Commission will study the feasibility of funding some programs on a 2-year basis. Two-year funding might provide stability for many of our grant-in-aid programs. The Commission will also consider proposals such as the Magnuson bill in the Senate which would create a split session in the Congress to divide consideration between a budget session and a legislative session. This division might make more Congressmen become directly involved in appropriations decisions. The split session is used in several State legislatures and in some parliaments in other countries. Its feasibility should also be studied. Estimates by the Office of Management and Budget state that 71 percent of the 1973 budget is considered "relatively uncontrollable." The Commission should study this trend toward larger segments of "uncontrollables" in the budget. If the budget is going to be a management tool, then we must be able to redirect our spending as national needs change.

Uncontrollables are thought to be an increasing problem for several reasons. Congressional procedure for appropriations fragments our deliberations between 14 separate appropriations bills, thus the uncontrollables hide in 14 bills and are never fully examined. A second factor to be studied by the Commission is the influence which our lack of comprehensive consideration of the budget has upon our assessment of program costs at the beginning of a program. Many of our programs have very little, if any, thought given during the development phase to the overall cost relationship to other programs in the budget. These assessments may not be made, because some of us know that it may be easier to pass a new program with an underfunded budget and then work to increase appropriations after we get our program on the books.

Our concern for greater fiscal responsibility will only be realized if we make the hard decisions on spending in an atmosphere of continuous review; at the initiation of a program and, an ongoing basis. The Commission should examine the role and impact of uncontrollable expenditures in the budget.

Chart 7 shows estimates for uncontrollables in the Federal budget.

CHART 7.—CONTROLLABILITY OF FEDERAL OUTLAYS, FISCAL YEARS 1967–73

[In billions]

	1967	1968	1969	1970	1971	1972 estimate	1973 estimate
Relatively uncontrollable	$96.6	$109.8	$120.0	$130.3	$145.7	$162.8	$174.6
Relatively controllable	65.6	74.0	69.6	72.7	73.1	81.4	79.8
Adjustments [1]	−3.9	−5.0	−5.1	−6.4	−7.4	−7.6	−8.1
Total outlays	158.3	178.8	184.5	196.6	211.4	236.6	246.3
"Uncontrollables" as a percent of total outlays	61	61	65	66	69	69	71

[1] Includes allowances for contingencies and reductions for undistributed intergovernmental transactions.

Source: Office of Management and Budget.

In a report of February of this year the General Accounting Office found that Congress lacks vital information necessary for making wise budgetary and fiscal decisions. The Commission should also review how Congress can effectively obtain adequate levels of information for budgetary decisions.

The authorizations/appropriations process used in Congress has often proven to be a clumsy system for developing appropriations measures. There seems to be a growing disparity between the authorizations and appropriations measures authored each year. The authorizations issued often represent only a "wish list" with little relevance to what is finally enacted into law. This disparity creates false hopes for those interested in a particular program or activity. In addition to the unrealistic expectations by the authorizations created, the unfullfilled promises do little to encourage careful budget planning. The authorizations/appropriations gap is especially apparent in social policy fields. Chart 8 demonstrates the gap in one area, education.

Most experts on budgetary process agree that present appropriations procedures include extremely limited involvement for most Members of Congress. In both Houses the decision of the Appropriations Subcommittees most often become decisions of the full committee. The decisions of the full committee most often become the decisions of the full House. In the House this system is further strengthened by the use of closed rules on the floor. The Commission should also study ways to involve more Members of Congress effectively in making budgetary decisions. Budget decisions affect every citizen in the country. It seems proper that Representatives should plan an increasing role in deciding how our Government is to spend its money.

Congress should reassert its role in the budgetary process. The collective expertise of our membership covers every area of Federal activity. Louis Fischer quotes Justice Jackson's admonishment to Congress in his decision on the Youngstown Sheet & Tube Case. The Justice stated:

CHART 8.—OFFICE OF EDUCATION

LEGISLATIVE AUTHORIZATIONS AND APPROPRIATIONS, 1961–71

[In thousands]

Fiscal year	Authorization [1]	Appropriation	Difference
1961	$536,685	$528,738	−$7,947
1962	583,957	587,746	+3,789
1963	652,449	652,494	+45
1964	948,017	697,629	+49,612
1965	1,518,091	1,383,610	−134,481
1966	3,598,969	3,339,002	−259,967
1967	4,640,185	3,919,654	−720,531
1968	6,450,967	3,901,707	−2,549,260
1969	7,812,564	3,617,085	−4,195,479
1970	10,230,419	[2] 3,813,778	−6,416,641
1971	11,492,561	4,356,639	−7,135,922

[1] Since authorizations for some programs are indefinite in amount ("such sums as necessary"), their dollar figures cannot be included here. The authorization totals are therefore understated to that extent. That explains why an appropriation figure can sometimes exceed an authorization figure (fiscal years 1962–64).

[2] Appropriation after 2 percent reduction.

Source: Based on worksheets supplied by Office of Education, Department of Health, Education, and Welfare.

The tools belong to the man who can use them. We may say that power to legislate for emergencies belongs in the hands of Congress, but only Congress itself can prevent power from slipping through its fingers.

RETURNING ADDICTS FROM VIETNAM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. HALPERN) is recognized for 15 minutes.

Mr. HALPERN. Mr. Speaker, like a horrible nightmare, the United States has discovered that getting out of Vietnam has a price it did not anticipate. Most everyone is sadly aware of the casualty figures of the dead, wounded, and missing in actions. Yet there is another, perhaps less obvious, casualty list that will haunt American society long after the last GI has left Vietnam—the troops who became addicted while serving in Southeast Asia. The number of them is staggering. In April 1971 I conducted a study mission on the foreign aspects of the drug problem. My findings in Vietnam led me to believe that at least 20 to 30 percent of our forces in Southeast Asia were at that time using heroin. This would translate into more than 60,000 men. This figure is based on estimates given to me by military intelligence, commanding officers, drug suppression and medical personnel, servicemen, and addicts themselves. Sixty thousand men—and only a relatively small number of them have enrolled in the

Army's drug amnesty rehabilitation program.

The heroin in Vietnam is plentiful, powerful, and cheap. It is 95 percent pure and sells for as little as $2.50 for a quarter of a gram. This easy availability, combined with the danger and boredom faced by these servicemen, has produced one of the biggest problems of the war—that of stopping them from becoming addicted to drugs, especially heroin, and then bringing that addiction home with them. Once back in the United States they find that drugs are harder to get, 20 to 30 times more expensive, and considerably less potent.

Unless the addicted serviceman manages to break the habit before he gets out and returns to civilian life, he stands a good chance of drifting into a life of crime in order to support his habit, thus adding to our already skyrocketing crime rate. Moreover, as a noted physician pointed out before a Senate subcommittee, heroin addiction is a "communicable disease":

> Through a natural ripple effect, 75,000 new addicts from Vietnam will produce an additional 250,000 to 750,000 addicts in the United States within a year.

In other words, as we release increasing numbers of servicemen back into our society, we are inviting a frightful addiction to the 560,000 estimated addicts in the Nation's civilian population.

Until rather recently, the military considered drug involvement to be a problem requiring disciplinary action only. But, like the rest of society, the military has now come to recognize a greater responsibility to these addicted men and is responding with treatment and rehabilitation programs. Unfortunately, these programs in Vietnam are sorely inadequate—largely as a result of too few personnel and facilities, too little experience, and lack of a coordinated Vietnam-wide effort to establish rehabilitation centers. Another major shortcoming has been the lack of legal authorization to retain a serviceman, addicted or otherwise, beyond his discharge date. Still another drawback has been the policy of giving addicted GI's the types of discharges which disqualify them for post-discharge treatment and other veterans' benefits.

A great deal of legislation—including my own omnibus bill, the Armed Forces Narcotic Control Act of 1971—has been introduced in this Congress which would make identification, treatment, and rehabilitation of GI addicts a mandatory obligation of the Armed Forces. Implementation of this program must receive the highest priority. The drug situation in Vietnam is epidemic, and unless these returning addicts are completely cured and rehabilitated, no one can reckon what the moral, emotional, and social costs will be here at home.

CONGRESS SHOULD ENACT A "FAIR FIREARMS ACT"

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. SAYLOR) is recognized for 10 minutes.

Mr. SAYLOR. Mr. Speaker, the recent attempt on the life of Gov. George C. Wallace has, once again, brought to the foreground the emotional alarmists in favor of stricter gun control and handgun confiscation. The blind emotions that foster these attacks fail to take into account the millions of sportsmen who use the handgun for recreational purposes as well as those individuals who keep handguns in their homes and businesses for self protection.

Gun registration is unfair and burdensome. It could prove to be more lethal than weapons themselves.

I have been in the forefront of the battle to save private firearms in the United States since the Kennedy-King-Kennedy assassinations, and the resulting wave of public hysteria against the so-called instruments of national calamity.

The confiscation of handguns is a direct violation of the right of the individual to secure and bear arms, and the constrainment by the Federal Government in this matter is shameful.

There is little evidence to prove that the Gun Control Act of 1968 altered the trend of criminal violence in the United States, and there is no doubt the American sportsman was trampled under foot during that vote. His survival and that of all firearms owners is in jeopardy. This reason led me to introduce a bill to repeal this scandalous legislation and to reenact the Federal Firearms Act.

The mania to confiscate all handguns is a direct invitation to crime. While all law-abiding citizens were turning in their guns, the criminals would become omnipotent. The resulting balance in favor of the criminal would result in victim after victim added to the bloody statistics noted on police blotters around the country.

A lawbreaker will not bother to follow any gun control law whether it is harsh or not.

For example, just recently I know where a man presented himself to a firearms dealer and totally falsified the information on the required form needed to purchase a firearm. After ignoring the gun law, he proceeded to pass a bad check for his merchandise and left the place of business never to be seen again. Unfortunately, the owners of the establishment did not realize the individual had falsified his information until they tried to collect on his bad check.

In a recent article James J. Kilpatrick stated:

> Congress can do less than judges can. If our courts would crack down hard on gun-toting criminals, hitting them with tough additional sentences for the use of a firearm, the word would get around.

The attack on crime should be the course of action, not one of misguided gun controls.

Previously I had introduced a bill in the House of Representatives calling for additional penalties for the use of firearms in the commission of certain crimes of violence.

Faced with a harsher sentence the criminal would be more reluctant to break the law. They will soon realize they cannot act as they please.

The Gun Control Act of 1968 should be replaced by a law the public can support and should include the following:

First, assure law-abiding citizens the right to own and use firearms for support and self defense; second, require mandatory penalties for the possession of a firearm or facsimile in the commission of a crime; and third, control the importation of all firearms and their component parts.

The circumstances surrounding the attempted assassination of Gov. George C. Wallace are truly tragic. However, he supports the citizens right to bear arms and his feelings on the subject are worth quoting at length:

> Restrictive gun legislation . . . really in the long run restricts the law abiding citizen who owns a gun. But the law violator doesn't pay any attention to any law . . . Actually, the only way I know to stop the growth of the crime rate is to have stricter enforcement of the existing laws . . . and have sure and swift punishment for the people who violate the law.

Unwarranted attempts by the Government to restrict and/or confiscate sporting and protective firearms are trying the patience of loyal Americans.

I strongly urge the Congress to institute a Fair Firearms Act that would assure citizens of good repute the continuing right to own and use firearms.

ARMY'S DRUG TESTING PROGRAM A FAILURE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin (Mr. ASPIN) is recognized for 10 minutes.

Mr. ASPIN. Mr. Speaker, today I am publicly releasing statistics furnished me by the Army's Surgeon General's Office on the sample test results of the three commercial laboratories that are doing the drug testing for the Army. These shocking statistics cast a shadow of doubt over the effectiveness of the whole GI drug program. The statistics show that the Army's drug testing program here in the United States is failing to identify heroin addicts. As a case in point, one private laboratory failed to detect heroin in 77 percent of the test samples submitted by the Army. It is clear that many GIs who are drug users are going undetected because of the gross inefficiency of the present drug testing program. The three commercial laboratories—United Medical Laboratories, Portland, Oreg., Biochemical Procedures, North Hollywood, Calif., and Washington Reference Laboratory, Washington, D.C.—have been negligent in performing these tests.

In my judgment the Army is also at least equally negligent for not penalizing these laboratories for their poor performance. While the terms of the contracts require the laboratories to correctly identify the contents of 90 percent of the samples submitted by the Army, not one of the three U.S. firms doing the heroin testing has consistently met the 90 percent requirement. Yet the Army has not penalized these firms at all.

It is my hope that the Secretary of the Army will either penalize these contrac-

tors or find other laboratories that can do a decent job. These firms have been paid over $1.6 million since the drug testing program began. It is a disservice to our GIs and to the taxpayers to continue to pay millions of dollars to laboratories which are falling short of what they promised.

A FOCUS FOR SOLAR ENERGY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. MILLER) is recognized for 10 minutes.

Mr. MILLER of California. Mr. Speaker, at the risk of seeming a bit quixotic, I suspect that the time has come for civilized man to stop taking the sun for granted.

This is not to imply that one need worry about the sun not rising tomorrow or exploding into a supernova next year or collapsing into a white dwarf in a few centuries. What I do assert is the spiraling need for the human race to tap the sun's enormous energy and put it to work as a major power supply—soon.

A lot of people have become involved lately in energy problems—including myself. The record abounds with reports and studies about the so-called energy crisis—and, in my opinion, there is such a crisis. There is nothing phoney about it.

What I want to emphasize is this. Crisis is a relative word; usually its essence is immediacy—short range or short term—something we must handle right away. On the other hand, what is "immediate?" That depends on what you are and what your environment is. If you are a guppy being chased by a predator in a fish tank, it is one thing. If you are Queen Elizabeth it is something else. And if you are a Member of Congress faced with making decisions which will affect not only your country but global civilizations as yet unborn, it is still another thing.

The point is that our energy crisis is both short term and long term. It is a continuum. We know we must find substantial new sources of energy to keep us going just for the balance of this century. We are also beginning to suspect that there is nothing now available to us which will serve our needs for clean energy during the next century or the one beyond that—except the sun.

In such context is this not "immediate?"

The lifetime of our Nation is only 183 years—almost exactly the length of time that passed from the founding of Jamestown until the Constitutional Convention in Philadelphia. Does that period seem long today? Not very. Let me shrink it a little more. The time of real need for solar power may well be only half a century or less away. This is about the same span of time as between the inauguration of George Washington as President and the death of Davy Crockett at the Alamo. That does not seem very long either.

Observed on this scale perhaps it is not so hard to see why, if we are to be assured of abundant energy in 2020 and beyond, we must get on with adequate and appropriate research as of now.

For the short-term crisis, the signs are that we are waking up and moving—toward fossil fuel exploration, nuclear power development, chemical conversion research, geothermal experimentation, and the like. We have quite a way to go there, but we are started.

For the longer term crisis—toward significant solar power—we are basically still asleep.

NEEDS AND POSSIBILITIES

Projected figures on American and world energy needs are readily available and can be set forth in massive detail. Many of them are inconsistent. Some are frightening. All are revealing. None is reassuring.

It is not my purpose to document a case for energy research. That has been done many times over. But I do want to specify a few facts which seem particularly meaningful here.

One. Future energy needs.—One can find almost any kind of estimate on this matter except an estimate that trends downward. All are up. The most reliable, based on an averaging of more than 50 different forecasts, indicate that U.S. total energy needs will double in 25 years, and that electrical energy needs are doubling every 13 years which means an increase of over 400 percent before the year 2000. At the same time, our Committee on Science and Astronautics has testimony from the Interior Department which indicates the possibility of much higher energy demands depending on the accuracy of certain economic growth forecasts.

When we consider that the Nation is consuming electric energy close to its present peak capability right now, this is a sobering thing to contemplate.

Two. Energy research now underway.—Such research is presently underway in many fields including the fossil fuels, coal, oil, and gas; nuclear fuels involving processes of fission, fusion, and plasmas; hydraulic, geothermal, solar, wind, chemical, biological, and a number of other exotic types.

Reports our committee has issued show that about 4,400 energy research projects are now in the mill in the United States and probably about $1 billion is going to support them. There are 1,162 projects on which we have detailed funding information, which shows about $441 million supporting them.

This is commendable.

But let me point out that a large part of this research is devoted simply to locating new sources of fuel, such as oil, gas, and uranium, and developing new ways of getting at it.

In any case, only about 70 of the 4,400 research projects have any relation to solar energy, and they have available—so far as we can gage—considerably less than 1 percent of the total funds going into energy research. Moreover, much of the effort that is going into solar energy research—probably half or better—is not being devoted to terrestrial use, but for use in space.

Three. Supplies of energy.—Describing the world's supply of energy is very complex. It depends on many things. However, the engineers who have studied this problem tell us that "fossil fuel reserves are barely equivalent to twice the cumulative demand for energy between 1960 and 2000." U.S. supplies are less than a fourth of the world total. They go on to say that even nuclear fuels, using present reactors, can provide a margin only a little more than twice the capacity of fossil fuels—but that breeder reactors could boost total nuclear capacity about 100 times—U.S. reserves of nuclear fuels are estimated at 10 percent of the world supply.

All such supplies are "depletable."

Sources categorized as "continuous" are solar radiation, wood fuel, farm waste, photosynthesis, hydropower, wind power, tidal, and geothermal. All of these combined, excluding solar radiation, are estimated to provide maximum annual energy amounting to about 1.5 percent of the total world supply of fossil fuel energy, about .6 percent of total nuclear energy available using present methods, and about .006 percent of total breeder-reactor energy.

Solar radiation energy falling annually on the world's land surface, however, is estimated at about 28 times the world's total supply of fossil fuel energy, about 9 times the total supply of conventional nuclear energy, and about 11 percent of the total supply of breeder-reactor energy.

Four. Outlook for various energy systems.—Again, it is difficult to describe the energy outlook in terms of utilization of the various kinds of fuels. This is mainly because new technologies may provide us with more efficient ways of recovering and using these fuels.

With present technology we have no practical way of recovering a very large part of the world's remaining supplies of oil, coal, and gas. And we are even hampered in using present methods in many cases due to public outcries against such methods as strip mining, offshore drilling, surface pipelines, jumbo tankers, and the like.

Present nuclear power methods seem to have made reasonable progress with their problem of thermal pollution but very little with long-term radioactive waste disposal. No one in this country has yet succeeded in producing a reliable commercial prototype of breeder-reactor; nor does anyone seem to have a practical solution to handling the small—in quantity—but exceedingly "hot"—radioactively—waste from such plants—a kind of waste which remains highly dangerous for thousands of years. With both types of reactors, there exist wide divergences of opinion with regard to fuel availability, hazards, and the economics of plant construction and operation.

With regard to power from nuclear fusion and plasmas, scientific feasibility has not been demonstrated, and we are lacking in our materials research, among other things. As yet we have no processes or materials to withstand the enormous temperatures and radiation levels which such methods demand.

DECISIONS TO BE MADE

By reciting these circumstances, I do not mean to be negative. I have great faith in our scientists and engineers, and I have no doubt that developing technology will help us find various options

to follow in alleviating the energy dilemma.

Nonetheless, in view of the foregoing evidence—and I believe that I have been reasonably conservative in my presentation of it—it seems to me that at least two firm conclusions are in order.

First. We must make a decision, probably during the 1970's, on what we want to do with some of the most valuable—but finite—resources on this planet. That is, coal, oil, natural gas, uranium and several other heavy elements.

Do we want to "burn" them? Use them all up for fuel?

Obviously we are going to be forced to do this for awhile. There is no alternative. But, as I have tried to point out earlier, a "while" is a relative thing which, if we are complacent, may quickly devour all the time we have left to develop options. Even assuming that we manage to evolve new adequate energy systems by then, what do we use in place of these precious materials which we have so inefficiently consumed?

It took billions of years for earth to make her fossil fuels material. We cannot manufacture more of it. Yet we have hundreds of needs for it other than energy. The bulk of the petrochemical industry, which is so vital to our well-being, will—for example—be lost. Such loss factors may be extended by orders of magnitude in other fields—for it is clear that important uses for these materials which are undreamed of today will exist tomorrow.

Meanwhile, at present rates of consumption, that priceless product—oil—which we first found in this country in Pennsylvania in 1825—will be gone worldwide by 2125 if not before. An interesting commentary on mankind, is it not? Particularly so in light of some of our efforts to eradicate the effects of burning oil—such as smog-control devices adapted to the internal combustion engine, which thus far, while achieving some progress toward that goal, have also succeeded in increasing auto gasoline consumption by about 20 percent when employed.

To me, the answer to the question of the indefinite use of fossil and nuclear materials for energy is clear. Let us look elsewhere.

Second. If we conclude that we must look elsewhere for major energy sources, where can we in turn except to solar radiation?

I am not aware of another likely candidate—at least one with sufficient potential to provide very large amounts of undiminished power over large geographical areas for long periods of time.

Undoubtedly there will be, as there are now, many possible way and many technologies for transmitting, converting, storing and using solar energy. Each will be important in its contribution to the total energy panorama. But I am convinced that at least one key to the problem lies in some joint space-terrestrial method of generating electric power.

If this is correct, it is going to require a lot of research, development and demonstration beyond contemporary efforts.

NATURE OF PRESENT RESEARCH

So what are these efforts?

At present, those being undertaken privately are mainly concentrated in the short-term payoff area—exploration for sources, extraction techniques, nuclear engineering, coal gasification and the like. Research on solar energy is largely ignored.

What about the Federal effort?

Government-wide, budget requests for energy research for fiscal year 1973 come to about $700 million—which is by no means hay but which is around 4 percent of the total Federal R. & D. budget. The amount earmarked for solar energy research is something like $13 million, or less than 2 percent of the energy R. & D. budget. Almost all of this is funded by the National Aeronautics and Space Administration and the National Science Foundation.

Let me take the solar energy R. & D. budget a step further.

Only about $4 or $5 million of it is devoted to research which has terrestrial applications. The rest, including a small amount of Air Force money, is aimed toward applications in space—which I strongly support; it is vital to the total understanding of solar energy potential as well as our space-oriented missions. The point I am making is that our real government financial commitment to solar energy research for terrestrial purposes at present comes to about .0003—or 3/100ths of 1 percent—of our total Federal R. & D. budget.

To understate the case—this is not much of a commitment.

If the argument I have been making is at all valid, then something is wrong with our priorities.

Last June the President sent a special message to Congress on U.S. energy needs, which has helped create an encouraging environment for energy research. The Federal Council on Science and Technology has set up a Committee on Energy R. & D. Goals—which includes a Solar Energy Panel cochaired by officials from NASA and NSF. That Panel has 5 subpanels devoted to varying systems and about 40 expert consultants involved. An important function of the Panel is to investigate the large-scale use of terrestrial solar energy and recommend to the Energy Committee what research programs are needed. The report is due by July 1, 1972—though when it may be made generally available if at all, I do not know. Nor does anyone seem to know what happens to the Panel after that.

This is fine as far as it goes.

But it does not go very far and, unless somebody really pushes the throttle, it is going to be not merely too little but too late. Moreover, there seems to be no central point of responsibility for making the required effort.

In my view, we are going to need an effort comparable in spirit and commitment to the one we put into the space program in the 1960's in order to achieve our solar energy needs. Except this new effort is likely to be more difficult and complex than our space program has been up to now and will cover a longer period. It is not going to be easy.

Perhaps it will take a disaster or a real scare to produce the effort, but when that effort comes it will have to be focused, integrated, intense, and continuing.

Nothing else will suffice.

I know there are many who think the whole concept of solar energy is too "far out" and, by current engineering standards, too inefficient. But I would remind my colleagues that today we depend for our existence on many technologies which were completely unknown 25 years ago.

I am sure it is going to cost us more, but this should not be a deterrent. I believe we must accept the fact that in the future our utilities—among the most crucial commodities in our entire scheme of living—are likely to cost what they are worth. For 100 years we in this country have been taking them for granted and paying almost nothing for them. Meditate on that. We think nothing of paying $5 or $6 for a bottle of gin or $2.50 for a lipstick or $1.25 for a can of deodorant spray, yet we gripe if our water bill goes up to 50 cents for 1,000 gallons. Try doing without water for a while—or heat or electricity—and then decide what is it worth.

This is what we are going to have to do.

UNIQUE ROLE OF SCIENCE COMMITTEE

Mr. Speaker, I bring this matter to the attention of the Congress because, as chairman of the Committee on Science and Astronautics, I believe I have a special and unique responsibility to do so.

Many congressional committees have a strong and deep involvement with energy matters. However, our committee has a particular duty in the oversight of energy research and, whether by chance or otherwise, it turns out that the three executive agencies which fall under our jurisdiction appear to be the best qualified to take the lead in supporting serious R. & D. on solar energy. These three are the National Aeronautics and Space Administration and the National Science Foundation—which, as I have already mentioned, jointly manage the activities of the Federal Council's panel on solar energy—and the National Bureau of Standards. To give added potential to this triumvirate, it should be noted that NSF and the Bureau share between them responsibility for the Administration's new "technological innovations" program.

That program is expected to be funded in fiscal 1973 at about $40 million. I do not know how it will be used, nor is it my job to dictate that use. But, assuredly, it is my hope that serious consideration will be given to providing some additional solar energy R. & D. support through these programs.

Furthermore, I deem it most appropriate to point out that, in addition to its immediate programs on solar energy research, NASA's space shuttle system could have incalculable value for ultimate solar energy use. This system may well be the only one which could assemble and maintain solar energy stations capable of employing microwave transmission to earth to overcome weather interference. I hope that those critics who have long downgraded the U.S.

manned-space-flight programs will give this some unbiased thought.

There is a fourth organization which also has a particular contribution to make to our committee regarding the solar energy endeavor. This is the Congressional Research Service (CRS) of the Library of Congress. Late last year, at the instance of Representative JOHN DAVIS of Georgia, chairman of our Subcommittee on Science, Research, and Development, the Science Policy Research Division of CRS began an extensive review of the materials research and materials needs of the United States. Their study is extensive and will take time—but it is critical, I believe, to the success of many of our research ventures, including solar energy research.

Many of our scientific and technological research personnel are aware of this fact. A number of government and nongovernment councils with the task of promoting materials research already exist. They are operating on the premise that some of the most urgent public needs facing the Nation demand new technologies which can be developed only with the advent of materials possessing properties not yet known to man.

CONTACT WITH EXECUTIVE AGENCIES

Mr. Speaker, my interest in solar energy research—and that of our committee as a whole—has stemmed in considerable part from the excellent work done over the past 9 months by our Energy Research Task Group.

This group, headed by Representative MIKE MCCORMACK of Washington, as a special unit of Representative DAVIS' subcommittee, has been given special briefings almost weekly. Each meeting has been held in a frank and informal manner with experts from all appropriate energy R. & D. fields—following extensive planning and consultation with the Congressional Research Service. The briefings culminated this month in 2 weeks of what I consider to be highly sophisticated hearings by the Davis subcommittee on our national energy research prognosis.

My comments today have been sparked by that work.

Also, as a result, I have recently been in direct contact with the heads of each of the agencies here identified as important contributors to solar energy R. & D.: Dr. James Fletcher of NASA, Dr. Guy Stever of NSF, Dr. Lawrence Kushner of NBS, and Dr. Lester Jayson of CRS.

Each has agreed to participate with the Committee on Science and Astronautics in considering the formulation of multidisciplinary, integrated programs of solar energy research. Toward this end we will begin exploratory meetings between appropriate personnel of the several agencies and of the committee within a few weeks.

In addition, it is my plan to request that each of the specified agencies report to the committee within 4 months on—

The particular contributions, existing and potential, which the agency involved is capable of giving to solar agency R. & D.;

The level of effort which the agency feels is best suited to it under present conditions;

The level of effort which is possible under accelerated conditions;

The level of commitment which the agency is willing to recommend to the administration over the next decade, insofar as this is feasible;

The identification and relative capabilities of other Government and non-Government organizations or institutions in solar energy research.

NEW TASK FORCE AND POLICY FORMATION

What do we expect from this beginning?

Eventually, of course, we hope for the creation of an effective program of solar energy research. I use the term "effective" here as synonymous with "successful."

As for immediate expectations, we are looking for three things:

First. The formation of what is perhaps the first task force of its kind—a joint Executive-Legislative-Industry task force which will cross not only the boundaries of executive departments but boundaries of the main branches of Government as well.

If executive agencies or legislative offices or committees other than those I have discussed wish to take part, they will be welcomed. In addition, expert representatives from industry should obviously be included if they are willing.

The chief mission of such an integrated task force will be to provide the mechanism for assuring a consistent, coherent and intensive assault on the enormous research problems inherent in the production and use of solar energy. If any of those three characteristics fails, the effort will fail.

Second. The promulgation of a statement of solar energy policy (perhaps involving energy generally). Hopefully, such a statement can be put in the form of a joint resolution and eventually given the force of public law. In my view, this will be especially important during those interim periods when we have made progress with the more conventional modes of energy and things begin to relax—for the moment. It is human nature then to say "why bother—why keep up the fuss over this solar bit?"

At such times, a national policy faithfully pursued may keep us from succumbing to that deceiving, and possibly fatal, technological lullaby.

Third. The concentration of attention on the possibilities of solar energy—and the ultimate essential requirements for it—on an international basis. No part of the energy dilemma is the peculiar province of the United States. While we may be the first and the most seriously affected by energy shortages, the problem itself is global. We are all in this thing together, and very likely solutions will have to come from many quarters, domestic and foreign.

One thing is apparent to me. If we do not get on with this job, such matters as the war in Vietnam, unemployment, crime, overcrowding, trade balances, education and all the other things which preoccupy so many nations today—will not make much difference. If the energy crisis becomes an energy catastrophe, we will find out, rather painfully, how relatively insignificant these contemporary issues have been.

THE THADDEUS KOSCIUSZKO HOME, PHILADELPHIA, PA.

(Mr. SAYLOR asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SAYLOR. Mr. Speaker, I am introducing a bill to authorize the Secretary of the Interior to establish the Thaddeus Kosciuszko Home in Philadelphia, Pa., as a national historic site.

The little house at 301 Pine Street, Philadelphia is the only structure remaining in the United States that has been identified as having been the home of Gen. Thaddeus Kosciuszko, patriot, engineer, soldier and statesman.

Thaddeus Andrzes Bonawentura Kosciuszko arrived in America in August of 1776 when the struggle for freedom of the Colonies was at its lowest ebb. A little more than a year later, the fruits of his engineering and soldiering skills were to be a major factor in the American victory at Saratoga. He planned the fortifications protecting the city of Philadelphia along the Delaware River. His fortifications on the Hudson River at West Point, N.Y., are now the site of the U.S. Military Academy.

Following his unsuccessful fight for Polish freedom and exile, General Kosciuszko took up lodging at the Pine Street house on November 29, 1797. Thomas Jefferson, then the Vice President of the young United States, often visited Kosciuszko at the home and there asked him to travel to France as this country's emissary for peace. It was during his residence at the Pine Street house that Kosciuszko prepared his last will and testament, directing that his worldly fortune be used to free the enslaved.

The house where General Kosciuszko lived in 1797–98 would be a significant addition to our National Parks System and a fitting memorial to one of our great heroes.

The text of my bill is as follows:

H.R. 15250

A bill to authorize the Secretary of the Interior to establish the Thaddeus Kosciuszko Home National Historic Site in the State of Pennsylvania, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to preserve and interpret for the benefit of present and future generations the home of Thaddeus Kosciuszko in Philadelphia, Pennsylvania, the Secretary of the Interior is authorized to acquire by donation, purchase or exchange the property and improvements thereon in the city of Philadelphia, Pennsylvania, generally described as 301 Pine Street, together with such other lands and interests therein which he deems necessary for the establishment and administration of a national historic site: *Provided,* That lands or interests in lands owned by such State or city may be acquired by donation only.

SEC. 2. The Secretary shall establish the Thaddeus Kosciuszko Home National Historic Site by publication of a notice to that effect in the Federal Register at such time as he deems sufficient lands and interests in lands have been acquired for administration in accordance with the purpose of this Act.

SEC. 3. Pending establishment and thereafter, the Secretary shall administer lands and interests in lands acquired pursuant to this Act in accordance with the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1, 2–4), as amended and supplemented, and the Act

of August 21, 1935 (49 Stat. 666; 16 U.S.C. 416–467), as amended.

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

REVOLT IN LITHUANIA

(Mr. MONAGAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MONAGAN. Mr. Speaker, in recent years the more vociferous complaints of other racial groups concerning the policy of the Soviet Union toward its minorities has obscured the regrettable situation of the inhabitants of the Baltic States whose countries were forcefully incorporated in the U.S.S.R. by Stalin in 1940.

Occasionally there are brief indications of the dissatisfaction that exists in these areas as a result of the Soviet policy of Russification.

A recent drawing aside of the curtain with the attempted defection and forcible repatriation of the Lithuanian seaman Simas Kudirka a few miles off the coast of Martha's Vineyard a year and a half ago. In his subsequent trial, a transcript of which I placed in the CONGRESSIONAL RECORD, Kudirka graphically described the conditions which he sought to flee in his home country.

Now another tragic incident has dramatically proclaimed to the world the discrimination and deprivation of human rights suffered by the people of Lithuania. On May 21 in Kaunas a young man, Roman Talanta, burned himself to death as a protest against the domination of this proud country with its long record of cultural identity and individual development.

Following the immolation, there was an outburst of rioting which spread to such an extent that units of tough, heavily armed internal security forces were sent to Kaunas by the Russians.

Several weeks ago 17,000 Lithuanian Catholics sent a petition to the United Nations to complain that Soviet leaders interfered with freedom of worship in their country.

The sudden eruption of the dissatisfaction that lies beneath the surface gives one pause and since it comes at a time when the Soviets are publicly trying to put their best foot forward indicates deep-seated dissatisfaction.

It also indicates clearly the direction in which the Russian regime could move if it wished sincerely to implement the rights of the peoples incorporated within its boundaries. The United Nations in its basic documents sets forth a Declaration of Human Rights which describes the fundamental privileges which are due to every individual from a state in which he lives. These include the rights of assembly, of free elections and of freedom of worship. Most importantly, they include the right to move freely over the borders for emigration or temporary visiting.

In a meeting recently with Soviet leaders in the Kremlin itself I urged the desirability of making the rights described in the Declaration available to the people of Lithuania and I urge the same course today. If the rulers of the U.S.S.R. had the courage to carry out such reforms there would be no need for self-immolation to demonstrate the plight of a country and there would be no need of mass demonstrations to proclaim the frustrations of a people restrained against their will.

CHAPTER I: NEW YORK STATE NARCOTIC PAROLE OFFICERS ASSOCIATION

(Mr. KOCH asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. KOCH. Mr. Speaker, recently I met with a group of dedicated civil servants in New York City. They are narcotic parole officers. Their responsibilities under the New York State mental hygiene law are to work with individuals who have been or are heroin addicts and who have come into rehabilitation programs as a result of being released from a New York State Narcotic Addiction Control Commission facility. They are required to investigate the working environment of the rehabilitant, keep contact with him and evaluate his religious, group, and individual relationships, make frequent unscheduled visits to the rehabilitants at their work places and general community environment, and apprehend or assist in the apprehension and return of rehabilitants who violate the conditions of their after-care status.

These men and women bearing the title of narcotic parole officer are in great physical danger many times because they are unarmed and yet have the role of peace officers, without the protection that a peace officer has under the law. They recounted to me various episodes which make up the daily life of these dedicated young people and which the public knows nothing about.

They are seeking a change in their legal status which would permit them to carry weapons in the same way that any other peace officers would be permitted to do, in line with his or her official duty. I am convinced that there is merit to their request and further believe that they have not received sufficient public commendation for their activities.

No one yet has come up with the answer to the question of how to successfully deal with narcotic addiction. And there is no program I know of that one could call overwhelmingly successful in terms of cure, if by that term we mean the rejection by a heroin drug addict of narcotic addiction for a sufficiently prolonged period of time, outside of a therapeutic community, so as to reasonably conclude he or she is in fact no longer drug addicted. But one program that certainly requires support until better ones come along is this one and it is shameful that the State of New York has reduced its scope. The assistance the narcotic parole officers give in individual cases can make the difference between life and death, and whether a rehabilitant engages in activities of a criminal or civic nature.

I would like at this time to place in the RECORD a more detailed description of the program and individual experiences of some of the NPO's with whom I met:

DESCRIPTION OF PROGRAM

PREFACE

The Narcotic Parole Officers Association is a professional organization which serves as a forum among Narcotic Parole Officers serving at different facilities of the New York Narcotic Addiction Control Commission.

It seeks to represent the concerns of the Narcotic Parole Officers for increasingly effective treatment methods for the subjects certified to the NACC. It also seeks to encourage growth in professional skills of its membership.

While the Association attempts to keep dialogue with the administration of the NACC, it is not a union and contracts with the State of New York are negotiated by the Civil Service Employee Association.

OVERVIEW

Introduction

The New York State Narcotic Addiction Control Commission was established on April 1, 1967 because—

(1) It was realized that the problem of addiction is at the heart of the crime problem in New York State. Narcotic addicts are responsible for more than one half of the crimes committed in New York City alone.

(2) Governor Nelson A. Rockefeller, in his special message to the legislature on February 23, 1966, said that "the objective of the program is to eliminate this major cause of crime by preventing those who have not resorted to crime from doing so and those engaged in crime from repeating these acts, and to eradicate the fear and anxiety created by this problem."

Since it was recognized that most addicts avoid consistent treatment, it was necessary to establish procedures under the Mental Hygiene Law to legally commit subjects to the care and custody of the NACC for periods of three or four years.

The Narcotic Parole Officers Association is in agreement with the general principles upon which the NACC was established. But certain inconsistencies in implementation, omissions, and inadequacies in program and administration have prevented this agency from realizing its goals, and have not provided an opportunity for a fair test of what this program can and should accomplish.

The first problem area is that of enforcement. The NACC is an agency, charged with the responsibility of controlling and treating unwilling and unmotivated rehabilitants with both problems of narcotic addiction and criminal behavior.

These rehabilitants have escaped from residential treatment centers, and they have brought weapons and contraband into the community based parole and treatment centers. They have lost respect for the authority of the Commission and as a result, they refuse to make reports for examinations and counseling. They refuse to participate in the numerous services established in the day care centers. They choose to revert to drug addiction and criminal style life largely because they know that their chances of being apprehended are minute.

The public should be aware of the shocking fact that over 40 percent of all persons certified to the NACC are currently absconders from its control and treatment.

The public should consider the high cost in community losses in theft and injury that result from these rehabilitants being out of the Commission's control.

Significantly, at no time has the NACC had more than 16 warrant officers who are armed and trained to make apprehensions. That is 16 men to try to apprehend over 7,000 rehabilitants in abscondence.

The administration of the NACC has refused to designate and determine that their 235 narcotic parole officers are peace officers, as are their counterparts in the Division of Parole.

This means that the narcotic parole of-

ficer is told by NACC to apprehend abscondees at his own risk.

The public should imagine how the narcotic parole officers and the rehabilitants see the administrative inconsistency, symbolized by the NACC issuing handcuffs to narcotic parole officers, to keep apprehended persons in custody, and then leaving all other questions and instruments of authority and security in doubt.

The public should know also that with these questions and concerns, the narcotic parole officer still apprehends readicted and dangerous rehabilitants in the facilities and in the neighborhoods and homes where the rehabilitants live.

The public should know, finally, that local police officers question the judgment of narcotic parole officers who go unarmed, unprotected into neighborhoods to apprehend rehabilitants which the police themselves do not like to apprehend.

Once the public comprehends the situation of enforcement, it will be clear that the NACC has been inconsistent in performing its basic responsibility of controlling and treating the unwilling and unmotivated addicts who have been certified to the care and custody of the NACC by the courts.

The second problem area is that of program administration. Again, the general design and intent of the NACC is worthy of a true application. Still there remains a number of strategically weak points in the application of the program.

Certification has often been used as a means of avoiding more appropriate criminal sentencing of the arrested addict. Rehabilitants are indiscriminately grouped in rehabilitation centers, mixing youths with hardened criminals, although the facilities were designed at some cost to allow segregation of types.

There are indadequate evaluations made of the rehabilitant's character and background, thereby not permitting appropriate programs to be developed for his treatment.

There is insufficient liaison between residential centers and parole centers in the communities.

There should be emphasis in working with the entire family constellation which would also require the use of more small satellite offices in addition to the limited number of full service centers now in operation.

There should be more effort expended to develop employment resources since private employers are unwilling to hire rehabilitants. Once a rehabilitant has proven his ability in a government funded job, private employers are more willing to hire him.

Halfway House programs should be designed to service rehabilitants whose cases warrant structured shelter. Day care and vocational training could be improved by focusing on skills more relevant to what will be needed by the rehabilitant in the community.

Greater use of the rehabilitated addict could be made in the areas of community research and clerical assistance to the officers.

Programs for inservice training for staff have generally been failures because they are orientated toward the needs of the NACC as a bureaucracy rather than the needs of the rehabilitant and the community.

A close examination of the NACC program application would reveal that the omission of certain program components is the result of an administration that is highly political in its composition and self-serving in too many of its operations.

The administrative structure of NACC was apparently designed to permit flexibility of treatment modalities and varied responses to neighborhood communities. The idea is good, but has failed to bring the desired results. Instead, the decentralized design has been used by inadequate administrators to compete among themselves because of the manner of funding.

Program priorities have not only varied among facilities, but are subject to sudden change within a single facility.

Different facilities have their own standards of rehabilitant performance, reasons for parole violation, access to certain services, such as job placement and admission to the halfway houses. All of these differences are reflected in the fact that after 5 years of operation, each facility is still producing its own mimeographed forms for most of the basic recording and servicing.

The net result of the administrative inadequacies has been to keep NACC facilities almost as chaotic as the communities and families from which the rehabilitants come. Rather than providing a structured and secure setting in which a rehabilitant may develop new behavior and insights, the NACC facilities continue the same confusion and gaming which originally contributed to the rehabilitant's need for narcotic drugs.

In closing, it should be noted that the administration of the NACC has been making sporadic efforts to correct some of the problems which have been stated above. The Narcotic Parole Officers Association feels that public awareness of the problems will greatly encourage the administration to increase its efforts to solve the problems. It is also felt that representatives of the Narcotic Parole Officers Association should be included in the discussions of the administration as it considers the problems.

INCIDENTS OBSERVED

Pursuant to questions raised about problems encountered by the Narcotic Parole Officers, in administering NACC policy, the following are actual incidents which took place within the past four months. These incidents have not been selected because they are shocking or outstanding, but because they are typical.

I. On March 16, 1972, a rehabilitant was to be returned by his Narcotic Parole Officer to the Edgecombe Returnee Unit, pending his transfer to Ridge Hill Rehabilitation Center. As is the practice, the Narcotic Correction Officer staff was alerted to the course of action to be followed.

When the Narcotic Correction Officer approached the rehabilitant, he attempted to strike him with a chair. Six officers were requested to subdue the rehabilitant and take him to the admission area. The rehabilitant swore that he would "get" his parole officer.

The rehabilitant had been a civil commitment to the NACC under Section 206 of Article 9 of the Mental Hygiene Law.

II. On ———, a rehabilitant was being returned to the Edgecombe Returnee Unit by his Methadone Provision Parole Officer. Upon learning that he was to be returned, the rehabilitant attempted to leave the office, only to find his way blocked by the Narcotic Parole Officer.

When additional officers were summoned by the Narcotic Parole Officer, the rehabilitant pulled a .25 caliber automatic pistol from his pocket. The gun was later found to be loaded. The rehabilitant pointed the gun at his Narcotic Parole Officer and said, "If I have to . . ."

The officer reacted instinctively and knocked the rehabilitant's gun hand away and grappled with him. Arriving officers helped subdue the rehabilitant and the police were called.

The gun and the rehabilitant were placed in police custody.

III. On February 28, 1972, a rehabilitant who had apparently made a satisfactory adjustment to aftercare was in possession of a loaded gun. The circumstances leading to rehabilitants' confrontation are too frequently seen by staff members.

On the above date, the rehabilitant's mother came into the office of the Narcotic Parole Officer to inform him that her son had stolen and sold her entire kitchen set, consisting of a table and chairs, plus her dinnerware and blender; and, in addition, had taken her sewing machine, portable tape recorder, and some perfume.

The officer returned with the parent to her home to evaluate the situation. The rehabilitant was not at home and the house was a shambles.

On his way back to the office, to pick up some additional information, the officer saw the rehabilitant in question proceeding through a nearby park. Apparently, on the way his mother's house.

The parole officer called to the rehabilitant, and after some discussion, the rehabilitant agreed to enter the facility with his parole officer.

When the rehabilitant was directed to empty his pockets, he began to do so. However, he aroused the officer's suspicion by omitting certain of his pockets. The officer told the rehabilitant to put his hands on the wall, which is the recommended position to conduct a search. The officer found a loaded gun in one of the rehabilitant's back pockets.

This rehabilitant was a civil commitment, certified to the Commission under Section 206 of Article 9 of the Mental Hygiene Law.

IV. On December 6, 1971, one of the officers received a call from a rehabilitant's wife, who said her husband was "strung-out", and was becoming assaultive.

This rehabilitant is 6'5" tall and weighs 240 lbs. He was committed to the Commission for 5 years on an assault charge. In addition, the rehabilitant had violated his parole, while on State Parole, and has a police record of assaults on police officers, as well as armed robbery.

The officer told the rehabilitant's wife that a warrant would be issued, and that the local police would be notified that the rehabilitant could be found at home.

The rehabilitant was arrested two months later, following his robbery of a man at knife point.

V. On January 27, 1972, a Narcotic Parole Officer, during a field visit, to a rehabilitant's home was confronted by a rehabilitant who was "high" and in possession of a quantity of pills, later found to be Doriden. Doriden is a substitute for Methodone. The rehabilitant should have been taken into custody immediately, but was not because the Narcotic Parole Officer did not possess the tools to effect custody; nor had he been officially informed as to the proper procedure to follow in such a situation.

Each officer, if he has been with the Commission more than a couple of weeks, has heard of or dealt directly with rehabilitants who have "ripped off" their own families. In many cases, the only time a parent or friend contacts the staff concerning any problems with the rehabilitant is when she or he is "ripped off" by the rehabilitant.

In addition, our officers are hesitant, and justly so, to try and take someone into custody if there is a chance the officer's health or safety may be put in jeopardy.

THE 25TH ANNIVERSARY OF THE INWOOD LODGE AND CHAPTER OF THE B'NAI B'RITH

(Mr. RYAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. RYAN. Mr. Speaker, this year marks the 25th anniversary of the Inwood Lodge and Chapter of the B'nai B'rith. Located in my congressional district in New York City, the Inwood Lodge and Chapter has provided many valuable services for the residents of the Inwood area, and has served as a vehicle for strengthening Jewish group identification as well as a means of personal fulfillment. It has helped to foster a real sense of community among those who have had the opportunity to participate in the

many community-oriented programs it operates.

It is to the lodge and chapter's credit that its appeal has been successfully directed to people of all ages. The wide variety of services offered range from youth-oriented programs to adult education courses.

Founded in 1843 in New York City, the B'nai B'rith is a constantly growing organization, and today, it numbers over 550,000 members. Its lodges for men and chapters for women, as well as its various coeducational branches, function throughout the United States, Canada, and in over 40 countries of the free world. The B'nai B'rith has shown an ability to adapt to new needs, for it has recently lowered the admission age to 18 and is currently conducting an intensive youth services appeal.

The B'nai B'rith has always been guided by the words, "Let Thoughts Become Deeds." This is a recognition of the fact that the rhetoric of good intentions accomplishes nothing and that words must be translated into concrete action if people are to be helped. The Inwood Lodge and Chapter has truly lived up to these words, and I am confident that the lodge and chapter will continue its dedicated service to the Inwood community in the years ahead.

I was pleased to join with the Inwood Lodge and Chapter in celebrating its silver anniversary, and I would like to take this opportunity to commend it once again on the fine work it has done thus far, and to wish all of its members success in their future endeavors.

Both the Inwood Lodge and Chapter have been fortunate to have had dedicated and concerned men and women serve as president, men and women who were willing to devote a great deal of time and effort to the many activities sponsored by the lodge and chapter. I want to congratulate Sam Silverstein, the president of lodge No. 1717, and Gertrude Edelstein, president of chapter No. 690, as well as all of the officers and trustees of Inwood Lodge and Chapter, and I would like to include a complete list of the newly elected officers and trustees of both the lodge and chapter:

OFFICERS—1972–1973

LODGE NO. 1717

President, Sam Silverstein.
Vice President, Louis Cowan.
Vice President, Aaron Greenfeld.
Vice President, Werner Simon.
Treasurer, Ernest Horwitz.
Financial Secretary, Gunther Ehrlich.
Recording Secretary, Herbert Edelstein.
Corresponding Secretary, Ben Gordon.
Guardian, Henry Pershep.
Warden, Hans Munter.
Chaplain, Arnold Herzog.
Delegate to Met. Council, Des Gabor.
Delegate to Met. Council, Ernest Horwitz.
Alternate to Met. Council, Herbert Edelstein.
Alternate to Met. Council, Jason Rosenberger.

Trustees

Three years, Des Gabor, Jason Rosenberger, Hans Munter.
Two years, Edward Lehner (to fill vacancy).
Additionally, the following Trustees will be carryovers:
Two years, Ray M. Fried, Fred Grohslicht.
One year, Carl Dorfman, Martin Harth, Paul Ron.

CHAPTER NO. 690

President, Gertrude Edelstein.
1st Vice-President, Elsie Wachsman.
2nd Vice-President, Rochelle Harth.
3rd Vice-President, Helen Horwitz.
Financial Secretary, Hazel Greenberg.
Corresponding Secretary, Ruth Wolf.
Recording Secretary, Edith Rosenberg.
Social Secretary, Hilla Simon.
Treasurer, Ruth Palmer Cowan.
Delegates to Met. Council, Ida Offenberg, Anny Lerman.
Alternates to Met. Council, Bea Sosnovy, Ruth Silverstein.

Members at large

Three years, Sophie Miller.
Two years, Tess Mandel.
One year, Clara Smith.
Counselor, Hannah Gordon.

I know that these fine men and women will serve ably in their respective positions.

The 13 men who have served as President of the Inwood Lodge are justifiably proud of their organization's accomplishments, and I would like to include in the RECORD some of their comments on this memorable occasion:

Henry D. Igar (Pres. 1947–49):

"I do often think of my activities in Inwood. They were good years—and I never so well participated in things Jewish—as well as civic—after I moved away."

Benjamin B. Scherman (Pres. 1949–51):

"Time has proven that B'nai B'rith in the community is a potent force and influence for unity of purpose and accomplishment."

Abraham Kadanoff (Pres. 1954–56):

"My chief interest has been to involve us in community affairs . . . We heard speakers of note and made liaison with important groups and residents in the community."

Theodore L. Crohn (Pres. 1957–59):

"I expect to be in Israel in May and we cannot accept the invitation to join your celebration. But our thoughts certainly will be with you, and please tell our good friends in Inwood that we wish them well."

Rudolph Wachsman (Pres. 1959–61):

"When an organization lives to celebrate twenty-five years of fruitful existence, it is time for joyous celebration as well as examination and assessment."

David E. Miller (Pres. 1961–63):

"Despite the fact that the blue print for landing a man on the moon (exists), we still did not learn how to walk on this earth like human beings."

Abraham Gersh (Pres. 1963–64):

"As president, I particularly sought to increase participation by the Lodge and Chapter in Jewish activities and community work."

Rudy Schwartz (Pres. 1964–66):

"Although I am now serving as President of another Lodge in Ithaca, I find that the love and devotion I feel for Inwood Lodge can never be replaced by any other group. This will always remain special to me and my family."

Morris Kaplan (Pres. 1966–67):

"As much as any single aspect, the close camaraderie maintained by the Executive Committee will always be remembered . . . It is safe to say that all the board members were guiding lights, each in his own way."

Dennis Wolf (Pres. 1967–68):

"This was a year of exciting events, a year of a number of 'Firsts', and a year of transition."

Martin Lindenberg (Pres. 1968–69):

"The memorial services (arranged by the Lodge) for Sen. Kennedy and Dr. King still bring a lump to my throat."

Arnold Herzog (Pres. 1970–72):

"If you believe that your cause is just, continue to fight, in spite of the majority."

Sam Silverstein (Pres. 1972–?):

"Instead of paying lip service to the problems surrounding us and waiting for others to do the job, the only way we can fulfill our mission as Sons of the Covenant is through personal involvement."

G. DUNCAN BAUMAN RECEIVES DISTINGUISHED AWARD

(Mr. HALL asked and was given permission to extend his remarks at this point in the RECORD and to include pertinent material.)

Mr. HALL. Mr. Speaker, a fellow Missourian and good friend, G. Duncan "Dunc" Bauman, publisher of the St. Louis (Mo.) Globe-Democrat, was the recent recipient of a distinguished civilian award from Hon. Robert F. Froehlke, Secretary of the Army. The choice was an excellent one, for "Dunc's" love of country and heartfelt desire that this Nation maintain a strong national defense is a well-documented fact.

The following article is offered for the interest and enlightenment of all:

PUBLISHER GETS AWARD FOR CIVILIAN SERVICE TO ARMY

(By Thomas Amberg)

G. Duncan Bauman, publisher of The Globe-Democrat, was honored Saturday with a special award for "distinguished civilian service to the Department of the Army" by Robert F. Froehlke, secretary of the Army.

The award presentation, which came as a surprise to Bauman, was made in Froehlke's behalf by Maj. Gen. Wesley C. Franklin, deputy commanding general for Reserve forces (southern area) of the 5th U.S. Army, at ceremonies outside Soldiers Memorial.

The special award came during a ceremony honoring 65 members of the Missouri Army National Guard, the Army Reserve, the Missouri Air National Guard and the Air Force Reserve.

The men received Globe-Democrat Outstanding Achievement Awards for character, leadership ability, judgment and common sense, loyalty, attitude, enthusiasm and performance.

In honoring Bauman, Franklin called the publisher, "a truly distinguished and patriotic American" and praised him for his "continued commitment to the national defense."

The citation accompanying a special ribbon and medal said in part:

"As publisher of The St. Louis Globe-Democrat and responsible for its editorial policy, Mr. Bauman has used the voice of that newspaper to continually promote and support the United States Army, the Army Reserve and the Army National Guard in all their critically important needs, goals and missions to insure a strong and adequate national defense."

Telegrams from Vice President Spiro T. Agnew, Gov. Warren E. Hearnes and Mayor Alfonso J. Cervantes praising Bauman were read at the ceremonies.

The award presentations to the reservists, National Guardsmen and Bauman were preceded by a parade from the Old Courthouse to the Soldiers Memorial, where displays of Army and Air National Guard equipment were viewed by the public.

In his opening remarks to the citizen-soldiers, Bauman said:

"We're buffeted on every side by the discordant cries of an irresponsible minority who somehow feel they should have special privileges and rights, but no responsibilities."

However, Bauman said, "the group gathered here today provides both proof of this nation's stature and a reassuring contrast to that vocal minority.

"It's encouraging to see a physical and emotional reminder that most Americans still feel that democracy, not anarchy, is the viable political system which will carry our republic

through this decade and the decades to come."

The citizen-soldiers "symbolize the feelings of the majority of Americans who believe that we're part of the team in the world's best ballpark," the publisher said.

Major Gen. J. Milnor Roberts, chief of the Army Reserves, praised the citizen-soldiers' role in maintaining national defense and said the Army is "placing unprecedented reliance upon these individuals."

He said 45 per cent of the total Army manpower is in reserve components which add increased readiness for defense.

During the award ceremonies, members of the Old Guard Fife and Drum Corps of the 3rd Army's 3rd Infantry Division in Washington played marches and gave a demonstration of Continental Army drills.

The group, which came from Washington for the ceremony, was dressed in Revolutionary War costumes and played tunes of that war.

Also playing at the ceremonies was the Spirit of St. Louis Drum and Bugle Corps, an award-winning, all-black marching unit.

Immediately after the award presentations, a squadron of five Air National Guard attack helicopters followed by four Phantom jets flew over.

A luncheon for recipients of the Outstanding Achievement Awards was held at the Sheraton-Jefferson Hotel.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Moss, for the period 4 p.m. June 1 through June 6, 1972, on account of official business.

Mr. KYROS (at the request of Mr. TEAGUE of Texas), for today, on account of official business.

Mr. JORMAN, for May 31, 1972, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. POWELL), to revise and extend their remarks and include extraneous matter:)

Mr. ESCH, for 15 minutes, today.

Mr. HALPERN, for 5 minutes, today.

Mr. QUIE, for 5 minutes, today.

Mr. SAYLOR, for 10 minutes, today.

(The following Members (at the request of Mr. LINK) to revise and extend their remarks and include extraneous material:)

Mr. ASPIN, for 10 minutes, today.

Mr. GONZALEZ, for 10 minutes, today.

Mr. MILLER of California, for 10 minutes, today.

Mr. BIAGGI, for 10 minutes, today.

Mr. DOWNING, for 30 minutes, June 1.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. MAHON in two instances.

(The following Members (at the request of Mr. POWELL) and to include extraneous material:)

Mr. ERLENBORN.

Mr. STEELE.

Mr. ROBISON of New York.

Mr. KEATING.

Mr. HALPERN in three instances.

Mr. CEDERBERG.

Mr. DELLENBACK.

Mr. WYMAN in two instances.

Mr. MCCLORY in two instances.

Mr. DERWINSKI in three instances.

Mr. O'KONSKI in two instances.

Mr. PRICE of Texas.

Mr. BURKE of Florida.

Mr. STEIGER of Wisconsin.

Mr. FINDLEY.

Mr. YOUNG of Florida in five instances.

Mr. BRAY in two instances.

Mr. PETTIS.

Mrs. HECKLER of Massachusetts.

(The following Members (at the request of Mr. LINK) and to include extraneous matter:)

Mrs. HICKS of Massachusetts.

Mr. DAVIS of Georgia in five instances.

Mr. GONZALEZ in three instances.

Mr. HAGAN in three instances.

Mr. ROGERS in three instances.

Mr. PUCINSKI in six instances.

Mr. KLUCZYNSKI.

Mr. HARRINGTON.

Mr. EDMONDSON in three instances.

Mr. STUBBLEFIELD.

Mr. EVINS of Tennessee in two instances.

Mr. WOLFF.

Mr. BEGICH in three instances.

Mr. MOORHEAD in five instances.

Mr. DINGELL.

Mr. HAMILTON.

Mr. GARMATZ in two instances.

Mr. WALDIE in five instances.

Mr. PICKLE.

SENATE BILL AND CONCURRENT RESOLUTION REFERRED

A bill and a concurrent resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 3463. An act to amend section 906 of title 44, United States Code, to provide copies of the daily and semimonthly Congressional Record to libraries of certain United States courts; to the Committee on House Administration.

S. Con. Res. 79. Concurrent resolution authorizing the printing of additional copies of Senate hearings entitled "Amphetamine Legislation 1971"; to the Committee on House Administration.

ENROLLED BILLS SIGNED

Mr. HAYS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 1915. An act to provide for the conveyance of certain real property of the United States;

H.R. 5199. An act to provide for the disposition of funds appropriated to pay judgments in favor of the Miami Tribe of Oklahoma and the Miami Indians of Indiana in Indian Claims Commission dockets Nos. 255 and 124–C, dockets Nos. 256, 124–D, E, and F, and dockets Nos. 131 and 253, and of funds appropriated to pay a judgment in favor of the Miami Tribe of Oklahoma in docket No. 251–A, and for other purposes;

H.R. 8116. An act to consent to the Kansas-Nebraska Big Blue River Compact;

H.R. 13361. An act to amend section 316(c) of the Agricultural Adjustment Act of 1938, as amended.

ADJOURNMENT

Mr. LINK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 33 minutes p.m.), the House adjourned until tomorrow, Thursday, June 1, 1972, 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:

2042. A letter from the Secretary of the Treasury, transmitting the semiannual consolidated report of balances of foreign currencies acquired without payment of dollars, as of December 31, 1971, pursuant to 22 U.S.C. 2363; to the Committee on Foreign Affairs.

2043. A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to transfer to the Secretary of Commerce certain functions of the Secretary of the Interior relating to encouraging, promoting, and developing travel within the United States, and for other purposes; to the Committee on Interstate and Foreign Commerce.

2044. A letter from the Secretary of Transportation, transmitting the supplement to the 1972 National Highway Needs Report, covering the designation and cost of construction of the Federal-aid urban system, pursuant to section 1219(d) of the Federal-Air Highway Act of 1970 (H. Doc. No. 92–266, Part 3); to the Committee on Public Works and ordered to be printed.

RECEIVED FROM THE COMPTROLLER GENERAL

2045. A letter from the Comptroller General of the United States, transmitting a report of the audit of payments from the special bank account to the Lockheed Corp. for the C–5 aircraft program, covering the quarter ended March 31, 1972, pursuant to Public Laws 91–441 and 92–156; to the Committee on Armed Services.

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. POAGE: Committee on Agriculture. H.R. 13169. A bill to amend existing statutes to authorize the Secretary of Agriculture to issue cotton crop reports simultaneously with the general crop reports; with amendments (Rept. No. 92–1099). Referred to the Committee of the Whole House on the State of the Union.

Mr. POAGE: Committee on Agriculture. H.R. 14163. A bill to amend the Agricultural Act of 1970, as amended, to indemnify farmers and ranchers whose domestic animals are killed by predatory animals; with amendments (Rept. No. 92–1100). Referred to the Committee of the Whole House on the State of the Union.

Mr. POAGE: Committee on Agriculture. H.R. 14423. A bill to amend the Rural Electrification Act of 1936, as amended, to enhance the ability of the Rural Telephone Bank to obtain funds for the supplementary financing program on favorable terms and conditions; with an amendment (Rept. No. 92–1101). Referred to the Committee of the Whole House on the State of the Union.

Mr. GARMATZ: Committee on Merchant Marine and Fisheries. H.R. 9501. A bill to amend the North Pacific Fisheries Act of 1954, and for other purposes; with an amendment (Rept. 92–1102). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Texas: Committee on Rules. House Resolution 1007. A resolution providing for the consideration of H.R. 14990. A bill to authorize appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes (Rept. No. 92–1103). Referred to the House Calendar.

Mr. BOLLING: Committee on Rules. House Resolution 965. Resolution authorizing the Speaker to appoint delegates and alternates to attend the International Labor Organization Conference in Geneva (Rept. No. 92–1104). Referred to the House Calendar.

Mr. MATSUNAGA: Committee on Rules. House Resolution 985. Resolution authorizing additional investigative authority to the Committee on Public Works; with amendments (Rept. No. 92–1105). Referred to the House Calendar.

Mr. NATCHER: Committee on Appropriations. H.R. 15259. A bill making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1973, and for other purposes (Rept. No. 92–1106). 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. ASPIN:

H.R. 15227. A bill to provide for a comprehensive study and investigation of alternative routes for the construction of a Trans-Alaska pipeline; to the Committee on Interior and Insular Affairs.

By Mr. CAREY of New York:

H.R. 15228. A bill to permit officers and employees of the Federal Government to elect coverage under the old-age, survivors, and disability insurance system; to the Committee on Ways and Means.

By Mr. DICKINSON:

H.R. 15229. A bill to amend title 5, United States Code, to correct certain inequities in the crediting of National Guard technician service in connection with civil service retirement, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. MILLS of Arkansas:

H.R. 15230. A bill to insure congressional review of tax preferences, and other items which narrow the income tax base, by providing now for the termination over a 3-year period of existing provisions of these types; to the Committee on Ways and Means.

By Mr. DRINAN:

H.R. 15231. A bill to amend title II of the Social Security Act to improve the coverage of farmworkers by requiring farm employers with substantial payrolls to report all cash wages paid to their farm employees without regard to the existing minimum requirements for coverage (and by providing that the leaders of farm labor crews will be considered the employers of the members of such crews only if they would be so considered under the usual common law test); to the Committee on Ways and Means.

H.R. 15232. A bill to amend title II of the Social Security Act to provide that any individual age 55 or over shall be considered disabled for purposes of entitlement to disability insurance benefits and the disability freeze if he meets the more liberal definition of "disability" presently applicable to blind individuals at that age; to the Committee on Ways and Means.

H.R. 15233. A bill to amend title II of the Social Security Act to provide that an individual who is under a disability and is otherwise qualified may become entitled to full widow's or widower's insurance benefits without regard to age; to the Committee on Ways and Means.

H.R. 15234. A bill to amend title II of the Social Security Act to provide for payment of full wife's and husband's insurance benefits without regard to age in cases of disability; to the Committee on Ways and Means.

H.R. 15235. A bill to amend title II of the Social Security Act to provide that an individual's marriage before attaining age 22 shall not prevent him or her from being entitled to child's insurance benefits; to the Committee on Ways and Means.

H.R. 15236. A bill to amend title II of the Social Security Act to increase from 18 to 22 in all cases the age until which child's insurance benefits are payable (in the absence of disability) by eliminating the present requirement that a nondisabled individual be a full-time student in order to qualify for such benefits after attaining age 18; and to provide that entitlement to child's insurance benefits after age 22 may be based on a disability which began at any time before attaining such age; to the Committee on Ways and Means.

By Mr. EDMONDSON:

H.R. 15237. A bill to amend chapter 2 of the Internal Revenue Code of 1954 to reduce the social security taxes imposed on self-employed individuals to the level of the taxes imposed on employees; to the Committee on Ways and Means.

H.R. 15238. A bill to amend title XVIII of the Social Security Act to increase from 60 to 120 the number of "lifetime reserve" days for which inpatient hospital benefits may be paid under the medicare program, to reduce the coinsurance payment required of the beneficiary with respect to those days, and to provide a similar 60-day lifetime reserve for posthospital extended-care benefits; to the Committee on Ways and Means.

H.R. 15239. A bill to amend title II of the Social Security Act to permit the computation of the benefits payable to a married couple (or to the surviving widow or widower) to be made on the basis of their combined earnings; to the Committee on Ways and Means.

H.R. 15240. A bill to amend title II of the Social Security Act to eliminate the present ceiling (the so-called family maximum) on the total amount of benefits which may be paid on an individual's wage record; to the Committee on Ways and Means.

H.R. 15241. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder; to the Committee on Ways and Means.

By Mr. FORSYTHE:

H.R. 15242. A bill to extend benefits under section 8191 of title 5, United States Code, to law enforcement officers and firemen not employed by the United States who are killed or totally disabled in the line of duty; to the Committee on the Judiciary.

By Mr. GALIFIANAKIS:

H.R. 15243. A bill to authorize the Secretary of Agriculture to make grants for research to develop techniques of and information on the growing, harvesting, and processing of tobacco to assist tobacco producers in protecting the health of tobacco users; to the Committee on Agriculture.

By Mr. HALPERN:

H.R. 15244. A bill to eliminate the monetary limit on the amount which may be paid administratively by the National Aeronautics and Space Administration or the Department of Defense for claims for loss caused in the United States by aeronautical and space vehicles falling from outer space; to the Committee on the Judiciary.

By Mr. McKAY:

H.R. 15245. A bill to provide for the conveyance of certain mineral interests of the United States in property in Utah to the record owners of the surface of that property; to the Committee on Interior and Insular Affairs.

By Mr. McKEVITT:

H.R. 15246. A bill to amend title 38 of the United States Code to liberalize, in the case of certain hospitalized veterans with mental illness, the reduction and repayment provisions applying to compensation or retirement pay; and for other purposes; to the Committee on Veterans' Affairs.

By Mr. McKEVITT (for himself, Mr. DAVIS, of Georgia, Mr. EILBERG, Mr. HEINZ, and Mr. PETTIS):

H.R. 15247. A bill to authorize designated employees of the National Park Service and the U.S. Forest Service to make arrests for violation of Federal laws and regulations, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. McKINNEY:

H.R. 15248. A bill to amend the Internal Revenue Code of 1954 to exclude from gross income amounts won in State lotteries; to the Committee on Ways and Means.

By Mr. PEPPER:

H.R. 15249. A bill establishing a commission to develop a realistic plan leading to the conquest of mutiple sclerosis at the earliest possible date; to the Committee on Interstate and Foreign Commerce.

By Mr. SAYLOR:

H.R. 15250. A bill to authorize the Secretary of the Interior to establish the Thaddeus Kosciuszko Home National Historic Site in State of Pennsylvania, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. SEIBERLING:

H.R. 15251. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide benefits to survivors of police officers, firemen, and correction officers killed in the line of duty, and to police officers, firemen, and correction officers who are disabled in the line of duty; to the Committee on the Judiciary.

H.R. 15252. A bill to amend title 38 of the United States Code to deem any person placed for adoption by an appropriate adoption authority to be legally adopted during the period of placement; to the Committee on Veterans' Affairs.

By Mr. WHALLEY:

H.R. 15253. A bill to provide equitable tariff treatment with respect to imported passenger automobiles; to the Committee on Ways and Means.

By Mr. WHITEHURST:

H.R. 15254. A bill to require the Secretary of the Interior to make a comprehensive study of the dolphin and porpoise for the purpose of developing adequate conservation measures; to the Committee on Merchant Marine and Fisheries.

By Mr. WOLFF:

H.R. 15255. A bill to amend the Internal Revenue Code of 1954 to provide an additional itemized deduction for taxicab fares paid by disabled individuals; to the Committee on Ways and Means.

By Mr. WYATT:

H.R. 15256. A bill to provide for the annual reporting by Members of the Senate and House of Representatives and justices and judges of the United States of all income, assets, and liabilities, and for other purposes; to the Committee on the Judiciary.

By Mr. WYDLER:

H.R. 15257. A bill to provide that Federal assistance for housing designed for the elderly may not be conditioned upon the construction or development of other housing in the same community; to the Committee on Banking and Currency.

By Mr. ZWACH (for himself, Mr. QUIE, Mr. NELSEN, and Mr. FRENZEL):

H.R. 15258. A bill to further reduce Federal

control of assets of rural rehabilitation corporations; to the Committee on Agriculture.

By Mr. NATCHER:

H.R. 15259. A bill making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1973, and for other purposes.

By Mr. DU PONT:

H.J. Res. 1213. Joint resolution authorizing and requesting the President to issue annually a proclamation designating the week beginning on the last Monday of May of each year as "National Natural History Week"; to the Committee on the Judiciary.

By Mr. SMITH of California:

H. Res. 1006. Resolution providing for the consideration of the bill (H.R. 14370) to provide payments to localities for high-priority expenditures, to encourage the States to supplement their revenue sources, and to authorize Federal collection of State individual income taxes; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII,

395. The SPEAKER presented a memorial of the Legislature of the State of Iowa, relative to the price-grading system for grains and oil systems, which was referred to the Committee on Agriculture.

PETITIONS, ETC.

Under clause 1 of rule XXII,

245. The SPEAKER presented a petition of Richard W. Bowman, Graterford, Pa., relative to redress of grievances, which was referred to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

OPERATION BREAKTHROUGH

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 31, 1972

Mr. WALDIE. Mr. Speaker, through the gracious cooperation of the chairman of the Select Committee on Crime, Mr. PEPPER, Washington will learn of a really effective program of self-help and drug rehabilitation being conducted at the Federal Correctional Institute in Lompac, Calif.

The name of the program is "Operation Breakthrough" and the story of this effort and of those outside and inside the walls of the Correctional Institute are worthy of the attention so generously given by Mr. PEPPER.

The inmates who are working hard to spread the word on the outside about the insidious nature of drugs and the life behind walls for drug offenders will testify before the Senate Subcommittee on National Penitentiaries on June 13 and will also appear before the House Select Committee on Crime on June 15.

They will tell of their efforts and their hopes. They will share with us the harrowing tales of drugs, crime, and prison. It is not a pleasant story, Mr. Speaker, but it has to be told.

Great credit for working with Operation Breakthrough should be given Mrs. Betty Stephens of Santa Barbara, Calif. She has worked tirelessly in the community to assist the correctional facility staff and inmates in making this effort a success.

Her hard work to have the representatives of the program testify before the House and Senate has been successful and no doubt will greatly help the public to become aware of this excellent program.

Mr. Speaker, a recent article in the Santa Maria, Calif., Times described the program and some of the people who are playing significant roles in it. I believe that it is of great interest for all concerned with the drug problem:

DRUGS AND PRISON: LOMPOC INMATES TELL THEIR STORIES AND THEIR DREAMS

(By Tom Leyde)

Douglas Lowery, Jesse Hernandez, Jimmy Rangel and Morgan Macdonald all have a story to tell; a true story about drugs, about crime and about prison.

The four are inmates at the Federal Correctional Institute (FCI) in Lompoc, former drug users and members of Operation Breakthrough, an inmate run program helping convicts to help themselves and inform the public.

Operation Breakthrough was conceived last May in a prison mop room when six inmates—members of the FCI Young American Jaycees—started meeting to discuss plans for a drug education program.

But despite its crude beginning, the program has blossomed and currently has 32 active members with more than 50 on its waiting list.

Through informal inmate panels, both inside and outside the institution, Operation Breakthrough attempts to communicate the truth about drug abuse to young people and parents as well as break down the stereotype beliefs people have of prisons and prisoners.

During an Operation Breakthrough panel, each inmate tells his own story—how he got involved with drugs and crime. In the case of the four inmates interviewed, all are serving sentences for drug related offenses.

Morgan Macdonald, Operation Breakthrough program director, has a rather colorful criminal record. At 25, Macdonald, who comes from Los Angeles, is serving a 15 year sentence for bank robbery. While supporting a heroin habit, he pulled five bank jobs and was also involved in forgery.

Sporting a reddish-brown mustache, Macdonald's face has a guy down the block familiarity about it. So familiar he is often mistaken for a prison officer when speaking outside the institution.

The truth about drug addiction and prison, Macdonald said, is it can happen to anyone "no matter how much education or money you've got."

Macdonald was a person who had everything going for him before he turned to heroin. He comes from a middle class family, spent four years in the Air Force as a photographer and has completed one year of college. Prior to his conviction, he was working as an analyst for the Matell Toy Company in Hawthorne.

But in 11 months, he said, "I went from the achievements I'd attained back down to the bottom and in the process burned all my friends and family."

Macdonald said he still dreams about fixing (shooting heroin) once in awhile. He cannot say with all honesty that he will not try drugs again.

As program director, Macdonald, the more loquacious of the four inmates and one of the original six members along with Jesse Hernandez, acts as a liaison between the inmates and the prison administration. He also handles program correspondence and schedules inmates for speaking engagements.

"Prison's a drag," said Macdonald, "but it's only what you make it. We're trying to make it as constructive an experience as possible."

Of those who started Operation Breakthrough, Macdonald said, none had had any previous experience in public speaking or running a drug education program. "Everything we've done so far we have played by ear. From now on we keep trying new things."

Joining Operation Breakthrough is strictly voluntary, said R. W. (Buster) Graham, corrections officer at the FCI and staff coordinator of the program.

"It's a personal commitment," the veteran Oxnard policeman and former restaurant owner explained. "The men said look, I'm in prison and I want to be able to talk." Graham said the community is not ready for the program "but we're trying to educate them."

Inmates have made approximately 100 supervised trips to communities, he said, and have presented between 35 and 45 panels inside the institution. Through television interviews, radio talk shows and public appearance, Graham estimates word of the program has reached 400,000 to 500,000 persons.

'If we can reach one person and stop him from hitting the drug scene or prison," he said, "then we have accomplished something."

Particularly interested in reaching young people is Jesse Hernandez, 27, of Santa Barbara County. Serving a six month to six year sentence for smuggling, Hernandez has composed songs about his experiences with drugs and sings them to groups accompanying himself on guitar.

"Operation Breakthrough," he said, "is at the verge of expanding. We're getting more into the juvenile assistance side." The beauty of the program, he said, "is each man tells his own story. It's like "a small index of short stories."

Hernandez, like the three other inmates interviewed, wants to go into counseling after he has served his time. All are enrolled in a program at the FCI that leads to a paraprofessional certificate. Earning the certificate means they are qualified to work with professional counselors.

Jimmy Rangel, a Mexican-American with a thin, black mustache is working hard for his certificate. He has lots of time. Rangel, a former heroin pusher and addict is serving six years for selling heroin and faces two state sentences—one from six months to 10 years and another from 10 months to 10 years—when he is paroled.

"I'm getting myself more qualified for out there," he said.

He feels the program is succeeding in reaching young people. "Students relate to us . . . They say things they wouldn't say to their parents . . . They want the truth."

The truth about Douglas Lowery, a 21-year-old black from Los Angeles, may be a shock to some. His story began at an early age.

"I started smoking grass (marijuana) when I was 12," he said. "I do not dig this place at all."

Like Macdonald, Lowery also robbed a bank. But he was not supporting a heroin habit. His trip was red devils (barbituates). Lowery was on red devils four years before the law caught up with him. He got six years.

Speaking of Operation Breakthrough, Lowery said, "The program motivates the inmate. It's their turn to tell the public how it is instead of higher officials . . . We're trying to come up for air for good."

When he leaves prison, Lowery hopes to

go to college and then into counseling. "My main goal is to help people."

Helping people is what Operation Breakthrough is all about. It's a personal breakthrough for inmates to speak outside the institution, Macdonald said. "It becomes clear to you why you're here. You look at yourself honestly."

Macdonald said the program has "suffered some growing pains, because we're grown so fast." Although the group's activities within a prison are limited, Macdonald said, "we've had one hundred per cent cooperation from Kenton (Frank F. Kenton, warden) on down . . . We're having things occur now we never thought possible."

"What I would like to see as an ultimate goal," Macdonald said, "is a breakthrough program in every federal correctional institute in the country.

"Up until a short time ago, an ex-convict and known drug user had two strikes against him. We all have two strikes against us when we leave this place and three strikes and you're out."

Those who would like to learn more about Operation Breakthrough or who would like to attend an inmate panel should telephone R. W. (Buster) Graham at RE 6-7574 or write to Morgan Macdonald in care of Graham. The address is Operation Breakthrough, Federal Correctional Institute, P.O. Box W, Lompoc, 93436.

A BLACK MAYOR VIEWS BUSING

HON. ROBERT P. GRIFFIN

OF MICHIGAN

IN THE SENATE OF THE UNITED STATES

Wednesday, May 31, 1972

Mr. GRIFFIN. Mr. President, in Michigan the adamant opposition to forced busing reaches across lines of occupation, economic status, political party, and racial and ethnic identification.

It has become increasingly clear that most blacks, as well as whites, support the neighborhood school concept and oppose forced busing.

Inkster, Mich., is a suburb of the city of Detroit. Most of the other suburban communities which expect to be affected by the metropolitan Detroit busing order of a Federal district judge are white.

But Inkster is a city where many of the residents are black.

And the mayor of Inkster, the Honorable Edward Bivens, is black.

Mr. President, last week I received a very perceptive, thoughtful letter from Mayor Bivens. I ask unanimous consent that it be printed in the RECORD.

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

CITY OF INKSTER,
Inkster, Mich., May 22, 1972.

Senator ROBERT P. GRIFFIN,
U.S. Senate,
Old Senate Building, Washington, D.C.

DEAR SENATOR GRIFFIN: I ask that you vote your conviction on the matter of busing; however, if your conscience will permit, I ask that you vote against massive busing.

As you know, I am Black, and despite the kinds of discriminatory acts that I've been subjected to, during my more than 40 years, I will not permit myself to be blinded on an issue like this.

I've served on my local Board of Education, and know the high cost of operating a system of buses. It has been the second highest expenditure other than salaries. I can not see the massive numbers of dollars going into busing, when those same dollars could be used to enhance educational possibilities for youngsters.

On the matter of integration, I am not convinced that integration will be realized through busing I say that because the five or six hours that Black students will spend in school with White students and then return to their Black or White habitat is not meaningful integration. Therefore busing will not accomplish integration.

On the matter of better education, I know that it is the contention of some that better facilities, and better teachers are available in White settings. Acknowledging this to be true, I then say that Black students will still experience the level of attainment that they presently realize, because if a White teacher has a racial hangup, that teacher then will not teach Black students as effectively as he or she would teach White students. Therefore the Black student is still short-changed.

I often wonder what became of the 'Black pride' that I've heard my race speak of so often. It seems to have suddenly faded.

There are certain school districts that must maintain a busing system because of certain rural characteristics and conditions. I can accept busing under these conditions. But in my area busing is not needed. What we need, across this Nation, is better teachers, in many cases better curriculums that give kids a better opportunity, and most of all greater parental involvement with their off-springs. Parents, generally speaking, have abdicated their responsibility for their children.

I feel that your leadership is necessary to defeat busing and accordingly, I solicit same.

Sincerely yours,

EDWARD BIVENS, Jr.,
Mayor of City of Inkster.

ALASKAN REPRESENTATION

HON. NICK BEGICH

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 31, 1972

Mr. BEGICH. Mr. Speaker, I have recently received a copy of a resolution passed by the Alaska State Legislature relating to participation by Alaska in the International Conference on the Law of the Sea. The Conference is scheduled to be held in Geneva in 1973. Any agreement reached there will have a vast impact on Alaskan fisheries for a long time to come, and yet the preliminary proposals by the Department of State appear to offer a little protection for either our national or Alaskan fisheries, and there is no official representation by Alaska on the Department's delegation to the conference. A State which has nearly half of the total coastline of the United States should have representation at a conference which so vitally affects its major industry and substantial source of livelihood. I would like to include a copy of this important resolution in the record for my colleagues' attention.

ALASKA STATE LEGISLATURE—HOUSE JOINT RESOLUTION NO. 89

Relating to participation by Alaska in the Conference on the Law of the Sea

Be it resolved by the Legislature of the State of Alaska:

Whereas an International Conference on the Law of the Sea is scheduled to be held in Geneva in 1973 and any agreement reached by the conference will have a deep and profound influence on Alaskan fisheries for generations to come; and

Whereas the preliminary proposals by the Department of State appear to offer little protection for either our national or Alaskan fisheries; and

Whereas our coastal fishery resources are being seriously depleted due largely to the effect of unregulated foreign fishing conducted without regard to sound conservation principles; and

Whereas conservation is urgently needed, both to maintain our fishery resources on a sustainable yield basis and to secure a sound economic future for our state's and nation's fisheries; and

Whereas the State of Alaska has, of all 50 states, the largest coastline, measuring 5,580 statute miles or 45 per cent of our nation's total coastline and 31,383 statute miles of tidal shoreline; and

Whereas the State of Alaska has innumerable fishing ports and villages, one of which, Kodiak, is the second largest fishing port in the entire United States; and

Whereas the fisheries industry, and fisheries related services, provide Alaska's largest source of income, having a total value of more than $200,000,000 annually; and

Whereas our fisheries industry is the largest seasonal employer of Alaska's citizens; and

Whereas representation in the Department of State delegation to the Conference on the Law of the Sea does not officially include the State of Alaska; and

Whereas a state which has nearly half of the total coastline of the entire United States should most certainly have representation at a conference which so vitally affects its major industry and substantial source of livelihood and state revenue;

Be it resolved by the Alaska Legislature that the President of the United States is respectfully requested to direct the Department of State to include representation from the State of Alaska, considering its major significance as a fishery in the United States, in the delegation to the Conference on the Law of the Sea to be held in Geneva in 1973; and be it

Further resolved that upon approval of Alaska's participation, the Secretary of State notify the governor immediately so that he can select and appoint legal and technical experts and an advisory committee of appropriate persons who are both knowledgeable in state fisheries matters and representative of Alaska's coastal areas, and take whatever action is necessary to assure their participation to the Law of the Sea Conference in 1973; and be it

Further resolved that the Department of State also be directed to conduct hearings before August 31, 1972 for the purpose of obtaining testimony from the citizens of Alaska on matters in which they are so deeply and personally involved, in Juneau, the capital city of the state; in Kodiak, the largest fisheries port in the state; in Anchorage, the largest city in the state and center of transportation and commerce; and in Fairbanks, site of the University of Alaska's Institute of Marine Research; and that this testimony be used in preparation of the position of the United States on proposals affecting fisheries of the United States and particularly of Alaska which will be considered at the conference.

Copies of this resolution shall be sent to the Honorable Richard M. Nixon, President of the United States; the Honorable Spiro T. Agnew, Vice-President of the United States; the Honorable William P. Rogers, Secretary, Department of State; the Honorable Peter G. Peterson, Secretary Designate, Department of Commerce; the Honorable J. W. Fulbright, Chairman, Senate Foreign Relations Committee; the Honorable Thomas E. Morgan, Chairman, House Foreign Affairs Committee; the Honorable Ronald Reagan, Governor, State of California; the Honorable Dan Evans, Governor, State of Washington; the Honorable Tom McCall, Governor, State of Oregon; and to the Honorable Ted Stevens and the Honorable Mike Gravel, U.S. Senators, and to the Honorable Nick Begich, U.S. Representa-

tive, members of the Alaska delegation in Congress.

RADIO FREE EUROPE TURNS OFF FULBRIGHT

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 31, 1972

Mr. DERWINSKI. Mr. Speaker, until the battle is won, I will continue to call the attention of the Members to the shortsighted, ill-intended, stubborn opposition by the junior senator from Arkansas against the continued operation of Radio Liberty and Radio Free Europe.

One of the outstanding journalists of our day is Mr. Roscoe Drummond. His column, which was carried in the May 19 Chicago Today, eloquently argues the case for these two radio stations and the service that they render.

The editorial follows:

RADIO FREE EUROPE TURNS OFF FULBRIGHT

(By Roscoe Drummond)

WASHINGTON.—What in the world does Sen. William Fulbright want to accomplish by trying to kill Radio Liberty and Radio Free Europe? They broadcast news to the people of the Soviet Union and Eastern Europe that they can't otherwise get.

He contends that these Free World radio stations, the only means by which people living under Soviet censorship can get balanced and objective information about what is going on in the world and in their own countries, should be "buried in the graveyard of cold war relics."

There certainly can be honest differences over how these programs beamed behind the Iron Curtain should be financed. But why Sen. Fulbright wants to silence them by cutting off their funds is hard to fathom.

Whatever his purpose, Fulbright's facts are wrong, and, if he succeeds in abetting the information blackout in Russia and Eastern Europe, he will be doing great harm.

He will be arming those Kremlin leaders whose power to resist all social change rests primarily on censorship.

He will be denying to the only liberalizing forces behind the Iron Curtain a means to reach their own fellow citizens and the outside world.

He will be choking off the flow of news and knowledge at a time when Radio Liberty and Radio Free Europe can do the most good.

Perhaps Mr. Fulbright has been so busy with Viet Nam that he does not realize that there is a reformist movement in the Soviet Union, which is gaining voice and strength and which seeks to win for the Soviet people more freedom and a larger say in their own government.

This demand among professionals and intellectuals in Russia is growing. It is not seeking to overthrow the regime. It is not anti-Communist. It wants social reform and an end to repressive censorship. These Soviets are working for the good of their country as they see it. The radio news programs Fulbright wants to stifle are vital to these democratic-minded Soviet dissenters. They themselves say so.

The programs of Radio Liberty and Radio Free Europe are not cast in the climate of the cold war. A study of the scripts by the research division of the Library of Congress reached just the opposite conclusion Fulbright hoped it would. It found the programs objective and factual.

Without Radio Liberty, the Soviet people can get little uncensored information about what is going on outside or inside Russia.

A Soviet journalist who left Russia recently has described this censorship in these words:

"Not a single thing can be printed in the Soviet Union, whether it be a book or a postage stamp, a newspaper or a label for a bottle, a magazine or a candy wrapper, unless it has been approved by the censor."

This is why Radio Liberty read 16 parts of Pasternak's "Doctor Zhivago," six parts of Andrei Amalrik's "Will the Soviet Union Survive Until 1984?" and 62 parts from the book, "The First Circle," by Russia's greatest living writer, Alexander Solzhenitsyn.

This is why Radio Liberty broadcasts the pronouncements, the petitions, essays, stories and reforms proposed and contained in "samizdat." These are typewritten or handwritten privately circulated documents, nearly 1,000 of which have been put into the hands of Radio Liberty for its use.

The Soviet people would not know the truth about the Soviet invasion of Czechoslovakia, the statements of the Chinese at the United Nations or the letter from Soviet Jews to Golda Meir if they weren't broadcast by Radio Liberty.

Funding for Radio Free Europe and Radio Liberty will run out next month. A new appropriation must be approved soon or both will die an untimely death.

Radio Liberty and Radio Free Europe, far from being "relics of the cold war," further allow the free flow of ideas and information where they are scarcest.

I wonder why Sen. Fulbright wants to destroy them? It will be well if he does not succeed.

BROOKLYN PARK ELEMENTARY SCHOOL

HON. EDWARD A. GARMATZ

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 31, 1972

Mr. GARMATZ. Mr. Speaker, Brooklyn Park Elementary School, located in the Third Congressional District of Maryland, which I have proudly represented for almost 25 years, has been the recipient this year of two first-place awards, one received nationally for the 9th consecutive year and one for first place for the 8th consecutive year, by the Columbia Scholastic Press Association.

Brooklyn Park Elementary School, under the able leadership of Mr. George E. Surgeon, supervising principal, has initiated a new 75,000 square feet "Open Space" school. Educational leaders have been arriving from around the country to view this magnificent new school.

At this point in the RECORD, I take the opportunity to insert the two official score sheets from the Columbia Scholastic Press Association to the Brooklyn Park Elementary School for their Le Petit Journal and the BPES Journal which not only gives the rating, but also comments on the excellence of these two journals:

OFFICIAL SCORE SHEET: COLUMBIA SCHOLASTIC PRESS ASSOCIATION, ELEMENTARY SCHOOL NEWSPAPERS

THE 1972 AND 48TH ANNUAL CONTEST

Name of Newspaper, B.P.E.S. Journal.
School, Brooklyn Park Elementary.
Address, Morgan Road and Fourteenth Avenue, Baltimore, Maryland 21225.
Telephone, 789–1881.
Publications Adviser, Mrs. Mary A. Fickel.
Supervising Principal, Mr. George E. Surgeon.
Rating, First place award (8th consecutive First Place Award).
Summary of the score sheet:
Appearance and Make Up, Excellent.
Name Plate or Cover, Excellent.
Typography, Excellent.
Masthead, Excellent.
Content, Excellent.
Headlines, Excellent.
News, Excellent.
Editorials, Excellent.
Features and Artwork, Excellent.
General Considerations, Excellent.

COMMENTS

"The B.P.E.S. Journal is original and complete. The headlines and subheadlines are excellent. You show much initiative."

"Your B.P.E.S. Journal shows a great deal of interest, planning and hard work on the part of all concerned. It is quite informative and practically takes the reader on a tour of the Brooklyn Park Elementary School, explaining the new innovations, etc., as one goes along with you. Keep it up. It is wonderful to be so proud of your Brooklyn Park Elementary School that you want to tell all about it."

"Excellent. Congratulations on your first place rating. Your B.P.E.S. Journal has appeal. It encourages the children to write about the interesting happenings around the Brooklyn Park Elementary School. They enjoy telling others about their wonderful school. You must be very happy in your new building. Enjoy it. You are very, very fortunate in having so many opportunities available to you. There is a good relationship between you and the Parents Teachers Association. The community at large certainly does appreciate your fine principal and his outstanding efforts in your behalf. He is bringing many, many honors to your Brooklyn Park Elementary School and to the Brooklyn Park Community. (I hope you appreciate him for all he has done.) Congratulations, Mr. Surgeon." "Your B.P.E.S. Journal is excellent."

CHARLES R. O'MALLEY,
Director, Columbia Scholastic Press Association, Columbia University, New York City, N.Y.

OFFICIAL SCORE SHEET: COLUMBIA SCHOLASTIC PRESS ASSOCIATION, ELEMENTARY SCHOOL MAGAZINE

THE 1972 AND 48TH ANNUAL CONTEST

Name of magazine: Le Petit Journal, Brooklyn Park Elementary School, Morgan Road and Fourteenth Avenue, Baltimore, Maryland 21225, Telephone 789–1881.
Adviser: Mrs. Mary A. Fickel.
Principal: Mr. George E. Surgeon.
Rating: First place award (9th Consec. National Award).
Summary of the Score Sheet:
A. Appearance and make-up:
1. Cover, Excellent.
2. Title and content pages, Excellent.
3. Typography and make-up, Excellent.
4. Titles and headlines, Excellent.
B. Content:
1. Editorials, Excellent.
2. Stories, Excellent.
3. Poetry, Excellent.
4. Essays and features, Excellent.
5. Humor, Excellent.
6. Art work, Excellent.
7. School and class notes, Excellent.
C. General considerations and advertising, Excellent.

GENERAL COMMENTS

"The Le Petit Journal, the creative arts magazine, of the Brooklyn Park Elementary School is truly "Excellent." The number, variety and high quality of contributions speak quite well for the enthusiasm generated by the adviser, Mrs. Mary A. Fickel, the principal, Mr. George E. Surgeon, and the faculty. You are to be highly commended."

"The literary quality of your students is quite evident."

"The Le Petit Journal contains an excellent mixture of stories, essays, poetry, editorials, interviews, informative articles, reviews

of books, plays, music, movies, profiles of students and faculty and humor."

"Your originality is of the highest quality and all the work appearing is original."

"A sense of personal, school, community and civic responsibility of writers for the betterment of their society is quite evident in the Brooklyn Park Elementary School's Le Petit Journal."

"Congratulations Brooklyn Park Elementary School."

CHARLES R. O'MALLEY,
Director, Columbia Scholastic Press Association.

PREMIERE OF A NEW MAGAZINE: ENCORE

HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 31, 1972

Mr. CLAY. Mr. Speaker, I would like to bring to the attention of my colleagues the recent emergence from the world of journalism of a refreshing and creative magazine entitled "Encore." The key concern of the publication is, in the words of its editor, Ida Lewis, to answer the question "How can we prosper in this environment while still being true to our basic selves?"

Mr. Speaker, a recent editorial in the St. Louis American amplifies the aims of this new magazine and discusses its potential to probe the world's "growing complexity and interdependence."

Mr. Speaker, I wish to include this editorial in the RECORD for the benefit of all my colleagues. The editorial follows:

PREMIERE OF MAGAZINE "ENCORE" AND THE GROWING COMPLEXITY AND INTERDEPENDENCE

A new magazine has come to this corner's desk—an imposing slick-paper medium-sized format—Encore. The premiere issue is excellently presented and there is no pinch or cut-down. First off, the name is neither flamboyant nor a combination of the alphabet that represents some "action" group or movement. The editor and publisher is Ida Lewis, and this quote from the editorial page:

"Above all the key concern is, How can we prosper in this environment while still being true to our basic selves? Directed by this concern, Encore aims

To provoke: not by polemics but by opinions;

To excite: not by rhetoric but by facts and information on subjects ranging from economics to fashion;

To involve: not by sensationalism but by thoroughly researched reportage and analysis.

No group can live in isolation, for the path of isolation is barren and leads to stagnation and disintegration . . . Each family of man must pay its part in a world that is a jungle of conflicting interests and desires . . . Encore will be committed to panracialism—in both spiritual and actual terms. Encore will probe the world's growing complexity and interdependence . . ."

That package this "square" column can certainly buy.

The initial cover the Encore has a colorful picture of a young American Indian with four varicolored children huddled in front of him: Black, Mexican, Chinese, and blond Caucasian. In bold type across this pleasing picture: "America: Neither Black nor White?"

Encore's premiere issue has 80 pages of well-chosen articles and picture—none of them done in the "sensational" style—yet inciting and calling for a second look-read.

The "heavy advertizing" as seen in Ebony and the few other successful magazines, is scant in this initial issue. Two full page cigarette ads—one major oil company. . . . Pages for Ethiopian Airlines—American Airlines, Pepsi-Cola and The Aluminum Corporation.

The magazine's business address is 572 Madison Avenue, New York—and that's significant. . . .

In mentioning that there was nothing "sensational" in Encore there should be a red asterisk. . . . There is a piece entitled The Robeson Confusion—Do you really know what's happened to Paul Robeson? . . . It is in two parts—and it leaves you a bit shaky—to wait until September (when the first regular issue of Encore will appear) to find the answer to that intriguing question.

Encore has a place in the present 'seventies and the coming prophetic 'eighties. . . . By then the "growing complexities and interdependence" will have either made or marred this U.S. dream. . . . Long live Encore! In America the issue will be "neither black nor white." . . . This aged corner was nurtured on a Brown America image—the "Brown Bomber" is still its apotheosis. . . .

JUDICIAL ABUSE OF FOOD STAMP PROGRAM

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 31, 1972

Mr. RARICK. Mr. Speaker, the hard-pressed taxpayers were relatively silent at the food stamp concept to aid the poor, the physically and mentally disabled, and our elderly citizens in helping them to achieve a nutritious diet.

The recent ruling of a three-judge Federal panel declaring unconstitutional the law passed by Congress denying food stamps to communal welfare loafers is an abuse of the intent and purpose of the program and a waste of taxpayers' money.

I include a related newsclipping:

[From the Washington Post, May 31, 1972]

JUDGES UPHOLD COMMUNES IN RIGHT TO FOOD STAMPS

(By Jim Mann)

A three-judge federal panel here yesterday declared unconstitutional the law passed by Congress last year to prevent so-called hippies living in communes from receiving federal food stamps.

The ruling, which can be appealed to the U.S. Supreme Court, will permit those living in communes to receive food stamps on the same basis as other individuals, as long as they qualify under economic guidelines.

At issue before the federal panel was a law passed by Congress in January, 1971, providing that food stamps should not be distributed to any unrelated persons living together under the same roof. The law was implemented last August by the Department of Agriculture, which runs the food stamp program.

The federal panel found that the law was the result of "hasty last-minute congressional action," which was apparently designed to cut off food stamps to hippie communes but which affected others unintentionally.

In their written opinion, the judges said the law ran into constitutional problems because of recent Supreme Court decisions protecting the rights to privacy and freedom of association in the home.

Communal groups and others affected by the congressional action have been permitted to receive food stamps since April 6, when U.S. District Court Judge John Lewis Smith Jr. ordered the Department of Agriculture to issue the stamps pending the outcome of the court case.

The panel that ruled yesterday included Smith, U.S. District Court Judge Aubrey E. Robinson Jr. and U.S. Court of Appeals Judge Carl McGowan.

GUN CONTROL—THE EXPERIENCE OF OTHER NATIONS

HON. ROBERT F. DRINAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 31, 1972

Mr. DRINAN. Mr. Speaker, the gun lobby, which has for years engaged in overkill in its efforts to protect the interests of sportsmen, continues to be a very potent force against meaningful gun control legislation. Many of us believe that we can and must have stringent new gun control laws, laws which will decrease the level of violence-by-bullet without infringing on the hobby of those who enjoy sport hunting and other careful sporting use of firearms.

On May 21, there appeared in the Boston Globe an article reprinted from the Christian Science Monitor, by Florence Mouckley, with respect to the efforts toward strong gun control laws in other nations. I commend this analysis, which follows, to my colleagues' attention:

COUNTRIES WITH STIFF GUN CONTROLS ARE MAKING LAWS EVEN TOUGHER

(By Florence Mouckley)

(NOTE.—An enormous disparity exists between the low rate of gun crimes in countries where gun-control laws are stringent and the high rate in the United States where such laws are lax. A survey of eight such countries shows that those countries surveyed, still not satisfied, are pulling the net of controls tighter.)

Gun-control laws in developed countries other than the United States are tough and the trend is toward even stricter enforcement and new, harsher legislation.

Precisely how effective these stringent laws are in preventing crime is difficult to measure. However, many law-enforcement officials in the eight countries surveyed—Britain, France, Italy, Canada, Japan, the Soviet Union, West Germany and Sweden—point to their relatively low "crime-by-gun rate" compared to the United States.

The following figures for 1970 indicate the contrast between those countries and the United States:

In Britain there were 29 killings from all firearms. And total indictable firearms offenses numbered 1359 in that country of 50 million people.

Of the 430 murders that took place in Canada, 176 were committed with guns.

In France, an estimated 475 persons were killed with handguns and an estimated 625 other crimes were perpetrated with guns.

In Tokyo (overall figures for Japan were unavailable), there were only 16 cases of violent crime involving guns. (There were 194 instances involving swords; 709 with razors and knives.) It has been reported that there were 213 murders with all weapons.

Italy counted up 741 homicides with weapons of all types and had 3112 armed robberies. There were 62,084 major unarmed thefts.

The United States had 9,039 murders by guns and a further estimated 100,000 other crimes committed with firearms.

Comparisons with the United States are difficult. Most of the countries surveyed have homogeneous populations with little racial or ethnic strife. And none of these countries has America's Wild West gun-slinging, every-man-for-himself, right-to-bear-arms tradi-

tions which still persist in some quarters in the United States.

Tough gun-control laws, say officials in the countries surveyed, tend to keep down the number of guns in circulation. There is consequently less chance of their being used accidentally, in the heat of arguments by irresponsible persons, or being stolen by criminals.

In France, 60,000 handguns are held legally with an estimated 280,000 to 320,000 held illegally.

In Italy, 62,000 persons are licensed to carry pistols, but officials there refuse even to guess at the number held in violation of the law.

In Canada, Britain, Italy, West Germany, Sweden and France permits must be obtained from authorities before a handgun may be purchased.

And in Japan and the Soviet Union handguns are forbidden to private citizens with only one or two specific exceptions.

In Britain, Italy, Sweden and Japan permits must even be obtained for hunting and for target-practice guns—rifles and shotguns.

Japan, which has perhaps the tightest gun-control laws outside the Communist world, requires that a person waiting to purchase a rifle must have owned and used a shotgun—a less dangerous gun—for 10 years before he can qualify.

Canada is another country which takes a tough view of gun control.

It is, in the words of Royal Canadian Mounted Police Commissioner W. L. Higgitt, "almost impossible" for anyone in Canada to get such a permit without being a security officer of some sort.

"Let's face it," said one official, "our biggest problem is not our gun laws. It's American gun laws. We make it tough to get a gun up here. You just can't walk into a store and buy a handgun and then walk the streets with it in your pocket. But how on earth do we stop someone taking a trip to Buffalo, N.Y., buying a gun at any of a hundred places and driving back across the border with it. All we can do is lower the boom on him once we catch him."

In the Soviet Union people are not allowed to keep handguns at home except retired servicemen who have received a gun for meritorious military service.

Civilian firearms—shotguns and rifles—can be sold only to members of the Society of Hunters which maintains a wide network of clubs across the country. These can be purchased along with ammunition, in sports and hunting equipment stores by showing a club membership card.

With crime growing in many developed countries the trend is toward tougher gun-control legislation and stricter enforcement of present law.

New weapons measures now before the West German Parliament will:

Forbid the private manufacture of weapons without specific approval from authorities.

Require permits for rifles and shotguns.

Raise the minimum age for obtaining gun permits from 18 to 21 years.

Restrict the purchase of ammunition to those who have a gun permit.

Gun-control laws in Sweden are regarded as satisfactory although the current legislation, which was passed in 1949, is being overhauled and the government intends to introduce a modernized version.

The British Parliament is about to pass a new criminal-justice bill which will tighten the country's firearms laws.

Significant features:

It increases the penalty for using a real or imitation firearm to resist arrest from 14 years to life imprisonment.

It raises the penalty for carrying a real or imitation firearm with intent to commit a crime from 10 to 24 years.

Japan, where gun-control laws are rigid, feels that present safeguards are effective. The most recent change came in last year's revisions to the basic 1956 law controlling firearms and swords.

CHAIRMAN MILLS SPEAKS AT OKLAHOMA PORT DEDICATION

HON. ED EDMONDSON

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 31, 1972

Mr. EDMONDSON. Mr. Speaker, last Saturday, May 27, Chairman WILBUR D. MILLS was principal speaker at the historic ceremonies dedicating Port Carl Albert, Oklahoma's newest port on the McClellan-Kerr Waterway.

It was a beautiful day and more than a thousand people gathered for the impressive ceremonies, near Keota, Okla., in a tribute to our beloved Speaker.

At the conclusion of the ceremonies, barges loaded with cargo for other ports in the United States and for Japan moved out into the waterway.

The remarks of Chairman MILLS were not only a moving tribute to his longtime friend and colleague, the Speaker of the House, but were also an impressive call for continued growth and development in America.

I believe all Members will enjoy reading this splendid address, and the text follows:

REMARKS OF CONGRESSMAN WILBUR D. MILLS

This is a very happy occasion for us all.

As friends and neighbors, as colleagues and constituents, we gather to pay respectful and affectionate tribute to a man we all honor and cherish, the Speaker of the House of Representatievs, Carl Albert.

Of Carl Albert, there is much that could be said: Rhodes scholar, lawyer, public servant; Majority Whip, Majority Leader, Speaker of the House; fair foe, faithful ally, good Democrat, great leader, grand American. He is all that and much more. Yet at this time and place, before this audience, it is not necessary to say the things that could be said of him. It is not necessary because, by the naming of this port, the essence of the man—and of his special meaning to his state and nation—has been said with greater eloquence than any words which might be spoken here.

By any standard, this project of which Port Carl Albert is part must be ranked as one of the boldest, most imaginative and, ultimately, most important achievements of these times. Here in the heartland of our country and continent—in a region which only a generation ago seemed doomed to waste as a vacant desert—we witness fulfillment of a mighty vision connecting Oklahoma to the sea. By vision and faith, by courage and perseverance, by audacity and determination, a vast region is being reclaimed. A vast new era of opportunity is being opened. It is on the works of such a project that his contemporaries and colleagues would expect to find the name of Carl Albert.

To say that is to express what I know to be the feelings of both Democrats and Republicans in the Congress. For Carl Albert is the kind of man—the very rare kind of man—one associates with all those qualities I have mentioned: vision and faith, courage and perseverance, audacity and determination—a man who, in all things, at all times, seeks to be constructive and to build a better America for all Americans.

I say these things admiringly from the heart. Yet, knowing the speaker as well as I do, I know that if he were presiding over the House at this moment, he would begin to use his gavel to silence these remarks. For, despite the high station to which he has risen, Carl Albert remains—as he has always been—an inherently modest and unassuming individual, motivated not by hunger for praise for himself but by a strong inner desire to achieve progress for the people.

For such a man, this port on this great waterway is the finest and most appropriate of enduring monuments to his service.

As we dedicate this facility to the service of our region's and our nation's future, there is cause—very real cause—for us to pause and reflect upon our nation's directions and upon some of the values gaining vogue among us.

For almost as long as there has been an American nation, Americans of all regions have rejoiced proudly over achievements such as this great waterway. In early New England, around the Great Lakes, through the valleys of the Ohio and Mississippi, along the rivers and shorelines of the South, the opening of canals, the building of ports, the construction of dams and highways have symbolized progress, symbolized advance, symbolized the great American work of opening a rich and bountiful continent to the enrichment of human existence.

Here in the states of the Southwest, that symbolism has been especially strong. Men and women still live among us who remember the earlier time when this portion of the planet was empty and meaningless. For them and for their heirs, growth—real and tangible growth—has never failed to evoke pride and celebration.

Today, though, there is emerging among us a new perception, a new attitude. Growth, we are being told, is somehow bad. It is to be resented and resisted. Wherever possible—and however possible—growth is to be opposed and fought and, if possible, stopped.

This philosophy is clearly gaining ascendancy. Strong and articulate voices are being heard—and, all too often, headed—in opposition to new technologies. Resistance is manifest to the most vitally needed expansions of our industry and our utilities. The drive is intent and unrelenting to eliminate from public budgets provision for those projects which are essential to support our growing population. If this great project to bring water and power and water transportation to Oklahoma were proposed in the present climate, I seriously doubt that it would receive favorable support.

I appreciate—as I believe all responsible citizens appreciate—that we must not and need not tolerate growth which despoils the environment of this planet. Americans have too long been careless and prodigal with the natural endowments of their rich land. Publicly and privately, we must impose upon ourselves a far stricter discipline to protect the heritage so uniquely ours.

My concern, though, does not lie with the earnest efforts of conscientious Americans who seek to preserve a habitable planet. The conservationist and the environmentalist have always been valuable influences upon our public policy and I think we should welcome their efforts today to help us overcome the problems besetting our quality of life. Orderly growth and orderly environment are not incompatible; on the contrary, it is difficult to have either without the other.

What concerns me—and what should, I believe, concern us all—is the perversion of the American spirit which underlies the resistance to growth.

The strongest nation is never immune to viruses of doubt. Over very recent years, such a virus has been running through our national bloodstream. Whatever problem has arisen in these times, the answer some have vocalized is the answer of doubt. America, we have heard and still hear, is a sick society, a corrupt society, a decadent society, a society ridden by guilt and diseased by errors of its past. This notion permeates

much of what passes for supposedly serious discussion of our national policies.

Given such premises, the fashionable commentators of the times have constructed articles of faith which hold that we must stop doing all those things we have done—at home and abroad. Stop building strength—stop standing up for the defense of freedom—stop involving ourselves in the affairs of the world in which we live. Having withdrawn from the works of the world, the opponents of a growth America would then have us withdraw from the vital works at home which have made our nation great. They would abandon those great efforts to assure American families of their future security—abandon the ethics and values which have made this a productive society—abandon our faith and trust in tested principles and precepts—and, finally, abandon growth and expansion of those things essential to a better America.

This is strange talk, alien talk—talk which I believe we must resist and reject.

I do not want—none of us want—to live in a shrinking America or a stagnant America. None of us want to live in an America from which has been lost that strong, proud and confident spirit of optimism which is the very soul of our achievements.

Over all the past five centuries, since the Old World discovered this New World, America has inspired the optimism within the human soul. The opening of this new continent offered mankind everywhere a new hope, a new prospect, a new promise—a promise that on this earth, the individual could rise above the state, rise above the oppression of the old systems and find fulfillment in freedom for himself.

It is our duty to keep that promise alive and real.

In these times, as much as in times past, we must reject the counsel of doubt. We must, instead, turn to our tasks with new faith, new determination, new confidence and new optimism to do those great things which remain still to be done for fulfillment of this land and this system. Only by this means can we assure that the system we have created will continue to function in support of the dignity of every individual.

The challenge to us is not to stop growth but to accelerate it.

What I am saying is this:

When we examine objectively the many human and social problems troubling the members of our society, we find that none of them are caused by growth. On the contrary, virtually all are directly the result of a growth rate that is far too slow, far too inadequate for the needs of our times.

Whether we contemplate the travail of urban America or rural America, old Americans or young Americans, white America or black America, the answer is unvarying: we need more growth, faster growth, growth directed to relief of the problems besetting this age.

In housing, we are underbuilt, not overbuilt. In the output of goods, we are underproducing, not overproducing. In the construction of public works and provision of public services, we are underbudgeted, not overbudgeted.

On and on any such listing could go. But the point is made.

America urgently needs a dramatic and dynamic thrust forward to achieve the growth required to support and sustain its future.

This is not the time to cut back on growth—it is the time to remove the chains and feters from the strength of our society and our system and allow it to operate again at full force for the betterment of life for all our people.

I speak of these things on this occasion because they are appropriate both to the achievement we come to dedicate and to the spirit and character of the man we honor.

Over the three decades of his service in the Congress, Carl Alert has wrought his imposing record as a legislator and a leader of men because, above all else, he has embodied the faith, the vision, the optimism of the people from whom he comes.

He has not earned the trust of his colleagues—or the respect of the nation—by devoting himself to the cynical fads, the faithless fears or the empty doubts so fashionable among some. He has steered to the center of mainstream America, believing in the people, believing in his country, believing in the imperative of using man's energies and knowledge to make this world a better and safer place to dwell.

It is this kind of leadership our land needs today.

There is work to be done in America. It is time now for us to get on with it. It is time for us to grow again, not shrink from the tasks and burdens of putting this continent to the greater service of those who come after us.

We have problems, yes. We have conflicts, yes. We have ordeals, yes. All men and women before us have had the same. But no others have had the resources and capabilities we have to overcome our afflictions.

Out here where the land is bright, the sky clear, the horizon broad, one sees America better and senses better the depth and greatness of the American spirit. Clearly, this is a time for us to recapture the faith, renew the confidence, restore the courage that has brought our society forward.

For our generations, as for all generations before, America, as Thomas Jefferson told us, belongs to the living. This land is ours to serve and to make better. May we all look to the example of Carl Albert and, each in his own way, each according to his own talents, dedicate himself to serving the future as this great public servant has done—and is doing—in these challenging times.

TRANSPO 72

HON. JOHN N. ERLENBORN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 31, 1972

Mr. ERLENBORN. Mr. Speaker, it is my privilege to endorse Transpo 72 at Dulles Airport which is now underway and to salute the participation of some of America's leading industrial corporations. Among these companies is Bunker Ramo Corp. of Oak Brook, Ill., in my congressional district.

Due largely to the efforts of George S. Trimble, president and chief executive officer of Bunker Ramo, the company designed an exhibit for Transpo which offers visitors insight into Bunker Ramo's involvement in the transportation industry and in other fields as well. Bunker Ramo is the world's leading producer of automobile clocks and of electrical and electronic connectors used in many forms of transportation. For example, more than 8,000 precision-made connectors designed by the company's Amphenol Components Group are used in every Boeing 747.

The Ramo Corp. also is a leading supplier of information-handling systems. The company designed and operates the NASDAQ automated quotation system for the National Association of Securities Dealers, Inc. It also has introduced recently a highly sophisticated new information-handling system called "Market Decision System 7," which will enable brokerage firms to gain quicker access to vital market data and thus improve their services to investors.

A recent significant development by Bunker Ramo in this area is the new Market Montage Service. With this service, brokerage firms can get simultaneous data on prices, volume, and other pertinent factors on major securities that are traded on more than one stock exchange. The SEC has expressed interest in this service which is in the nature of a composite information program—a service that shows brokers where they can get the best price to buy or sell securities for their customers, something unavailable until now.

Bunker Ramo is a Government supplier, being involved principally with high-technology nonarmament systems for surveillance, reconnaisance, and mapping.

Through the participation of firms like Bunker Ramo, I am hopeful that Transpo 72, authorized by the Congress and produced by the Federal Department of Transportation, will be very much worthwhile.

FROM THE WOODS

HON. ELFORD A. CEDERBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 31, 1972

Mr. CEDERBERG. Mr. Speaker, nestled in the woods of northern Michigan, amid the towering splendor of the Norway pine, an institution as remarkable for gift of beauty and grace as for the setting in which it is placed encourages young people from across the Nation and around the world to utilize God-given artistic talents.

The Interlochen Academy of the Arts at Interlochen, Mich., recently placed in the 10th Congressional District which I represent, has been known for its contribution to music and the arts since its foundation as the National Summer Music Camp by Dr. Joseph Maddy in 1928. Over 60,000 students have taken advantage of the institution's unique offerings and today there is probably not an orchestra in the Nation which does not have an Interlochen alumnus. After 35 years as a summer camp, Dr. Maddy realized "the impossible dream" and in 1962, the camp became a year-round program of "the three R's and the arts." A one-of-a-kind institution, Interlochen's unique contribution to the promotion of the artistic talents of our young and the gift of art to the Nation continues that dream in spite of the untimely death of its originator in 1966.

Mr. Speaker, Mrs. Cederberg and I had the unique opportunity to hear the Interlochen Symphony Orchestra in concert last week at the Kennedy Center. In a program as noted for its complexity as for the brilliance of the students' performance we were able to hear and see the gift of Interlochen. It was doubly fitting that this occasion took place in one of the finest performing arts centers in the world. In a home for the arts that the Nation's Capital can take pride, we heard the work of young people in whom the Nation can take even more pride. I am happy to have been able to be a part of the evening and I look for-

ward to the day when my colleagues will share that opportunity.

Lest my colleagues think me overgenerous in the interest of my constituents, Mr. Speaker, I would like to close my remarks with a review of last Thursday's concert by the distinguished music critic, Paul Hume. I can assure you that I share his enthusiasm and that I share his conclusion: Interlochen does its students and their country proud.

The article follows:

[From the Washington Post, May 26, 1972]

The Interlochen Arts Academy Orchestra came to the Kennedy Center last night to give an account of itself after 10 years in the woods of northern Michigan.

It is an orchestra of 100 players gathered from all over the United States, not to mention three entries from the Republic of China. Under the leadership of Clyde Roller, who combines duties as associate conductor of the Houston Symphony with long years as an Interlochen favorite, the high school age ensemble took on a program whose content would greatly credit any of our major professional orchestras and dispatched it with ease and notable standards.

The kind of precision and stylish command with which they accompanied Gyorgy Sandor in the Second Piano Concerto of Bartok was a mark of unusual excellence. The music is difficult in rhythms, sonorities, and tone quality, making unusual demands on all departments of an orchestra. It is also unfamiliar to most players of any age since it is an infrequent comer to any stage.

Sandor set a great example of style and attack throughout, as is his custom, especially in this music. But the astonishing factor was the manner in which his youthful associates caught the spirit as well as the taxing notes. The first movement is scored entirely for the soloist with winds and percussion, the second movement largely for strings and piano.

All the Interlochen winds turned out a fine gutsy kind of sound where it was wanted. The trumpets' nicely adjusted vibrato was a perfect foil for the total lack of any vibrato in the ensuing strings. Roller held the work well together and brought it off with polish and brio.

The same can be said of his handling of Glinka's "Russian and Ludmila Overture," and even more of Samuel Barber's First Symphony. Now and then, in both pieces, Roller should have asked for a more full-blooded sound—from the cellos in the overture, the solo oboe in the Barber. The players were fine but the conductor a bit placid.

In Vaughan Williams' exquisite Tallis Variations the string orchestra played with unfailing radiance, its division into various groupings highlighting even strengths. Its solo quartet was as great a joy as the small ensemble at the back of the stage. The evening closed with Stravinsky's Firebird Suite. Interlochen does its students and their country proud.

TRANSPO 72

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 31, 1972

Mr. PICKLE. Mr. Speaker, Transpo 1972 is open and the impact is felt throughout the Nation.

In Austin, Tex., some 1,500 miles away, I felt the impact when I could not get reservations on a Monday flight to Washington. The reason: Transpo 1972. From my district alone, we have thinkers and planners from the University of Texas, and from the Governor's office coming to learn and to observe.

This activity is repeated time and again throughout the Nation. Attendance to date has topped the half million mark and more are expected. I join in extending an invitation to this, the first international transportation exposition ever held in the United States.

It is an old axiom that you must crawl before you can walk. In the United States, our transportation systems have been crawling long enough. Hopefully, the technology exhibited at this Dulles show place will move from the experimental stage into reality.

Transpo offers a strange, exciting mixture of nostalgia and vision. Men from another time bring the nostalgia in the form of the Confederate Air Force and the daredevil feats of stunt pilots, parachutists, and what have you. Vision comes from men of today who bring us new concepts not only in air travel, but in all modes of transportation: air, ground, water, and space—with special emphasis on surface transportation.

It is worth the trip to Dulles. Just maybe, it is the first leg of a trip to the future. I urge everyone, including the Congress, to attend.

VOLUNTEER DEVELOPMENT CORPS

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 31, 1972

Mr. WALDIE. Mr. Speaker, the old adage. It's better to give than to receive," I feel, adequately describes the feelings of many Americans who volunteer their services to help others in foreign lands. Oftentimes though, because of the extreme problems which confront our society, these gestures of kindness and humility are overlooked.

The Volunteer Development Corps is one of many volunteer organizations which is attempting in its own small way to make this world a better place to live. The Volunteer Development Corps was organized in 1970 by U.S. cooperatives to provide short term, technical volunteer help to lesser developed nations attempting a co-operative self-help program. This technical help includes any phase of organization, management, financing, plant operation, member relations and control, director-manager relations, training, venture analysis, and long-range planning.

A typical example of the commendable service rendered by this group is their project in the Panama Canal region. Directors of Cooperativa de Consumo, Panama, República de Panama, asked VDC to train the manager and assistant manager of their new $300,000 downtown supermarket in buying, merchandising, pricing, space allocation, personnel supervision, and member relations.

VDC invited Eugene Manilla of El Cerrito, Calif., to accept this task, and he agreed. He worked there 2 months and achieved great success. Mr. Manilla retires in February as general manager of Consumer's Cooperatives of Berkeley, one of the largest retail consumer cooperatives in the United States. He was its first and only manager. Under his 30 years' management, CCB grew from a single store to eight supermarkets, four variety stores, a book store, three service stations, and other enterprises and from 200 to 60,000 members.

In these days characterized by American militaristic influence on developing nations, it is heart-warming to view such unselfish devotion to the plight of lesser developed nations shown by VDC and Mr. Manilla.

I commend their efforts and sincerely hope that all Americans will too begin to take part in helping their fellow man here at home as well as abroad.

RESOLUTION BY DETROIT LITHUANIAN ORGANIZATIONS CENTER

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 31, 1972

Mr. DINGELL. Mr. Speaker, pursuant to permission granted I insert into the CONGRESSIONAL RECORD a resolution adopted by the Detroit Lithuanian Organizations Center, representative of thousands of Americans of Lithuanian descent protesting Soviet disregard of Article 18 of the Universal Declaration of Human Rights.

This resolution of these fine Americans of Lithuanian descent merits careful consideration of all right-thinking men.

RESOLUTION BY DETROIT LITHUANIAN ORGANIZATIONS CENTER

We, gathered at Kennedy Square, City of Detroit, Saturday, April 15, 1972, protest the systematic violation of religious rights in Soviet occupied Lithuania, Latvia, Estonia, Ukraine, and other captive nations and peoples.

We protest the Soviet disregard of Article 18 of the Universal Declaration of Human Rights.

We protest the unjust exile of Lithuanian Bishops, Vicentas Sladkevicius and Julijonas Steponavicius.

We protest the jailing of Lithuanian priests, Prosperas Bubys, Antanas Seskevicius and Juozas Zdebskis and others for exercize of their priestly duty, at the request of parents, in preparing children for their First Communion.

We protest the restrictions placed on the training of youths for the ministry and the prohibition on rebuilding war damaged churches.

We support the petition signed by 17,000 Lithuanian Catholics protesting religious persecution, which was gathered despite Soviet police harassment and sent to His Excellency Kurt Waldheim, Secretary General of the United Nations.

We urge the Secretary General to support the Lithuanian petititon.

We urge all people, who are committed to the proposition that religious freedom is one of the basic Human Rights, to actively support this Lithuanian Petition.

This Petition is being sent to His Excellency Kurt Waldheim, Secretary General of the United Nations, His Holiness Pope Paul VI, President Richard Nixon, Cardinal Kroll, Cardinal Dearden, and Senators and Congressmen of the State of Michigan.

WHAT'S AT STAKE IN VIETNAM

HON. C. W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 31, 1972

Mr. YOUNG of Florida. Mr. Speaker, the New Leftists who advocate a Communist takeover of South Vietnam, and those people who want us to simply pull out regardless of consequences could care less about what the South Vietnamese want. Nor could they care about the fate of those who have resisted Communist aggression and simply want to live in peace.

Yet the fact remains that still today many innocent people are being slaughtered in the villages the Communists have overrun.

The Communists have not been able to win the hearts and minds of the South Vietnamese people by persuasion. Instead, they have resorted to terrorism, murder—and now an unprecedented massive invasion from the north.

For those who tear down the American flag and fly the Vietcong flag instead, for those who shout slogans of victory for the North Vietnamese and the Vietcong, a very rude awakening is due.

It is essential that the Congress and the people of America remind themselves what is at stake in this conflict—at stake not just in strategic terms but, more importantly, in human terms.

The message was dramatically brought home in two articles in today's issue of the Washington Daily News. The articles follow:

VILLAGE LEADERS FACE TRIAL BY FIRING SQUAD

(By James Foster)

North Vietnamese firing squads apparently are systematically shooting officials of captured South Vietnamese villages, a White House source said today.

The source, who declined to be identified, said the number of victims is unknown because it may be years before their graves or bones are found.

"All we can confirm," he continued, "is that (South Vietnamese) village officials are being rounded up and led off into the jungle never to be seen again."

But it is known that the North Vietnamese are under orders "to eliminate the most stubborn, cruel, diehard individuals" as the first step toward reducing resistance, coercing the local populace and destroying South Vietnam's governmental cohesion. And scattered intelligence reports indicate that this is being done, he said.

This same practice was followed at Hue during the 1968 Tet offensive, it was noted. Mass graves of Tet victims still are being found and the unofficial count of victims exceeds 5,000.

A clandestine radio broadcast monitored in South Vietnam April 24 ordered the attacking northern units "to annihilate the top archvillians and cruel units one after the other." It identified "archvillians" as administrative personnel and others responsible for controlling the masses.

The broadcast quoted an official named Cuu Long as saying annihilation of enemy leaders was "absolutely necessary" and "most important" to achieve North Vietnam's goal of overrunning South Vietnam.

Intelligence sources say Cuu Long is the name often used by Gen. Tran Do, North Vietnamese headquarters political officer and an alternate member of the Hanoi Central Committee.

ACCORDING TO STATUS

Potential victims are graded for execution according to their importance in the community. Executioners start at the top with an eye toward scaring less important individuals into cooperating.

"We must constantly create conditions for those who have followed the wrong path to forsake their evil ways and return to the right path," Cuu Long declared.

"The best way . . ." he continued, "is to annihilate the top villains in the hamlets and warning, educating and disbanding lower-ranking villains."

This also applies, he said, to policemen, spies, pacification agents and security agents.

CASE-BY-CASE

"We should deal with the civil self-defense corpsmen on a case-by-case basis," he added. Self-defense corpsmen usually are very young or very old villagers left behind to protect the homefront when young men of an area march off to war.

North Vietnamese cadre and guerrillas have been told to mingle with the local people in order to identify the "most dangerous" individuals.

By killing only the "top ringleaders," Cuu Long said, the people will be impressed by the North Vietnamese's humanitarianism, be less afraid, and more helpful in establishing permanent bases.

REDS LOSE FIGHT FOR HEARTS AND MINDS

(By Don Tate)

DA NANG, SOUTH VIETNAM.—"Yes, they intend to liberate us, even if they have to kill us all," says Nguyen Van Khanh, a white-haired farmer and former village chief, now a refugee squatting in the opening of his tent on the outskirts of this city which has turned into a running sore of humanity.

It is hot and sticky and depressing in the mosquito-buzzing tropic evening and Khanh talks about the North Vietnamese slowly, sweat dribbling down his forehead, eyes half closed. Khanh talks with little outward rancor, too tired for histrionics. There's a festering shrapnel wound on his forearm. He says let it fester.

He had fled with his family of eight, but three didn't make it. One was killed by a Communist shell, two disappeared in the confusion of the wild retreat from Cam Lo to Quang Tri two months ago. Then more shelling and the chaotic plunge from Quang Tri to Hue a month ago, then on from Hue to Da Nang, walking, running, hobbling.

HURTS UNDERNEATH

They are all too tired. Sometimes these little people seem like beasts of burden that have been flayed and kicked, pushed and herded this way and that for so long they no longer feel pain or direction. They have been layered over with a protection coat of toughness and apathy. But they are people, and somewhere underneath they hurt.

"The old men are the saddest ones," says a Vietnamese interpreter, a college student on the run from Hue. He follows the eyes of Nguyen Van Khanh down rows of tents of the camp toward a Buddhist cemetery, overgrown with weeds and full of rubbish. The gray stone tombs of the cemetery, once carefully maintained, stand amid piles of garbage, a few old tires and rusted war scrap thrown over the barbed wire from a military compound on the road running to Da Nang.

"JUNKYARD OF WAR"

Da Nang, gray looking and broken down, an old mixture of neglect and violence, sidewalks battered, tin shanties everywhere, mobs of homeless people jammed in camps and refugees pouring in from points north, is a jumbled junkyard of war.

Whom do the people blame for their latest miseries? The Americans, perhaps? Not this time, no matter how its twisted.

Do they blame the North Vietnamese, who say their moral imperative is to liberate the South?

Says Nguyen Van Khanh, rubbing his arm, traces of a sneer on his lips, "that sounds too noble, too noble for my weak stomach. We just wish they would go away."

"Wish they would go away" is repeated everywhere these days in the refugee camps.

For years it has been said that the battle for the hearts and minds of the villagers was the essential one in South Vietnam, not the count of North Vietnamese dead or the wrecks of American planes.

FLEE RED "LIBERATORS"

It is clear that whoever has the hearts and minds of these people in the refugee camps, it is not the North Vietnamese. The popular uprisings Hanoi asks for never occur. Villagers run away from the "liberators," not toward them.

It is also clear that Hanoi's insistence that the South Vietnamese are seeking to "liberate" themselves is the biggest fake in this war. There is nothing to back it anymore but North Vietnamese.

Once there was the Viet Cong. Pictured in the early days as raggedly southerners fighting B52s with little more than bows and arrows and ancient French rifles, they drew sympathy from liberation lovers. But terror, not sympathy, is evoked when divisions of Russian-tank-riding, Russian-cannon-firing North Vietnamese come rolling across borders and plastering tiny towns with thousands of shells.

LOSING EVERYTHING AGAIN

The battle for the people is one the North Vietnamese have lost in this offensive. Life had been going along pretty well for people like Nguyen Van Khanh, nothing great, but better than in a long time. Now they are losing it all again—their land, their homes, their businesses, their families—because a handful of men in Hanoi have to have a victory.

If the Communists had the support of the people they are always claiming there would be little fighting in Vietnam today. The offensive would have been irresistible. The war would be over. Communist flags would wave from housetops. The people would embrace liberators joyously. But it never happens, not in 1968, not now.

Instead there are the charred villages, the refugee camps, the people running. There is old farmer Khanh sitting in his dusty, fly-specked tent as a big yellow moon comes out on another night of war, and the thundering in the hills to the west already beginning, and the old man muttering, "We just wish they would go away."

MAN'S INHUMANITY TO MAN—HOW LONG?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 31, 1972

Mr. SCHERLE. Mr. Speaker, a child asks: "Where is daddy?" A mother asks: "How is my son?" A wife asks: "Is my husband alive or dead?"

Communist North Vietnam is sadistically practicing spiritual and mental genocide on over 1,600 American prisoners of war and their families.

How long?

CRIME FACTS MISLEADING?

HON. WILLIAM J. KEATING

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 31, 1972

Mr. KEATING. Mr. Speaker, Cincinnati has long been recognized as having one of the top police forces in the country. One of the reasons for our outstanding law enforcement has been the high caliber of police chiefs we have had in Cincinnati.

Our present chief, Carl V. Goodin, is one of the Nation's acknowledged leaders in police work. The following article that appeared in the May 17, 1972, Cincinnati Post-Times Star demonstrates once again his grasp of the crime problem:

CRIME FACTS MISLEADING?—GOODIN SAYS STATISTICS NEED BROADER ANALYSIS

(By Stan Brenning)

The true picture of the increase in crime in Cincinnati should not be measured by annual reports of increases, Police Chief Carl V. Goodin says.

"In fact," he said, "there may be a tendency for all of us to become desensitized to crime to the extent that when compared to the preceding year, we acknowledge that it is still increasing."

He suggests a look at a larger time frame (25 years) "to really appreciate the rise of crime in our community" and offers these statistics:

In 1947 there were 794 major offenses reported, compared with 33,872 in 1971—a 326 per cent increase.

"Still worse, in our low year, 1950, we reported 6445 Part One offenses which, when compared with 1971, reflected a 426 per cent increase" (Part One offenses include homicide, rape, robbery, assault, burglary, larceny and auto theft.)

In 1950 approximately 14 out of every 1000 persons in the community were the victims of a crime; in 1971, 75 out of every 1000 were the victims of a crime.

Fifty per cent of all larcenies of merchandise valued at $50 or more in the last 25 years were reported in the last three years.

Fifty per cent of all robberies and burglaries in 25 years took place in the last six years.

Fifty per cent of all auto thefts in 25 years took place in the last eight years.

"These increases are staggering and place a tremendous burden on the police, not only in terms of reversing this trend, but also in terms of identifying, arresting and bringing the offender to justice," the chief said.

"The demands placed upon the police in dealing with crime in recent years have not been comparatively matched by an increase in police personnel," he added.

In 1947, there were 707 Cincinnati policemen, compared with 998 in 1971—an increase of 40 per cent. But crime has increased 326 per cent.

In 1959, there were 767 Cincinnati police, compared with 998 in 1971, an increase of 30 per cent. Crime has increased 426 per cent.

Goodin said that if all the social and behavorial causes for crime could be identified and their influences weighed, the list would be interminable "with constant fluctuations in their intensity, dependent to a great degree upon the conditions existing in a society at any given period of time.

"Traditionally, police have been expected to control all crime, but the causes of crime are rarely a subject for direct treatment by police and to hold the police totally responsible for crime assigns to them capabilities which, in fact. they do not have."

He said this places an unreasonable and at times, intolerable burden on the police.

"The police, by themselves, can not deal with the problem of repressing crime without an understanding of the problem, support and co-operation from the total community," Goodin said.

But, he added, if all of the causes of crime could be identified and aggregated, "a simplistic view would identify two chief factors:

"Personal inclination to commit a crime and the existence of opportunity.

"The police ordinarily address themselves to these two factors. They attempt to inhibit the inclination and reduce the opportunity, relying primarily on their visible presence in the community.

"To meet the challenge of crime, the police need sufficient personnel to meet the service demand placed upon them by the community and also have time in which to interact with the total community, producing an exceptionally high level of visibility."

Goodin said that if control of crime is viewed as minimizing the opportunity and inhibiting the inclinaton, some broad nonspecific causes can be easily identified as:

Affluence: The proliferation of goods made available to the public in recent years and which are easily stolen.

Apathy: The problem of crime and other social conditions is the government's prolem. It should not be necessary for the citizen to become involved. This allows the criminal to operate with impunity.

Complacency: Failure to institute security measures for themselves and their property, thereby increasing the opportunity to commit crime.

Courts: Lengthy delays between arrest and trial of the criminal offender which minimized the effect of speedy arrest and punishment as a deterrent. The professional criminal views crime as a profitable venture rather than a risky one when the time between arrests and trial is delayed interminably and he can continue his criminal activities with little fear of restraint.

Tolerance: Unless crime involves citizens personally, they are often indifferent to the harm it causes to its victims and the community.

Resources: Limited resources of the criminal justice system, police courts and corrections which are unable to deal effectively with the criminal offender.

VIETNAM WAR

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 31, 1972

Mr. WALDIE. Mr. Speaker, the President has decided to commit this Nation to one more strategy of escalation and destruction in Vietnam.

After promising to end the war when he ran for the Presidency in 1968, he is now running for reelection, and he is still promising to end the war.

The President and the Secretary of State and the Secretary of Defense can plead for national unity, and certainly every American hopes that their policies may yet be successful. Nevertheless, when the President draws this country closer to wider war and confrontation with the Soviet Union over a conflict which most American citizens do not support, national unity can never be expected, and it should not be asked.

The following editorial from the April 16 edition of the National City Star-News expresses the continuing doubts of many Americans.

It is one more indication which might show the administration why all Americans cannot support our policy in Southeast Asia.

The editorial follows:

PHASE? IN VIET

Hanoi's decision to reescalate the Vietnam war was inevitable.

The Nixon administration must have been living in a dream world to have believed that the North Vietnamese would simply twiddle their thumbs while the U.S. funneled more and more aid to the Thieu regime and made it clear the U.S. would remain in Vietnam unless Hanoi agreed to a settlement permitting the perpetuation in power of the corrupt Saigon rulers.

The U.S. and South Vietnamese withdrawal from the Paris peace talks apparently gave Hanoi the excuse it needed.

Whether Hanoi's offensive will be ultimately successful is unclear at the moment.

But its strength so far underscores the fact that it will continue to take a massive injection of American resources to save the Thieu dictatorship; that the rose-colored-glasses reports out of Vietnam by the Pentagon and administration spokesmen have been wishful thinking; and that President Nixon's "Vietnamization" policy is only prolonging the killing in Southeast Asia.

The administration's resumption of massive bombings of both South and North Vietnam is an exercise in desperation; it represents a further escalation of the war and the return to a bankrupt military policy that was a failure during the Johnson administration.

It puts in peril more American lives, creates more American prisoners of war, costs more American millions in lost planes, slaughters more innocent Asian civilians and is likely to invite severe retaliation.

For Hanoi's Air Force no longer is limited to mostly defensive MIG fighters.

The word is out that the Soviet Union—whose aid to Hanoi has been a pittance compared with U.S. aid to Saigon—is now equipping the North Vietnamese with new SU-7 medium-range attack bombers, capable of striking U.S. air bases anywhere in Thailand, South Vietnam, Laos and aircraft carriers in Vietnam waters.

These SU-7's reportedly will be flown by trained North Korean pilots—a counterweight to the South Korean mercenaries the U.S. employs in South Vietnam. Thus the major advantage the U.S. has enjoyed in South Vietnam—privileged sanctuaries for its planes to rain death and destruction on Vietnamese, North and South—will be ended.

The administration calls the renewed air raids "protective reaction strikes" aimed at protecting American lives. This is sophistry; no American troops had been under attack until the air raids started. Indeed, the air raids are costing more American lives rather than saving them.

Vice-President Agnew, in a political speech, further defended the air raids on grounds it was a "selfless and moral act to defend a country under invasion."

The question is: Under invasion by whom?

Many Vietnamese, South as well as North, will contend—and history can back them up—that there is only one Vietnam, that "South Vietnam" was a creation of the U.S. and a puppet government our politicians set up there in violation of an international agreement, and that the real invader has been the United States, which has ventured 9,000 miles from its shores to kill and destroy on behalf of one faction in what is essentially a Vietnamese civil war.

This aside, the fact remains that, if South Vietnam is to be defended, the South Vietnamese should defend it themselves.

On paper, this shouldn't be hard. Saigon claims to have 800,000 troops under arms, equipped with the most sophisticated weapons the American taxpayer can buy.

The North Vietnamese invasion force re-

portedly consists of only some 70,000 troops whose equipment, though better than before, is no match for the South Vietnamese. The latter also have the advantage of defending their own territory. And Hanoi has yet to use offensive air power.

The difficulties of the Saigon forces in coping with the invasion might just suggest that their soldiers lack the will to fight for dictator Thieu. If that's the case, the Saigon rulers will be getting what they deserve. In no case, does this rotten, graft-filled regime deserve the risk of a single American soldier or of a single American plane.

Nor, do we believe, does it deserve a single American dollar for our dollars—many of which end up in the pockets of Thieu and his henchmen—merely provide incentive to continue the war.

The fact is that the Vietnam war is a bottomless pit, a war in which young men die to salve old men's egos.

Some 50,000 young Americans have lost their lives there—and some 300,000 Americans have come home maimed—for absolutely nothing. American intervention has driven 6 million Asians from their homes, ravaged South Vietnam, Laos and Cambodia and been primarily responsible for the deaths of more than a million Asians. It is time to call a halt.

But the Nixon administration cannot see this. It is determined to continue to risk American lives and pour more billions down a rathole—and now is even willing to re-escalate the war at additional grave risks to the safety of our men—for one reason only to save a gangster regime in Saigon that cannot save itself.

No matter how many sugar-coated and deceitful phrases Mr. Nixon and Mr. Agnew and others may utter about "protecting American lives" and "defending our allies" and "freeing our prisoners," this is what the Vietnam war is really all about. It is a war for Mr. Thieu.

It's not worth it.

The way to "protect the lives" of Americans remaining in Vietnam is to bring them home.

The way to free our POWs is to end American involvement in this shameful debacle, totally and completely.

The way to defend the South Vietnamese people from further carnage is to tell their rulers that Uncle Sam's well has dried up so they better make their own deal with Hanoi, or flee to Miami or the French Riviera, while they still have time to get at their Swiss bank accounts.

The Nixon administration's present policies are bankrupt, diplomatically and militarily, and threaten further disaster.

The President owes it to the American people to own up to this fact and admit that he and his predecessor made disastrous mistakes in judgment, rather than to try to defend the indefensible with more lies, more rhetoric, more planes, more lives, more billions and more grave risks. For nothing.

HOUSE SMALL BUSINESS COMMITTEE ISSUES REPORT MAKING 20 SPECIFIC RECOMMENDATIONS TO MAKE THE SBA A MORE EFFECTIVE AGENCY

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 31, 1972

Mr. EVINS of Tennessee. Mr. Speaker, the permanent Select Committee on Small Business is charged with the duty to conduct studies and investigate, among other matters, "whether Government agencies adequately serve and give due consideration to the problems of small business." To the Nation's over 5½ million small businessmen, the Small Business Administration, or as it is more familiarly known—the SBA—is among the most important governmental agencies. Because of this fact, this committee of the House of Representatives annually conducts a full-scale review of the organization and operation of the SBA. The purposes of that agency are to aid, counsel, assist, and protect the interests of small firms; to insure that a fair proportion of the total Government purchases and contracts for supplies, services, research, and development be placed with small business enterprises; to make loans to small business concerns and to victims of floods or other catastrophes; to license and regulate small business investment companies; to make loans to State and local development companies; and to improve the management skills of the owners of small business concerns with direct action programs and through established channels of business relations.

In order to determine the extent to which the SBA is fulfilling its assigned mission and ascertain whether it is an effective instrumentality to aid and assist the small business segment of the economy was the objective of the committee's investigations and hearings. Additionally, the committee endeavored to evaluate the need for new legislation and whether changes in the SBA's regulations may be indicated.

Recently, the committee issued House Report No. 92–1006 entitled "Organization and Operation of the Small Business Administration (1971)." Because of the great interest to this subject, I now include the 20 recommendations made by the committee in the pages of the CONGRESSIONAL RECORD. The full report may be obtained from the Committee Clerk, 2361 Rayburn House Office Building, Washington, D.C. 20515. The recommendations of the committee are as follows:

DIRECT 7(a) BUSINESS LOANS

1. Continue to take action to increase funds to be used for direct loans under the 7(a) regular business loan program. When such funds have been allocated, SBA officials should institute follow-up action to assure that such funds are utilized by field personnel.

The Committee believes that substantial direct loan funding—a balanced funding program—should be reinstituted. Only ample funding of the regular 7(a) direct loan program will achieve an equitable balance between all direct loan programs.

ECONOMIC OPPORTUNITY LOANS

2. Review its criteria in evaluating economic opportunity loans in an effort to reduce the ever-increasing ratio of losses on such loans.

3. Adopt a policy of assuring management assistance to individuals or enterprises at the time they are granted such loans in an effort to reduce the increasing loss ratio for such loans.

4. Report to the Committee by June 30, 1972, the steps taken pursuant to these recommendations and the effect such steps have had on reducing the loss ratio on economic opportunity loans.

LEASE GUARANTEE PROGRAM

5. Expedite its consideration of the Committee's previous recommendation to include major personal property in its lease guarantee program and promptly provide the Committee with a report of action taken thereon.

6. Revise its regulations to eliminate the Government's guarantee if a lessee subsequently transfers or sells the lease to a large business concern or is merged with or acquired by big business, and promptly provide the Committee with a report of action taken thereon.

SMALL BUSINESS INVESTMENT COMPANY PROGRAM

7. Provide the Committee with a statement of the policy it proposes to follow with respect to guaranteeing debentures issued by SBIC's.

8. Provide the Committee with a quarterly report based on results of audits conducted of SBIC operations showing a summary by type of the violations disclosed by such audits and the actions taken by SBA on such violations. This report should give information separately for regular SBIC's and MESBIC's.

9. Provide the Committee on a quarterly basis a report on the status of SBIC's, indicating those currently in operation, those in litigation, and those in process of termination, giving this information separately with respect to regular SBIC's and MESBIC's.

PROCUREMENT ASSISTANCE

10. Increase the number of Procurement Center Representatives (PCR's) assigned to the various military and civilian procurement agencies. Considering the deterioration of the position of small business in the Government procurement market the Committee is convinced that many more than the 43 PCR's are needed to restore the competitive position of small business in this field.

This problem has been compounded by the diversion of PCR traditional procurement activities to the 8(a) program. The Committee strongly urges and recommends that the SBA Administrator promptly initiate steps to obtain authorization for the employment of a substantial number of additional PCR's.

11. Provide the Committee with a report recommendation by June 30, 1972.

12. Exclude the procurements program from the decentralization of the program activities, and the transfer of procurement personnel from the central office to the field.

FOREIGN TRADE PROGRAM

13. Reestablish and strengthen its foreign trade assistance program, which would counsel and assist U.S. small business firms in gaining entry into the field of foreign commerce and enlarge the opportunity of small business concerns now in the field to participate in foreign trade.

CONVERSION FROM DEFENSE TO CIVILIAN PRODUCTION

14. Reestablish its conversion program, which would counsel and assist small defense-oriented concerns to change over their plant facilities and operations to civilian procurement and commercial fields.

15. Provide the Committee with a report of action taken hereon by June 30, 1972.

ADMINISTRATIVE

16. Do all possible to minimize organizational changes and adverse personnel actions in order to give a sense of stability, continuity and purpose to its personnel. Administrator Kleppe, with his fine wide background, will recognize that good employee morale and organization stability are essential to maximum performance and increased productivity.

The Committee believes and accordingly recommends that the following action be taken by the Congress:

DISASTER LOANS

17. That legislation to transfer the responsibility for disaster loans to homeowners from the Small Business Administration to

another agency of the Government should be considered.

SECTION 406 PROGRAMS

18. That the House Banking and Currency Committee, the Senate Banking, Housing and Urban Affairs Committee, and the Appropriations Committees of both Houses review all aspects of the operation, effectiveness and results of the 406 contract and grant programs as administered by SBA and the Office of Minority Business Enterprise of the Department of Commerce, respectively to determine whether they are being administered for the purposes and in the manner intended by the Congress, before additional authorizations and appropriations to each agency are made in support of such programs.

SMALL BUSINESS INVESTMENT COMPANY PROGRAMS

19. That the appropriate Committees of the Congress review closely the status of the Small Business Investments Company program before authorizing in appropriation acts further funds for guarantee of debentures issued by SBIC's.

In conclusion:

GENERAL

20. The Small Business Committee and the Congress have over the years guarded jealously the independence of the Small Business Administration, and have prevented the takeover of SBA by other Government agencies. The growing staff and funds of the Office of Minority Business Enterprise of the Department of Commerce represent an ever present danger to SBA's independence.

The Committee recommends to the National Administration that every effort be made to retain within the SBA all aspects of assisting small business and that further intrusions into this sphere be terminated. A case example is the provision of $40 million for grants for management and technical assistance to minority small business in the current fiscal year to Office of Minority Business Enterprise and the provision for an additional $63 million for fiscal year 1973, which raises serious questions as to this Administration's intent with respect to the independence of SBA.

The Committee takes the opportunity to again assert its strong support of the Small Business Administration, the agency of the Federal Government charged with responsibility to "aid, counsel, assist and protect, insofar as is possible, the interests of small business concerns," pursuant to the declared policy of the Congress.

REVOLUTIONARY WAR DEAD HONORED IN PHILADELPHIA

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 31, 1972

Mr. EILBERG. Mr. Speaker, on Monday, Memorial Day, ceremonies were held at Old Fort Mifflin in Philadelphia to honor the 250 Revolutionary War soldiers who died there during a 7-week siege by 12,000 British troops and British naval vessels.

At this time I enter into the RECORD a statement from the city of Philadelphia which describes part of the Memorial Day activities at the fort and an account of that famous battle:

An iron hand-shovel and an 18-pound cannonball, recovered from the wreckage of the sunken British frigate, *Agusta*, in the Revolutionary War, will be presented to Old Fort Mifflin on Memorial Day (Monday, May 29, 2 p.m.) as the fort starts its 1972 season as a historic shrine open to the public.

The presentation will be made by Austin B. Brough, assistant director of Aviation at Philadelphia International Airport. It will be accepted by Robert L. Alotta, president of the Shackamaxon Society, which administers the fort for the city's Department of Recreation, and other Shackamaxon officers.

The shovel and cannonball were dredged from the silty bottom of the Delaware River in 1956. They were uncovered as a seemingly unending stream of fill was pumped ashore on the Philadelphia side to serve as the foundation for the 10,500-foot-long east-west runway now under construction at the airport. Recovery was made by the American Dredging Company in the Mantua Creek Anchorage, south of the flight center.

Crisp fall winds rippled the surface of the Delaware River the night of Oct. 22, 1777 as the *Agusta*, equipped with 64 cannons, slipped through the darkness toward the heart of Philadelphia. She was accompanied by the smaller British gunboat, the *Merlin*.

As dawn arrived on the following day, it was discovered that the *Agusta* and her escort had run aground and were within reach of the fort's guns. Following a long exchange of gunfire, the *Agusta's* magazines exploded and the badly battered ship finally settled at noon into a watery grave.

The *Merlin*, also set afire by the fort's cannon was abandoned by her crew. Other units of the British fleet retired below Hog Island as General Washington ordered the American fleet not to follow.

The British had begun to build what later became Fort Mifflin on Mud Island in 1773 and called it Fort Mud. In 1776, the Revolutionary forces under the supervision of General Thomas Mifflin completed construction of the fort and it was named in his honor.

In 1777 a garrison of 400 men, responsible for destroying the *Agusta* and the *Merlin*, resisted 12,000 shipborne British troops for seven weeks until the fort was demolished by the constant pounding of British warships. An estimated 250 Revolutionary soldiers died during the siege.

Rebuilt in 1798, the fort was used as a prison for military deserters during the Civil War and for the storage of ammunition during World War II.

CONGRESSMAN DRINAN INTRODUCES SOCIAL SECURITY REFORM BILLS

HON. ROBERT F. DRINAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 31, 1972

Mr. DRINAN. Mr. Speaker, today I submit for the consideration of my colleagues a comprehensive legislative package to reform aspects of the Social Security System which are in need of repair. This package of 10 bills is the product of several months of intensive analysis of our social security laws. I am pleased that this work has culminated during May, which is Senior Citizens Month.

To the 20.5 million Americans over the age of 65, nothing assumes more immediate importance than maintaining a decent source of income during their retirement years. Since 1935, the Federal Government has responded to the income needs of the Nation's elderly by making direct cash payments to them in the form of social security benefits. The basic soundness of the Social Security System is demonstrated by the fact that in 1971, 26 million men, women, and children—one out of every eight Americans—collected social security cash benefits every month. These benefits very often mean the difference between poverty and dignity, between humiliation and self-respect.

More than 94 million Americans, representing 95 percent of the labor force, work at jobs which are covered under social security. As the President's Advisory Council on Social Security reported a year ago:

Social security . . . is the nearly universal base on which protection for the Nation's families is built against loss of income due to retirement, disability, or death of a family earner.

Yet this base has grown increasingly vulnerable and fragmented over the years since the inception of social security. In 1935, the population of people over 65 years of age in this country amounted to approximately 5 million, or 5 percent of the total population. Today, there are 20.5 million people over 65, 10 percent of the total population. This fivefold increase in the absolute number of people who qualify for social security coverage, plus the expansion of the Social Security System into areas not previously covered, such as health insurance, and survivorship and disability benefits, has put strains on the entire system.

Let us look for a moment at the group for which the Social Security System is designed—the Nation's 20.5 million elderly citizens.

They have an aggregate income of $60 billion a year. Of that total, $31 billion, or 52 percent, comes from social security, private pensions, and welfare programs. Another 20 percent represents savings and investments. Only 28 percent of the income of our senior citizens derives from wages earned by employment.

America's senior citizens have a median income of only $1,951. Five million of them, or 25 percent live below the poverty line, compared to less than 10 percent of the Nation as a whole.

Half of them never completed elementary school. Three million of them are defined by the Bureau of Labor Statistics as "functionally illiterate." Only 6 percent of our senior citizens have graduated from college.

Seventy percent of them live with relatives. Less than 5 percent of them live in institutions. The remaining 25 percent live alone.

Mr. Speaker, these bleak figures cannot convey even a fraction of the loneliness, frustration, or even the humiliation of being a senior citizen in the United States today. Discriminatory laws and social attitudes often prevent them from holding responsible, well-paying jobs. Inflation steals from their savings and pensions. Astronomical medical costs take a substantial proportion of the remainder. Accordingly, we must set as a very high priority the restoration of an adequate level of income for every retired American. This means several important reforms in the retirement, survivors protection and disability protection services of the Social Security System.

The bills which make up the reform package I am introducing today are not the first ones I have introduced on this subject, nor are they likely to be the last. In the past I have sponsored legislation to increase social security benefits by 50 percent (H.R. 7752), to remove the limitation on the amount of outside income

which an individual may earn while receiving social security benefits (H.R. 10263), to raise the social security death payment from $255 to $750 (H.R. 8239), to allow women to retire with full benefits after 30 years of coverage, regardless of age (H.R. 5991), to include prescription drug coverage under medicare (H.R. 4245), to abolish the "recently covered work" provision of the disability requirement (H.R. 13932) and for several other purposes.

Very recently, I sponsored legislation to sever the social security benefit increase provisions from the massive welfare reform bill, which has been bottled up in the Senate for months, so that individuals can begin to receive these sorely needed increased benefits as soon as possible.

Included in the reform package I introduce today are 10 bills whose primary functions are to extend social security coverage to those who are not now covered, and to increase benefits for those whose coverage is inadequate in the face of today's higher cost of living and increased demands for services. These 10 bills include:

H.R. 15240, to eliminate the so-called family maximum on the total amount of benefits which may be paid on an individual's wage record. Section 203(a) of the Social Security Act places a limitation on the total monthly benefits payable to a family, ostensibly to prevent the family from earning more when the head of the household died or retired than the family did when the head of the household was employed. This reasoning is arbitrary in my judgment because it overlooks the fact that the vast majority of families affected by the family maximum are families in which the head of the household retired or died at a relatively early age. It is reasonable to assume, therefore, that the family's earnings would have increased over the course of time. There is no good reason to penalize these families by limiting their benefits arbitrarily.

H.R. 15239, to permit the computation of the benefits payable to a married couple—or to the surviving family member—to be made on the basis of their combined earnings. Current law makes it quite possible for a working wife to contribute to the social security trust fund without getting any additional benefits in return. This bill would eliminate that injustice by permitting a couple to combine their earnings before computing their social security benefits.

H.R. 15234, to provide for payment of full wife's and husband's insurance benefits without regard to age in cases of disability. The cash benefits now provided at age 65 for elderly wives and elderly dependent husbands of social security beneficiaries should be extended to totally disabled wives and disabled dependent husbands, regardless of age.

H.R. 15233, to extend full benefits to disabled widows and disabled dependent widowers without regard to age. Current law provides for benefits to disabled widows and widowers, but benefits cannot begin before age 50 and are sharply reduced—as compared with benefits payable to aged widows and widowers. There is no reason why a widow or widower who has lost all means of support and who is totally disabled from all gainful employment should be forced to subsist on a smaller allowance than an aged widow or widower, and there is no justification whatever for withholding benefits until the disabled widow or widower reaches the age of 50, as is now the case.

H.R. 15232, to provide that an individual aged 55 or over is considered disabled for purposes of entitlement to disability insurance benefits if he meets the more liberal definition of "disability" presently applicable to blind persons of that age. Under the definition of "disability" in present law, a worker is not considered disabled unless his impairments are so severe that he cannot engage in any gainful employment whatsoever. This strict definition often unfairly excludes members of the work force who retire in their early or middle fifties because of impairments which are not, in the strict sense of the term "totally disabling." This construction has had negative and inhumane consequences in many cases. The bill I propose would merely substitute the test of disability now used for elderly blind workers for all workers, regardless of the nature of their disability.

H.R. 15235, to provide that an individual collecting child's insurance benefits does not lose those benefits if he or she is married before the 22d birthday. At present, a person who is entitled to child's benefits loses them automatically if he or she marries before the age of 22. For the many married couples who depend on social security payments to defer part of the cost of college, rent payments, grocery payments, and so forth, this rule works a significant hardship. The bill I propose would recognize that an increasing number of young people marry before the age of 22, and that these people should not be punished for marrying by forfeiting their social security entitlements.

H.R. 15236, to continue children's benefits until the age of 22, regardless of student status. Under existing law, a child's social security benefits are discontinued at age 18 unless the child is a full-time college student. This law discriminates against the many 18 to 22 year olds who for one reason or another do not attend college. Accordingly, this bill raises the cutoff age to 22. At the same time, it extends the disability coverage age limit from 18 to 22. Under the existing law, a child can receive disability benefits only for disabilities which were contracted before the age of 18; this bill would extend the age limit to 22, thus bringing it in line with other provisions in the bill.

H.R. 15231, to improve social security coverage for farmworkers by requiring farm employers with substantial payrolls to report all cash wages without regard to the existing minimum requirements for coverage. Under present law, farm wages are covered under social security only if the worker earns $150 or more or if he works for more than 20 days. Claims by farm employees that inclusion of all cash wages would result in a bookkeeping mess, ignore the fact that today most farms are large, professionally run business enterprises which keep the same detailed business records that nonfarm businesses keep.

H.R. 15231, has an additional provision of benefit to migratory workers who are members of farm crews. Difficulties in getting crew leaders to report the covered earnings of crew members contribute to the inadequate social security coverage now received by migrant farmworkers. My bill repeals the provision in present law under which the crew leader is deemed to be the employer of members of his crew, except in cases where they would be so considered under the usual common law test.

H.R. 15237, to reduce the social security taxes imposed on self-employed individuals to the level of taxes imposed on employees. Currently, self-employed individuals must pay 1½ times as much as employees pay for the same benefits. There is no good reason for this arbitrary discrimination against self-employed individuals, which essentially amounts to a subsidy for the employee who is not self-employed. Social security tax rates should be equal for all, and not reflect the self-employed or non-self-employed status of workers.

Finally, I am today proposing H.R. 15238, to double the number of "lifetime reserve" days for which inpatient hospital care may be paid under the medicare program. At present, medicare beneficiaries receive a total of 60 lifetime reserve days during which inpatient hospital benefits are paid.

This bill would extend the number of days to 120, and would also create a 60-day lifetime reserve for post-hospital extended care benefits.

Of these 10 bills, the provisions of six are specifically endorsed by the President's Advisory Council on Social Security in its report of a year ago.

Each of these 10 reform proposals would bring equity to the application of our social security laws. The cost of each would be negligible in comparison to the benefit to Government of current welfare payments which would be saved and social benefits which would be accorded.

Moreover, Mr. Speaker, if the social security tax were graduated—a reform I have long supported—so that all are paid in accordance with their income, these proposals could be funded in a manner which would not be any drain whatsoever on social security trust funds.

I am grateful for the consideration of my colleagues to these bills.

FORMER GOV. "CHUB" PEABODY, OF MASSACHUSETTS, ACTUALLY CAMPAIGNS FOR U.S. VICE PRESIDENT

HON. ROBERT L. LEGGETT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 31, 1972

Mr. LEGGETT. Mr. Speaker, it is difficult to believe that near the end of the 20th century in the greatest democracy of them all, vice-presidential candidates are still selected by caprice in smoke-filled rooms in acrobatic emotional twists aimed at ticket balancing in the presidential race. I do not believe a President should have to rely on a vice-presidential candidate to present his policies to the people. The President stands alone in the

White House—usually on policy, the Vice President is ignored.

But occasionally and unfortunately more often then just occasionally, the Vice President must stand alone. Nearly a half dozen times in the past 50 years, a Vice President because of death or assassination of the President has had to take over and stand alone.

Too bad for the country that some of these Vice Presidents were mere ticket balancers. They could not stand alone. The country teetered, survived, and ebbed along.

Governor Peabody has addressed a brief message to every Member of Congress supporting a free election for the office of Vice President of the United States.

I enclose a copy of his message with enclosure at this point in the RECORD.

Its time to stop balancing and start selecting. The future of our country demands no less.

The material follows:

PEABODY FOR VICE PRESIDENT,
Washington, D.C., May 26, 1972.

Hon. ROBERT L. LEGGETT,
U.S. House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN LEGGETT: I know that you join in my conclusion that attempts on the lives and well-being of our nation's political leaders and aspirants are the product of sick and disoriented minds. It may well be that neither this society, nor any society, can effectively curb such grotesque conduct. However, I firmly believe that we must attempt to meet political disruption with firmer and more logical political order.

In a year when we could all expect to be deluged in political rhetoric. I have chosen to translate good words into practical action. I recognize that my unconventional candidacy for the Vice Presidential nomination is only one small effort toward the goal of making our system of government and our party more responsive to our national constituency. I recognize that my chances of success in this venture may be considered remote. Yet my past and present efforts to open our political process have not been tested solely on the basis of political practicality or the likelihood of victory. There must be a higher standard; if there is not—we must make one.

With this purpose in mind, I have addressed the attached letter to each of the recognized candidates for our party's nomination for President. I have called upon them, and I now call upon you, to unequivocally endorse the concept of a free and open convention for the election of our Vice Presidential candidate.

I await eagerly your consideration of my remarks and I am hopeful that you will be moved to communicate your views at the earliest possible opportunity.

Sincerely yours,

ENDICOTT PEABODY.

[COPY]

PEABODY FOR VICE-PRESIDENT,
May 25, 1972.

The tragic events of recent days have underscored again the frightening frailty and uncertainty which characterize all human institutions and from which the processes of politics and government can claim no special exemption. To be sure, such inherent mortality is an unavoidable condition. However, it appears to me that enlightened national leaders have the obligation—the unavoidable responsibility—of creating and maintaining a political environment which responds to unforeseen disruptions with well reasoned and popularly accepted alternatives. It was with this obligation in mind that I began my long and arduous campaign for the Democratic Party's nomination for Vice President.

Even a cursory review of our nation's political history reveals that a total of eight of our Presidents have come to that office through succession rather than election. However, in addition to these instances of "accidental" ascension, it should be noted that in this century, one of every three Presidents has served as Vice President. Four of the eight "accidental" Presidents were elected for an additional four year term, and three other Vice Presidents were elected to the Presidency upon completion of their own term of office. Furthermore, our lifetime has served as witness to the unprecedented growth in the power and scope of the Vice Presidency in domestic, international and even interplanetary matters. For these reasons, it is our view that the time has come for us to direct significant attention to the manner of selection and manner of man of our Vice Presidential aspirants.

We seek an "open convention" for the election of the Vice Presidential nominee and our movement is gaining support and endorsement across our country. In New Hampshire, my candidacy received 85% of the Democratic vote for Vice President. From South Carolina and Virginia to Arizona, Democratic Conventions have resoundingly passed resolutions demanding an open convention for the election of our Vice Presidential candidate. Our numbers grow daily and we fully expect that my nomination will be presented to the Democratic Convention in July.

I am writing to you at this time to solicit your views and positions on the question of an "open convention" for the election of the Vice Presidential candidate. I can readily understand any hesitancy you may have in supporting a particular individual for nomination to this office. My present request asks only that you endorse the proposition that the duly elected representatives of our nation's voters be given the unqualified and unfettered authority to consider and elect our Vice Presidential nominee.

This request comes in the spirit of true party reform, in the determined belief that only the Convention Delegates can speak for the broad cross section of American thought and aspiration, and in recognition of the necessity of insuring continuity and stability in our representative democracy.

Your expeditious consideration of this matter and a timely response is anticipated.

Thank you for your attention.

Sincerely yours,

ENDICOTT PEABODY.

NATIONAL WATERSHED CONGRESS HONORS DICK LONGMIRE

HON. ED EDMONDSON

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 31, 1972

Mr. EDMONDSON. Mr. Speaker, next week in San Diego, one of Oklahoma's outstanding citizens will be honored as the 1972 National Watershed Man of the Year by the National Watershed Congress.

The award winner is Dick Longmire, of Paul's Valley, Okla., who has been a prime mover in the watershed development program since even before its inception. He served on the committee which presented the watershed plan to President Eisenhower that resulted in the highly successful Public Law 566 program.

Because of men like Dick Longmire, Oklahoma leads the Nation in watershed development. Mr. Speaker, you and I were privileged earlier this year to be present at the dedication of the 1,500th watershed structure built in Oklahoma.

The current issue of the Oklahoma Conservation Commission newsletter tells why Dick Longmire is the National Watershed Man of the Year. I insert this account in the RECORD:

OKLAHOMAN CHOSEN FOR NATIONAL HONOR

Richard C. Longmire of Pauls Valley, Oklahoma, Immediate Past President of the Oklahoma Association of Conservation Districts and currently South Central Area Director, National Association of Conservation Districts, was selected the 1972 winner of the National Watershed Man of the Year Award, according to Douglas Trussell, Awards Chairman, National Watershed Congress of Washington D.C. The award will be presented during the 19th National Watershed Congress, June 6, 1972 in San Diego, Calif.

The accomplishments of this gentleman are too numerous to mention; however, a few highlights are listed. Longmire has been associated with conservation and watershed work since its conception and instrumental in the organization of the Watershed Program when first organized in the early 1930's. He had been President since 1950 of the Washita Flood Prevention Council which consisted of 22 conservation districts in Oklahoma and Texas that covered the Washita River Basin. This was the first attempt to organize a flood prevention program and led the way to the Washita River Watershed Pilot Project. In 1957, he was appointed as the first Chairman of the NACD Watershed Committee. For the past 20 years, he has been Chairman of the NACD Legislative Committee, and currently is Chairman of the OACD Legislative Committee. In addition, currently Longmire is serving as Chairman of Governor Hall's Agricultural Advisory Council. Longmire was a member of a committee that originated the idea of Watershed Development Programs for the entire nation and presented this plan to President Eisenhower in 1953. The following year, Public Law 566 was enacted which created funds for the construction of small watershed flood control structures through the USDA, Soil Conservation Service.

The Watershed Man of the Year Program is sponsored by some 30 national conservation, civic, industrial, and farm organizations. This award is presented annually to an individual in the United States who has made significant contributions in times past to the cause of watershed conservation and watershed management.

Only two other Oklahomans have won this award. Mr. L. L. Males, Upper Washita CD, received the first award of this kind presented in 1959. Also, Nolen Fuqua, Stephens County CD, was selected Watershed Man of the Year.

Thanks to the efforts of pioneer conservationists as Mr. Longmire, Oklahoma leads the nation in conservation work. This past year, our state dedicated its 1500th watershed structure located near Maysville, Oklahoma and named Wiley Post Memorial Lake in tribute to this great aviator who was native of Maysville.

In addition to flood control, watershed projects provide water for: municipal use, aid in purifying our environment by sediment and flood control, wildlife and recreation of all types, industrial and agricultural uses.

The local units of government, which by state law have the responsibility of conservation work, are the conservation districts which cover every foot of Oklahoma. District offices are normally located in the county seat, and they provide free assistance with the help of the Soil Conservation Service to anyone, urban or rural, with environmental problems related to the conservation of renewable natural resources such as land, water, trees and other plants, air, natural beauty, and open space.

FOUR-DAY, 40-HOUR WORKWEEK

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 31, 1972

Mr. STEIGER of Wisconsin. Mr. Speaker, as sponsor of H.R. 11437, legislation I introduced on the 4-day, 40-hour workweek, I have interest in newspaper and magazine articles dealing with the impact of this bill will have on our citizens.

One such article recently appeared in Chemical and Engineering News. I include the article in the CONGRESSIONAL RECORD, as follows:

FOUR-DAY, 40-HOUR WORKWEEK
CATCHING ON

The four-day, 40-hour week is bursting out across the country as one of the most exciting developments in the work habits of the American labor force. In companies that either have adopted or are experimenting with the four 10-hour-day work schedule, both management and labor are claiming advantages. Workers like the idea of a long-three-day weekend. Management says that the 4–40 schedule gives it improved efficiency and productivity.

The 4–40 concept is spreading rapidly. Riva Poor and Bursk and Poor Publishing Co., Cambridge, Mass., testified at Labor Department hearings in September that about 670 companies were using some form of the four-day week. Last week, she told C&EN that "well over 1000 companies are on it now." Mrs. Poor, whose book, "4 Days, 40 Hours," is considered the authoritative reference on the subject, says that an average five companies per day are rearranging their work weeks.

So far, the idea of the 4–40 week hasn't taken hold in the chemical industry. Invariably, labor relations directors of chemical companies contacted by C&EN say that their processes, which operate on a seven-day, around-the-clock schedule, make the 4–40 week impractical for them. Says one company spokesman, "We know that the four-day week is becoming popular. Any labor relations man worth his salt is aware of it. But we've only discussed it within the company very informally."

Most chemical companies are content to keep their eyes open and to watch for new developments in rearranged work weeks. John J. Radigan, vice president of personnel relations for Merck, says that the chemical industry faces a different set of problems because of its heavy commitment to continuous operations. Monsanto says that the "four-day week would be difficult to implement in a continuous, seven-day-week process." Stauffer's L. J. Dequaine says, "We haven't put it in and don't intend to in the foreseeable future."

J. M. Leathers, vice president and director of operations for Dow Chemical, U.S.A., comments that it would be very difficult to sort out shift schedules. "I presume the four-day week would work with a batch-type operation," says Mr. Leathers.

Indeed, only one chemical company contacted by C&EN expressed more than passing interest in 4–40. This company proposed the four-day, 40-hour week for one of its paint plants on a trial basis. The plant currently runs 15 shifts per week and uses batch processes. However, the experiment has been postponed and there are no definite plans to reschedule it.

FOR WHOM?

Replies from chemical companies uniformly reflect the widely held idea that the 4–40 week works for small companies, but not for large, integrated, capital-intensive companies. However, says Mrs. Poor, this is a misconception. She agrees that most of the companies now using a rearranged work week are small companies. It's only natural that small companies predominate, she explains, because small companies are more flexible and are quicker to adopt new ideas. But, Mrs. Poor adds, that doesn't mean that small companies are the only ones that can benefit by a rearranged work week. She says that many large companies, including some oil companies, now use a three- and four-day work week, and that other large companies are contemplating pilot projects.

Certainly one company that qualifies as a "large" company is Chrysler Corp. Chrysler and the United Auto Workers (UAW) are studying the possibility of a 4–40 week jointly. The idea grew out of a discussion on absenteeism at last year's bargaining session, after which the company signed a letter of intent to conduct a feasibility study on the 4–40 work week. The study covers some production and maintenance workers, but not office workers or parts plants.

The company and the union agree that many problems must be overcome to restructure the work schedule of a company that has integrated, multiplant operations. Nevertheless, if the study uncovers "an acceptable degree of feasibility," a pilot operation will be started.

Neither the company nor UAW will discuss details of the study. Douglas Fraser, UAW vice president, says only that, before a revised work week is initiated, it would have to be approved by two thirds of the members involved. Then, because members won't really know how they feel about the scheme until they have experienced it, another vote would have to be taken 30 days later and two thirds of the members again would have to approve it before the revised schedule could continue.

Doubts. Although the impetus for switching to a four-day, 40-hour week came, in many cases, from labor and not management, it has been small locals or one-company unions that have done the prodding. Leaders of many large unions have serious reservations about 4–40. Some say that they have fought too long and too hard for the eight-hour day. They don't want to reverse the trend, even though it won't add to the total hours per week. Others seem willing to go along with the four-day, 40-hour week but insist that they receive overtime pay for the additional two hours per day.

A spokesman for the Oil, Chemical and Atomic Workers (OCAW) says that a worker would suffer a 10% drop in his paycheck if he worked 10 hours for four days at his regular pay rate instead of receiving time-and-a-half for the additional two hours. He also claims that worker fatigue as a result of a longer work day will lead to carelessness and accidents. In the chemical industry, where workers are exposed to toxic materials, tolerance levels may be exceeded and probably would have to be revised.

Last month, the OCAW executive board passed a resolution, its first official policy statement on the subject, that throws rocks at 4–40. The OCAW resolution says that the union should continue to make known its opposition to extended work days. If Congress wants to alter current work day/work week standards, it should settle on a 32-hour week (four eight-hour days). What's more, says the OCAW resolution, employees shouldn't lose any wages as a result of the change. In other words, they should receive the same pay for the 32 hours that they now receive for 40 hours. Any work beyond eight hours in a day should also be double-time, not time-and-a-half, says OCAW.

Legislation. What probably triggered the OCAW resolution were hearings held by the Department of Labor in September and three bills that are now floating around Congress. What triggered the hearings and the bills was a flurry of inquiries about possible amendments to two laws that make it difficult, if not impossible, for some companies to switch to 4–40. These laws are the Walsh-Healey Public Contract Act and the Contract Work Hours and Safety Standards Act. Both laws require companies that have federal contracts to pay time-and-a-half for all work after eight hours per day or 40 hours per week.

Because of the increasing interest in 4–40, the Labor Department held its hearings to determine whether changes in the overtime provisions of the two laws should be made and to determine what recommendations, if any, the department itself should make. At the hearings, the battle lines were clearly drawn. Management generally favored amending the overtime provisions and labor generally opposed changing them.

So far, the Labor Department hasn't made any recommndations. "Right now the department is a neutral observer and is evaluating the evidence," says a department official. Meanwhile, three bills have been introduced in Congress that will have a bearing on 4–40. Each of the bills is still in committee and nobody seems willing to predict when they may reach the floor of the House or the Senate for a vote.

The Cook bill (S. 2463), introduced by Sen. Marlow Cook (R.–Ky.), would amend the Walsh-Healey Act and the Contract Work Hours Act so that companies with federally financed contracts can use 4–40 without paying overtime. This bill is now in the Senate Labor Subcommittee. A similar bill (H.R. 11437) was introduced by Rep. William A. Steiger (R.-Wis.) and six other members of the House Education and Labor Committee. The Cook bill is facing nose-to-nose competition from another bill. This bill (S. 1861), introduced by Sen. Harrison A. Williams, Jr. (D.–N.J.), would require all companies, not just companies with federal contracts, to pay overtime wages for all work after eight hours per day. The Williams bill also is in the Senate Labor Subcommittee.

It still is too early to tell whether the Cook bill or the Williams bill will win the favor of the Senate. As far as legislative footwork is concerned, however, it may be significant that Sen. Williams chairs the Labor Subcommittee.

Companies with federal contracts that want to use the four-day, 40-hour week naturally are rooting for the Cook bill. They claim that the overtime provisions of the current laws put them at a competitive disadvantage compared to companies that aren't subject to the laws.

Certainly, the Walsh-Healey Act and the Contract Work Hours Act have prevented some companies from switching to 4–40. But Mrs. Poor doesn't think that the present laws necessarily have to be stumbling blocks to 4–40. She says that some companies using 4–40 pay time-and-a-half after eight hours and still save money by using the rearranged work week. Labor cost, she points out, is only one factor in total production cost and often it is a relatively small one. Increased efficiency and productivity, less startup and shutdown time, less absenteeism and employee turnover more than compensate for increased labor costs. This is particularly true, she says, in capital-intensive industries such as the chemical industry.

Benefits. Because improved productivity is one of the advantages cited most often for the four-day, 40-hour week, it isn't surprising that it was management that first introduced the idea of rearranging weekly work schedules. However, workers can benefit, too. Three-day weekends give them more usable leisure time. Commuting time, considered as lost time by most workers, is reduced 20%. The costs of lunches, travel, and child care also are lowered. For these and other reasons, it is often the workers, not management, who initiate work schedule changes. Mrs. Poor estimates that 15 to 20% of the changes now are labor-inspired.

On the other side of the coin, some companies that have tried 4-40 have discontinued using it. Some claim that shift scheduling is too complex and can't be overcome. Others complain that they can't coordinate their own operations with those of their suppliers and customers.

Labor's arguments against 4–40 focus on worker health and safety. Labor leaders say that extended work days cause mental, emotional, and physical fatigue. In fact, they think that extending the work day is a step backward and contrary to everything the labor movement has fought for.

Is 4–40 the wave of the future? It is too soon to say. Certainly the number of companies that are using it is growing rapidly. On the other hand, most of them are small companies with fewer than 500 workers. Few of them are capital intensive. In many cases, the four-day week is still on trial. Labor isn't likely to buy the idea of 10-hour days without overtime pay. Management isn't likely to buy it with overtime pay.

Janice Hedges, an economist in the Bureau of Labor Statistics' Office of Economic and Social Research, sums up the situation nicely. Writing in the October issue of the monthly *Labor Review*, she says, "The current standard is not immutable. But neither is a shift to some new standard inevitable."

GUNS AND GOVERNMENT

HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 31, 1972

Mr. HARRINGTON. Mr. Speaker, radio station WEEI in Boston has established itself as an agency which takes very seriously its obligation to serve the public interest. Its editorials on public issues are of a consistently high order—thoughtful, tough-minded, and to the point. Recently WEEI editorialized forcefully on the need for gun control legislation that is genuinely meaningful—as illustrated by the tragic shooting of Governor Wallace several weeks ago.

I believe the arguments adduced by WEEI deserve wide readership, and the attention of Members of the House, and at this point I insert them in the CONGRESSIONAL RECORD:

GUNS AND GOVERNMENT

Once again, violence has interceded in the political affairs of this country. The assassination attempt on Governor Wallace brings back in chilling detail those dark days in November of '63 and in April and June of '68 when other national leaders fell to an assassin's bullet. This time the wounds were not fatal, and WEEI joins men of good will everywhere in praying for a speedy recovery for Governor Wallace. However, there is another casualty of this senseless shooting—our nation and its political process.

Must we face a future governed by faceless men, hidden behind bullet-proof screens? Men who dare not ride in an open car; men who fear to stand on a motel balcony; men who can't walk through a hotel kitchen after accepting cheers for an election victory; men who can't shake the hands of supporters in a shopping center.

The so-called "banana republics" of South America are governed by officials who never show their faces and never step into a crowd. Must this happen in the United States? WEEI thinks we are at best far away from that. But WEEI also feels that it's now time for a soul-searching self examination of our national psychology. Violence has become a way of life in America. It permeates the mass media. Through toy weapons it sneaks into a child's play. Violence is glorified in history books that tell more about man's wars than about the accomplishments of past generations.

And then there's Vietnam. The long and constant killing in Indochina has taken its toll on the American public in a dark, subtle manner. WEEI feels that murder in an unjustifiable war has brought violence just that much closer to the surface on the home front. As in 1968, violence is playing a part in what should be the democratic process of a Presidential election. And as in 1968, America wonders why. Tomorrow, in another editorial we'll explore a symptom of the sickness—the ever-increasing number of guns on the streets of America.

Those who argue against gun control legislation are bound to tell you that if a murder is going to take place, it will occur whether or not a gun is involved. They'll also say that if firearms were magically swept from the nation, murderers would turn to knives and clubs.

WEEI doesn't buy those arguments, and feels that the attempt on the life of Governor Wallace of Alabama is another signal that this nation needs firmer gun control laws. To people who say that a murderer will choose another weapon if a gun isn't available, we point to the fact that the assassinations of John and Robert Kennedy and Doctor Martin Luther King and the attempted killing of George Wallace were all carried out with firearms.

A gun makes killing easy. There's no physical contact between the assailant and his victim. Death by a bullet is detached and cool. It seems to WEEI that this kind of attack fits the psychological profile of the assassins of the '60s and of the man accused of shooting Governor Wallace. These men were characterized as being disturbed loners, shadows on the landscape until they used guns to catapult themselves into the spotlight.

WEEI wonders whether these men would have turned to violence if they had not been able to passively pull the trigger. Would they have acted if forced to make a physical assault with a weapon other than a gun?

To argue for more government control of firearms is to reach back into the '60s when emotions rose after three assassinations. The arguments are the same today. WEEI urges the Congress to turn its back on the powerful gun lobby and to pass meaningful gun control legislation. You can help by contacting your Senators and Congressmen and telling them to act now, before another national leader is struck down by an assassin's bullet.

HELPING THE VETS COME HOME

HON. ALVIN E. O'KONSKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 31, 1972

Mr. O'KONSKI. Mr. Speaker, in recent months, I have been working with the American Association of Collegiate Veterans, a group of about 300,000 men, who have returned from Vietnam and the military service, and are now pursuing their education at the many campuses throughout the country.

This past week, the president of the association, Mr. Jim Mayer, and the past president, Mr. Bob Sniffen, visited my office. As you may know, this organization is attempting to help the boys who come home find jobs, adjust to society, and make them aware of the benefits which they can receive under the GI bill. The visit by these two young men brought the following article to my attention. It was written by A. Carl Segal, M.D., director of planning for Mental Health Services, in Howard County, Md., and presented at the 125th annual meeting of the American Psychiatric Association. I would strongly suggest that we consider this article, in hopes that we may be able to be more helpful to the returning vet:

ARMY PSYCHIATRY AND THE VIETNAM VETERAN: A CRITIQUE

Basic principles of military psychiatry were developed during World War I, rediscovered during World War II, and have remained operational through the Korean and Vietnam conflicts. These concepts of forward treatment, provided soon after the occurrence of disabling symptoms, in an atmosphere emphasizing possibilities of recovery—i.e., proximity, immediacy, expectancy—have been described by Glass (1), Tiffany and Alerton (2), Artiss (3), and others. Applications of these principles, together with features of the Vietnam conflict such as: (1) sporadic rather than prolonged battles; (2) air superiority; (3) better training and more highly educated men; (4) improved communications; (5) a known 12 month rotation; and (6) a better network of combat psychiatric services have resulted in fewer combat psychiatric casualties than in previous wars (4).

Recently, however, it has become increasingly clear that there have been delayed emotional and behavioral reactions to combat experiences (5), and these may not have been addressed as successfully as more immediately apparent reactions. In this paper, a pilot effort to develop primary preventive services for such difficulties will be presented. In addition, reasons for its lack of success and implications for military psychiatry in general will be discussed.

EXPERIENCES AT A GARRISON INFANTRY POST

Relatively little has been written about stateside garrison psychiatric services for returning veterans or about their needs. As early as 1967, psychiatrists practicing at Army installations in the United States were aware of frustration and anger among troops who had returned from Vietnam, decreasing communications between soldiers and their leaders, and increasing drug use. The post described in this paper was a large Army installation in Georgia which was a major infantry training center. Forty to fifty thousand men were housed there, including 7,000 men assigned to an independent brigade composed of battalions of "leg" and mechanized infantry, artillery, armor, and support elements. Many of the men had returned from combat tours in Vietnam and were serving their remaining months of active duty training other troops who would soon be entering the combat area.

In early 1968, increasing numbers of combat veterans from the brigade were being seen by the post's mental health staff for rage reactions, anxiety, depression and psychophysiological symptoms. These often appeared to be associated with suppressed and repressed guilt about their combat roles, displeasure with their duty assignments, and a certain disillusionment with the military and other aspects of American society such as their lack of a warm welcome home and racism. There also appeared to be an increasing number of men with similar dynamics and symptoms confined in the local stockade for legal infractions such as AWOL.

The mental health staff wanted to develop some method of preventing these medical and legal disabilities, if possible, and thought that if such a step were attempted more in-

formation would have to be learned about the experience of returning from Vietnam to the United States. More would have to be learned about dynamics and symptoms not only among men already labelled as "patients" or "prisoners", but also among men functioning without those distinctive labels. Thus, a pilot program was started to study the impact of a tour in Vietnam and subsequent return to the United States, and to attempt to ameliorate the observed impacts of guilt, depression, anxiety and rage upon the lives of the men.

CASE HISTORY

Primary prevention—A pilot program

Brigade leadership and the mental health staff had developed a good working relationship prior to initiation of the effort to be described. Innovative programs proposed by mental health staff had been received with interest and support. In late 1968, the mental health staff asked the brigade commander and the commander of a mechanized infantry battalion to initiate a demonstration project in which all Vietnam returnees entering the battalion would be assigned to a group discussion with mental health personnel. Stated purposes of the discussion were: (1) to acquaint our staff with thoughts and feelings of healthy as well as emotionally impaired returnees; (2) to provide an atmosphere in which soldiers might discuss their concerns about disturbing experiences they underwent in Vietnam, and gain group support while dealing with residual anger and guilt; (3) to provide anticipatory guidance about emotional responses we knew other returnees had experienced; (4) to discuss their feelings about assignment to their unit—one which was held in low esteem; and (5) to provide returnees with a list of resources they might call upon if they should experience difficulty with emotional or general health problems, financial need or other situational crises.

All soldiers who had returned from Vietnam and reported to the unit during a given week were assigned to a discussion group held in a company dayroom in the battalion area. There, each Saturday morning, they were joined for an informal "rap session" by a psychiatrist, social work officer and enlisted social work specialist. Usually 15 to 20 soldiers attended. Repeat sessions were not held. Informality was encouraged, and the session length was flexible, depending upon the interest of the men and the vigor of the discussion. Most lasted 2 to 3 hours.

Staff began the meetings by saying they hoped to learn more about problems faced by healthy soldiers upon their return to the United States. It was explained that a large number of troops from the unit had gotten into legal and other difficulties such as AWOL, drug use, and assaultive acts, often for reasons that seemed to have been preventable. A desire was expressed to discuss alternative methods of approaching problems they might face, and to provide them with information about helpful resources.

Initially groups viewed the mental health staff with suspicion, but invariably loosened up quickly and engaged in active discussions. Interaction was facilitated by questioning them about their experiences and reactions to the experiences. At the end of each session, the staff emphasized their interest in them, and told them that if problems arose which could not be solved within their units or by other agencies, they should feel free to contact the mental health specialist responsible for services to their units. It was pointed out that the staff would try to be helpful in any type of problem, not merely one which required their definition of themselves as mentally disturbed.

Participants often desired to meet again, but time limitations precluded ongoing meetings. Most soldiers appeared to be glad that they had participated, and there were virtually no expressions of dissatisfaction about having to meet with mental health personnel.

OUTCOME OF PILOT PROGRAM

After several months, both mental health staff and commanders thought that the program was of some value, but there was no objective assessment of its effectiveness in preventing or reducing emotional and behavioral impairments. A protocol was designed to provide such data from a systematic intervention. Discussion groups were to be led by trained social work specialists, and the social work officer was to coordinate the overall project and collect data for analysis. It was planned to compare experimental and comparison units in a variety of areas including sick call and mental health clinic visits and their seriousness, utilization of American Red Cross and Army Community Service facilities, and episodes of behavioral acting out such as AWOL and other legal infractions.

Just as the study was to be undertaken in late 1969, the social work officer who had been involved in the project for almost a year, and who was to be responsible for overall implementation was suddenly placed on orders to Vietnam. The post had been assured previously of social work officer stability in order to develop model programs. Despite pleas to the Office of the Surgeon General that a potentially valuable military health research effort would be destroyed, and strenuous efforts by the staff to have the orders reversed, the officer departed.

This turn of events demoralized the staff involved. The enlisted personnel, always at great risk to be placed suddenly on orders, and correspondingly reluctant to invest themselves in long range projects, began to withdraw their interest. The psychiatrist was involved in a number of other projects and unable to free himself to begin the process anew. He also was astounded by the seeming inability of the Office of the Surgeon General to recognize the importance of such a project and support it. Enlisted social work specialists who had been trained to lead the discussion groups continued for a while, but the idea of a formal systematic study soon died.

Results of pilot program

Although attendance records were not maintained both because of a desire to preserve informality and lack of manpower to coordinate data collection prior to a formal research effort, the following are presented as impressionistic data. Most men were between the ages of 19 and 24 and had a high school education or less. Most were single, and about 15% were from minority races. Achieved ranks were sergeant (E–5) or below, with a predominance of specialists 4th class (E–4). Many had received minor judicial or administrative punishments during their military careers, but rarely had any been found guilty of a serious offense. In most groups, between 70% and 90% of the men claimed to have been using drugs in Vietnam. This was usually marijuana, and less frequently amphetamines or barbiturates; heroin was not then a major problem.

Many soldiers complained about their disappointment in returning to "the real world" from "the Nam." They had expected the civilian and military populations to appreciate their service and receive them more warmly than was actually the case. Many angry feelings also were expressed by men of all races, but especially Blacks, about returning to the overt and covert racial prejudice of the United States. They especially resented this discrimination since there had been a relative absence of such racial tension in the Vietnam combat environment.

Undue risk taking by certain types of leaders also was an important theme. They spoke in disparaging terms of the foolish junior officer "heroes" fresh from the United States eager to make a name for themselves and sometimes placing their units in unnecessary danger, and of the "juicer" (alcoholic) noncommissioned officers incapacitated by their drinking patterns. They spoke almost casually of "fraggings" (attempts to wound or kill another soldier or officer by means of a fragmentation grenade, or by shooting him) they had witnessed or heard of.

Although a formal assessment of program effectiveness was never made, certain impressions were formed. Few psychiatric casualties were noted on post among men who were provided the group experience. (How many experienced difficulties subsequent to leaving the post is impossible to know.) Commanders thought the programs were of value, and many men who attended the meetings expressed a desire to have more.

Clearly there would have been great usefulness in systematic study of a wide variety of social indices that would have related adequacy of coping mechanisms to effects of the program upon underlying guilt, depression, frustration and rage.

Army psychiatry during the Vietnam war era

Apparently there was adequate psychiatric care provided for soldiers with overt severe mental illness during the war years. Also, application of combat psychiatric principles plus features of the combat environment unique to this conflict resulted in a psychiatric casualty rate far lower than previously experienced in wartime. However, one must question whether or not less than adequate attention was paid to more subtle behavioral and emotional effects of this unpopular war, and of military service during an era of rapidly changing social concerns and priorities.

Army mental health services were dominated by over-riding concerns about personnel requirements for the combat zone. Perhaps this is how it should have been. But one would have hoped that some major degree of concern also would have been expressed for the returning troops. This is especially so in view of the Army's commitment to principles of preventive psychiatry. Unfortunately, theoretical constructs and care-giving models changed imperceptibly during the past 25 years, and little attention ever has been paid systematically to needs of garrison troops.

Stateside programs in mental health were marked by personnel turbulence and disruption which rarely allowed the development of carefully thought out intermediate, let alone long range, research, at posts other than general hospitals. Bushard (6) emphasized the value of locally-based services and requirements to work with men in their units. Army reports long have emphasized the value of mental hygiene clinics and preventive psychiatry. However, most long range research in recent years has been general hospital based such as work by Colman and Baker (7) with operant conditioning models for rehabilitation of men with character and behavior disorders.

Papers in which preventive programs have been discussed have focused on early case findings and command consultation, in situations in which behavioral disturbances already had been noted, such as reports by Spencer (8) and Chapman (9). Bey and Smith (10) in their report on organizational consultation seem to have come closest to primary preventive activities.

A number of primary preventive programs, such as described in this paper, could have been designed and implemented using existing theoretical models of group techniques, populations at risk because of specific events such as combat troops), and anticipatory guidance. Caplan (11), in recent testimony before the United States Senate, described a preventive psychiatry program that well might have been emphasized as a research effort by the Office of the Surgeon General.

Unfortunately, most mental health per-

sonnel in stateside assignments were placed in positions designed to make the development of innovative preventive programs virtually impossible. They were getting their military bearings, a task that takes a minimum of six months, devoting energy to worrying whether or not they would be assigned to Vietnam, or overwhelmed by the myriad of administrative evaluations demanded by a variety of regulations.

Automatic data processing technology, enlightened use of personnel, and revision of stifling administrative regulations might have allowed the development of more preventive outreach programs. Although combat requirements were of first order priority, perhaps mental health personnel might have been assigned to Vietnam at the beginning of their tours of duty (for immediate or delayed departure), with the rest assured that they would remain at their duty assignments until completion of their tours. This might have freed significant mental energy for productive innovation pursuits.

Perhaps Army psychiatry was one war behind. Good quality World War II or Korean conflict combat psychiatry was practiced, but inadequate attention was focused on needs of men in other than combat situations. One can only hope that a mechanism may yet be found that will allow military psychiatric practice to update and expand its conceptual models, be more responsive to changing needs associated with changing times, be more flexible, and again lead the way in innovative psychiatric practice.

Summary

Implementation of well established principles of combat psychiatry during the Vietnam war years helped play a role in decreasing the number of combat psychiatric casualties. However, questions have been raised about more long term disabling effects of the combat experience secondary to guilt, frustration, rage and depression. A pilot program attempting to address these issues by providing primary preventive services to infantry troops who had seen combat was started at a large infantry post. This program consisted of group discussions with all newly assigned troops in a mechanized infantry battalion. Goals, themes of discussions, and impressionistic findings are noted, as well as reasons for failure of systematic study of the effort. Possible reasons are given for a lack of innovative military psychiatric practices during recent years in field environments, and hope is expressed that the military may yet find a way to update its psychiatric practice, become more flexible, and again lead the way in innovative preventive efforts.

CAPT. HENRY M. SPENGLER DIES IN VIETNAM HELICOPTER CRASH

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 31, 1972

Mr. BROYHILL of Virginia. Mr. Speaker, a memorial service was held at the new Fort Myer Memorial Chapel last Friday for a young Alexandria resident who was killed in Vietnam on April 5 after a brief but brilliant military career.

As I share the pride of his many northern Virginia friends in his accomplishments as well as their sorrow at his loss, I insert at this point in the RECORD his obituary as printed in the Washington Post on Wednesday, May 17, 1972:

CAPT. HENRY M. SPENGLER DIES IN VIETNAM HELICOPTER CRASH

A memorial service for Army Capt. Henry Mershon Spengler III, 26, who was killed in South Vietnam, will be held at 2 p.m. Friday in the new Ft. Myer Memorial Chapel.

Capt. Spengler, whose wife and mother live in Alexandria, was killed April 5 while piloting a Cobra helicopter near Anloc. His aircraft was struck by enemy fire and crashed.

He was the son of the late Army Brig. Gen. Henry Mershon Spengler, who also was killed in a helicopter crash in 1961 at Hohenfels, Germany.

His father's death, while he was still a youth, did not deter Capt. Spengler from entering a military career.

"It was his business. When he wrote to me from Vietnam, he always said there was nothing much going on. He figured what he was doing there was just his job," his wife said yesterday. This was before American action was stepped up there.

After graduating from Francis C. Hammond High School in Alexandria, where he participated in crew, track and cross country, and also rowed for the Old Dominion Boat Club, Capt. Spengler was appointed to the U.S. Military Academy at West Point by Sen. Harry F. Byrd Jr.

He was commissioned in the Corps of Engineers, then attended ranger and airborne schools at Ft. Benning, Ga., and the engineer officer basic course at Ft. Belvoir. He was sent to Germany as a company commander and returned to this country in 1970 to pursue Army aviation training at Ft. Wolters, Tex., and Ft. Rucker, Ala.

Capt. Spengler completed the Cobra helicopter transition course at Hunter Army Air Field, Ga., and went to Vietnam in August, 1971. He was with the 3d Battalion, 7th Aerial Rocket Artillery, 3d Brigade, 1st Cavalry Division at the time of his death.

He is survived by his wife, Bette Suzanne Scott Spengler, of 401 N. Armistead St.; a 2-year-old son, Henry Mershon Spengler IV; his mother, Betty M. Spengler; three brothers, William, of Wytheville, James, of Arlington, and Robert, of Alexandria.

PROPOSES NATIONAL DAY OF MOURNING

HON. EDWARD A. GARMATZ

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 31, 1972

Mr. GARMATZ. Mr. Speaker, I would like to call to the attention of my colleagues the following statement concerning recent developments in Kaunas, Lithuania issued by President Vytautas Volertas of the Lithuanian-American Community of the U.S.A., Inc. National Executive Committee located in Philadelphia, which I am sure will be of interest:

MAY 22, 1972.

A proposal for a National Day of Mourning and Prayer for Americans of Lithuanian background was issued in Philadelphia today by Vytautas Volertas, President of the National Executive Committee of the Lithuanian-American Community of the U.S.A., Inc.

He made the declaration following developments in the Lithuanian city, Kaunas, where rioting has been underway over religious oppression and lack of political freedom.

Over the weekend, several thousand youths battled police and Soviet soldiers after a young Roman Catholic, Romas Talanta, publically burned himself to death "for political reasons".

The rioting has continued since the funeral of Talanta last Thursday.

This latest development of immolation has brought international furor and attention to the problems besetting the captive Lithuanian nation.

Mr. Volertas said that to further dramatize the religious plight of Lithuanians he urged that America's 2 million Lithuanian-Americans recognize June 15 as a National Day of Mourning and Prayer to demonstrate this country's support of Lithuania's fight to establish religious and political freedom.

He said the June 15 day would coincide with the Anniversary of the Soviet Union's forceful occupation of Lithuania in 1940. He said he hoped that Lithuanians from all 50 states would participate in the mourning with appropriate ceremony.

At the same time, the President said that they are coordinating with the Roman Catholic Churches throughout the United States to officially proclaim June 15 as a National Day of Mourning and Prayer.

This latest tragedy in Lithuania comes on the heels of several internal disruptions which were aimed at focusing international attention to the political and religious problems faced by that country.

Last March 17,000 Lithuanian-Catholics signed a bitterly-worded Petition to Communist Party leaders demanding an end to religious suppression. President Volertas stated that this action is the most massive protest of its kind ever known to have emerged from Lithuania and the U.S.S.R. This and earlier attempts to relieve religious persecution had gone unheard except in the form of intensified repression.

The inch-thick Petitions were then sent to the U.N. Secretary-General, Kurt Waldheim.

In another attempt to dramatize their plight, a formal protest by the Lithuanian intellectuals was forwarded to the 5th World Congress of Psychiatrists.

In another area, President Volertas stated that he was hopeful that the Soviet government's attitude might be softened following the impending session by President Nixon and the Soviet leaders. More than 75,000 American-Lithuanians have urged the President through a Petition to bring the power of his office into play on behalf of Lithuanians when he meets with Soviet leaders.

A parallel situation, Soviet Jewry, is on the President's agenda.

President Volertas also referred to events within the last year including the imprisonment of Priests for preparing children for their First Communion at the request of their parents and two Lithuanian Bishops being sent to unlimited exile without trials.

These efforts culminated in the self-immolation and subsequent rioting in the city of Kaunas, the second largest city of Lithuania with a population of more than 300,000 persons.

FIRSTHAND INFORMATION ON C–5A

HON. JOHN W. DAVIS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 31, 1972

Mr. DAVIS of Georgia. Mr. Speaker, all too often on issues of special importance, we hear only a part of the full story. For several years, while the giant C–5A Galaxy has been manufactured at the Lockheed-Georgia complex in the seventh district, we have heard much criticism from the aircraft's detractors, both in the press and in the Congress. Those of us who believe in the C–5A's ability to carry out its assigned tasks with excellence have encountered difficulty in

finding an audience willing to listen to all sides of the question.

For example, Gen. Jack J. Catton, Commander of the Military Airlift Command, the man in charge of all C–5 military operations, last week addressed the Aviation/Space Writers Association in New York on the subject of the C–5A. Despite General Catton's firsthand knowledge of the aircraft, his comments received less attention in the Nation's press than do those of the least knowledgeable critics of this plane. Because I know of the interest which the Congress holds for the C–5A and its capabilities, I would like to commend General Catton's speech as follows:

REMARKS BY GEN. JACK J. CATTON

About 30 years ago, when the American public, bombarded on all sides by conflicting advertising claims, was considering buying an expensive automobile, they were encouraged to "ask the man who owns one." The inference was that no one knew better than the operator—the man who used the machine, day-in and day-out—if it did the job. We have a similar circumstance today. The American people have purchased this C–5 machine and have been told a great deal about it. There is a lot of confusion—many different opinions, pro and con—and it's hard for the public to separate fact from fiction concerning the C–5. So perhaps this is a good time to ask the man who owns them—or at least operates them for the Air Force and the Department of Defense—for the American public.

Before I give you that opportunity to "ask the operator," I want you to all realize the C–5 was developed to do a particular job in support of this nation's military strategy. I mention this simply because that statement of fact gives us some key ideas to consider—ideas such as the C–5 itself—its procurement—the job it does—the strategy it supports.

First, the airplane. The C–5 is unique. I'm sure you're all impressed with its size. I suppose you've already heard the obvious comparisons—sit it on a football field with its tail on the goal line and its nose is inside the other twenty—its wings are way beyond both benches. Or, its tail is six stores high.

However, you might not know that we're operating the airplane daily at over 712,000 pounds gross weight—with a payload of 175,000 pounds. When we have to—and the past few weeks we've had to—we go to 728,000, with just under 200,000 pounds of payload. The airplane gives us great capabality—unique to the military needs we have.

For example, you've heard a lot about our gear problems—we have a complicated gear system—but it allows us to decouple our fleet from the JFK–type, sophisticated air terminals which might not be available when and where we need them—permits very rapid on-and-off-loading.

We cruise at .767 MACH—which is moving out—but still somewhat slower than our civilian counterparts. But we traded off those few knots of speed for the shorter on-load/off-load times. To get the drive-on/drive-off capability which helps make this a combat airplane, we had to go to the high lift rather than the high speed position on the wing—but shortened ground times are important to us in a combat situation.

Two weeks ago, the C–5s recorded ground times of 32, 30 and 27 minutes at DaNang. You know what they were carrying? M–41 tanks—and those times I gave you were from touchdown to takeoff. There—on the ground—when we are vulnerable and the cargo is vulnerable—is where and when we need the speed most—a design factor peculiar to our basic role of combat airlift.

The fact that we're carrying vehicles on those missions sets this airplane apart from our commercial counterparts whose aircraft are stressed for palletized loads. We have the ability to airdrop from this aircraft. Although we've never used that particular strategy in combat—we have tested it with some very plausible scenaries—like Freedom Vault where we flew troops and equipment from stateside bases to Korea and airdropped them. With the current pressure toward more stateside basing of our forces, the ability to rapidly move the troops from home to battlefield becomes increasingly important—whether they be airdropped or air landed in the assault.

I could go on and on with the unique features of the aircraft, but I hope you understand—the primary need this airplane was designed to meet is the outsized cargo requirements—and we can meet them. We can move every piece of equipment in an Army infantry division in this airplane—right up to the M–60, main battle tank—and we can maintain combat integrity by taking the personnel associated right along with the equipment. This airplane is one of a kind—nothing in the air can match it—and, teamed with the C–141, we can deliver balanced integral air and ground fighting forces anywhere in the world they are needed.

Not too long ago, when I spoke to one of our professional military schools, I was asked whether in hindsight I'd rather have had the 747 freighter, I had to answer "no," just because of the features I just mentioned.

The 747 doesn't have the drive-on/drive-off capability. It needs sophisticated runways and special handling equipment, while the C–5 is truck-bed high to begin with and can kneel. The 747 can't airdrop—it can't lift anything the C–141 can't. What it all boils down to is—the C–5 is different from every other kind of aircraft—because it was designed to do a particular military job. It required—and has—characteristics that no civil carrier would find a market for. And that brings me back to my framework statement—"The C–5 was developed for a special job in support of this nation's military strategy."

Having talked about the airplane itself, let me address its acquisition just briefly. We're all aware of the many procurement problems which have been aired relative to the C–5. But it's been more than seven years since the Department of Defense chose the "total package procurement" method of doing business for this aircraft. Still we hear about cost overruns—the financial position of the prime contractor—mismanagement of contracts—the Lockheed loan guarantee. How or why these problems exist has a multitude of answers—many of which depend upon one's point of view—much of it is Monday-morning quarterbacking.

Let me emphasize, however, that today I'm talking as an operator—and none of these problems associated with the C–5 can overshadow the true accomplishments of performance and flexibility offered this weapons system.

Too often, the negative aspects of the aircraft's performance are stressed. I think this is because one of the least understood facts of the C–5 is that it was purchased under a concurrent testing and production concept. Many of the alleged deficiencies of the C–5 are a result of operational aircraft being delivered while development testing was still in progress. Two years ago, when we received our first operational aircraft, testing was barely 50 percent complete. Today, testing is roughly 95 percent complete. The contractor has completed all development tests and is continuing the fatigue test which will determine aircraft service life.

We're finding some problems such as structural difficulties. You're all familiar with the pylon problem—well, that's fixed. We've had some problems with kneeling—and we're fixing them. We may well expect to have other problems too—for, after all, the C–5 is a substantial jump in the state of the art. And, when we have them, we'll fix them.

About one year of Air Force tests remain for the avionics systems and, as these systems become qualified, we—the operators—will perform small scale suitability tests.

In spite of the problems, I hope you understand we have—and will continue—to perform the mission, right along with our testing. It simply means that sometimes the crews must operate certain systems manually rather than being able to rely on automatic features.

But one thing all this testing has proven—the C–5 will fulfill the strategic airlift mission for which it was designed—that is, the rapid deployment of outsized Army equipment and the troops necessary to operate that equipment.

So, the ultimate yardstick is not in the first part of our basic statement—"the C–5 was developed"—but, rather, in the second part—"for a particular job in support of this nation's military strategy." And, the airplane is doing the job all over the world.

Last March, one of the airplanes lifted three large helicopters to Vietnam and returned with three other battle-damaged ones in a 72-hour round trip. Because the C–5 makes disassembly unnecessary, the choppers were flying missions in Vietnam within 10 hours of arrival. It used to take three C–133s, eight days and an extensive assembly time to get them in the air. In a single mission, one C–5 delivered 22 of the Army's light observation helicopters.

Elsewhere, the Republic of China had an urgent need for a turbine generator located in England. Surface transportation wasn't responsive enough. This was the only airplane in the world that could do the job—and the C–5 did it at the request of the State Department in 30 hours—London to Taiwan.

We used three C–5s to transport an airborne helicopter mine-sweeping unit from Norfolk to the Sixth Fleet. That entailed moving four CH–53 choppers, mine-sweeping devices and the people to use them.

One of our aircraft picked up a complete RAPCON, mobile radar approach control unit, in California and delivered it to Tempelhof Airport, West Berlin. Before the C–5, we would have needed two airplanes and considerable disassembly.

Frequently, we fly cargo too large for other aircraft. We have even flown cargo too large for other modes of transportation. We hauled a Navy sonar dome from Akron, Ohio, to California, because it was too large for truck or rail transport and the boat trip down the Ohio and Mississippi Rivers could have taken two months, as well as posing road closing problems.

So, it's been doing a great job for the Department of Defense in carrying the outsized cargo—but its primary mission is combat airlift. You can believe it's been tested hard on that point in the last month—and has performed in superior manner. When the Communist offensive began early last month, the C–5 was called on to do the job it was designed to do—provide direct support to the military forces. In less than six weeks, we have flown over one hundred C–5 missions into the war zone—and we're doing what we were expected to do. For the most part, we're delivering outsized, heavy equipment that only the C–5 can carry.

For example, C–5s have moved two M–48 battle tanks into South Vietnam—that's 96 tons of tanks, plus associated gear, in each airplane. I mentioned the super off-load time of the birds carrying the slightly smaller M–41 medium tanks.

Add to those several hundred tons of mixed loads of trucks, artillery pieces, vans and the ever present choppers—and you have some idea of the magnitude of the job we're doing with this airplane.

But let me superimpose another task on the already sizable operation I just described. Our plans call for us to be able to deploy our land and air forces rapidly throughout the world. In the past, we have exercised and worked hard to achieve a high level of proficiency getting ready to respond. We had a chance to show our stuff when the decision was made to move the 49th Tactical Fighter Wing from Holloman AFB, New Mexico, to Takhli, Thailand—four fighter squadrons plus a SAC tanker squadron. We put together the team—the C–5 and the C–141—and the commercial carriers who handle most of our passenger requirements—and in nine days we had moved over 4,000 tons—an entire wing of people and equipment from the States to Southeast Asia.

In contrast—remember Korea in 1951—when it took 56 days to get the first ground forces from the United States into the conflict. Even today, a shipload of tanks has a steaming time from our West Coast to Vietnam in excess of 25 days—and that is port to port, not Army camp to battlefield.

While the magnitude of this entire Southeast Asia operation is starting to sink in, let me tell you we kept our commitments to our other forces around the world. The C–5 has a role in that, too—albeit a minor one.

So, the airplane has been doing the kind of job it was procured to do—it's doing it today, not sometime in the future. To understand fully just what this means to our nation, not only in Southeast Asia, but all over the world, is to understand what the airplane means for startegic mobility—and what strategic mobility means for national policy and national security.

President Nixon provides us with a starting point. You may recall his words before Congress last September when he spoke to the challenges of peace which need to be addressed as the challenges of war are diminishing. No question as to how important our airlift force is to the successful meeting of the challenges of war, that's what I've been telling you about.

The President indicates the chips are also down in a different way—the challenge of peace. We, in the military, have the same responsibility—stay geared for the possible contingency. That's our responsibility. But our national leadership also has a responsibility—to take a deep look at our nation's priorities—where the nation is heading—the best way to get there.

We understand the reordering of priorities—the distribution of our national resources—more to the solution of domestic problems—less to defense. Our challenge is great. We must enhance the quality, responsiveness and the power of the military forces we retain. The evolving military strategy places great dependence upon mobility—the right kind of mobility—rapid, reliable, responsive.

At this point, let me remind you that we—American citizens—have invested in military aircraft required to do only the airlift tasks our commercial carriers cannot practicably perform. They—who comprise the unmatched American civil air industry—are our partners in peace and war through the Civil Reserve Air Fleet—CRAF. Our relationship makes efficient and effective use of a national resource.

Our flexible response strategy would not be practical if it were necessary to station large garrisons of American fighting forces all over the world. Strategic airlift can give us the means to find the best *mix* of overseas garrisons—prepositioning—and mobility, enabling us to reduce our overseas forces to a level we can better support—and still meet our commitments. Whereas, in the past, airlift forces were geared to support policy and strategy already in effect, our partnership now provides an airlift capability that gives our planners and strategists new options—options that can have a growing influence on the development of policy and strategy.

So, you can see—and, even more important, a potential adversary can see—how we are able to exploit the speed and reliability of airlift to reduce the national investment in defense—and still strike faster—hit harder—and keep the peace through balanced deterrence. We couldn't do this without the C–5. That makes it quite a machine. If you don't believe it, ask the man who owns one!

GEN. FREDERICK J. CLARKE, CHIEF OF U.S. CORPS OF ENGINEERS, STRESSES IMPORTANCE OF SMALL TOWNS IN COOKEVILLE, TENN., ADDRESS

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 31, 1972

Mr. EVINS of Tennessee. Mr. Speaker, Lt. Gen. Frederick J. Clarke, Chief of the U.S. Corps of Engineers, recently delivered an excellent address to the Putnam County Chamber of Commerce and other distinguished guests in Cookeville, Tenn.

We were honored to have General Clarke as our guest in the Fourth Congressional District of Tennessee, which I am honored to represent in the Congress, and were most impressed with his excellent address.

General Clarke in his remarks praised Cookeville and Putnam County for their forward-looking program of progress and emphasized the importance of small town and rural America to the future of our great Nation.

Because of the interest of my colleagues and the American people in this most important subject, I place in the RECORD herewith an account of the meeting and General Clarke's address from the Cookeville Herald-Citizen.

The article follows:

TOWNS LIKE COOKEVILLE OFFER HOPE: CLARKE

"This nation is going to have to take a closer, longer look at towns like Cookeville," Lt. Gen. F. J. Clarke told more than 400 persons Friday at the annual banquet of the Putnam Chamber of Commerce.

Gen. Clarke, commander of the Corps of Engineers, was the featured speaker at the banquet which was attended by 12 mayors and four county judges from surrounding counties.

Rep. Joe L. Evins was a special guest, and the congressman received long applause when Tennessee Tech President Everrett Derryberry told the crowd: "No other congressional district in the U.S. Congress is better represented than Tennessee's Fourth Congressional District."

Derryberry presented Rep. Evins with a large color photograph of the congressman posing with five former governors, and he presented both Rep. Evins and Gen. Clarke with copies of the 1972 Tech Eagle yearbook.

E. B. Blanton, Putnam Chamber president, presented the Chamber's annual report in which he cited a successful year. He also stated that the Chamber would announce a new industry or an expansion of an existing industry within the next two weeks.

In his address, Gen. Clark lavishly praised Cookeville as a "go-ahead" community. "Even from the glimpses one gets while coming into town, it is evident that you people of Cookeville are still following Davy Crockett's advice of be sure you're right, then go-ahead. You must be doing at least something right, because obviously this is a community with plenty of go-ahead."

"This nation is going to have to take a closer, longer look at towns like Cookeville. I think that somewhere in your experience is at least part of the solution to one of the biggest problems of our time—the problem of what to do about the population explosion." Gen. Clarke said.

He said that, in recent years, this country has been adding the equivalent of another Cookeville to its population every day.

He noted problems causing negative attitudes in the big cities—polluted rivers, smog, over-crowdedness and an absence of greenspace. "Perhaps the most aggravated form of this urban myopia is the notion that because the cities are getting too big and complex, the whole economy must grind to a halt. This no-growth doctrine is receiving surprisingly wide acceptance.

"However, other people—and I am one of them—are inclined to think that such ideas are an over-reaction to the environment problem. The problem certainly exists, but I am convinced it is manageable without overturning our economy or depriving us of all the advances we and our forefathers have made in the quality of living. I think we would do better to look at places like Cookeville," he said.

"After all, why is it that so many of our people pen themselves up in the great metropolises, and then complain about congestion, no breathing space and so forth? Why, with the population growing at the rate it is, should half or more of the counties in America be losing population? If we could reverse this trend—if we could take more of our people out of the cities and disperse them throughout the beautiful, productive American countryside—I, for one, think we would be well on the way toward obtaining a manageable grasp of many or our resource and environment problems.

"Whatever it is that is chasing people away from the countryside and into the cities, you folks have obviously have the antidote," he said.

Gen. Clarke said that Rep. Evins recently gave him a copy of the Progress Section of the Herald-Citizen. "I read there that the population of Putnam County has grown more than 20 percent in the past ten years. This population is well balanced—40 percent living in town, 60 percent in surrounding rural areas. Almost two-thirds of your homes are owned by their occupants. While still keeping your close contact with agriculture, you have, I understand, some 40 industries. This is an almost ideal situation."

"One thing impressed me especially about this edition. On one side of the front page was a two-column wide article describing some $7.5 million worth of development projects about to get underway here. On the other side was a balancing two-column article on the need to wisely plan and direct growth and development.

"I read here the story of a community that does not despair of growth, one that is aware of the problems of growth but is not afraid of them, one which realizes that the solution to our resource and environment problems is not no-growth but rather wise growth.

"As you continue to carry-out this positive, forward looking, responsible philosophy in action, you will present an object-lesson that other communities all over America may heed. I find it very easy to understand why this community was designated a member community of nationwide Model Cities program.

"In addition to balance development and responsible enterprise, Cookeville illustrates

another most important attribute of successful community life: teamwork. I see here your businessmen cooperating with one another through the Chamber of Commerce; the Chamber of Commerce cooperating with other community elements through the city, county and state governments; and these state and local authorities working in close cooperation with Rep. Evins and the other members of your responsive congressional delegation to make full use of federal programs.

"The University is part of the team. I note that under the leadership of President Derryberry, the traditional rivalry between town and gown here is transformed into many cooperative activities through which the students and faculty of Tennessee Technological University acquire practical experience by working on community projects to the benefit of both," Gen. Clarke said.

He said he knew from personal experience the teamwork in Cookeville, and noted the following projects which the Corps of Engineers is working on in this area:

Helping establish Edgar Evins State Park with the Corps' share being more than $3 million;

Helping establish Rock Island State Park just across the White-Warren line;

Helping to build another state park at Cordell Hull Lake in Smith County;

Helping to expand Standing Stone State Park;

Donating 535 acres for the Tech-Aqua Biological Research Station;

Contracted with Cookeville for construction of a water plant on Center Hill Lake.

"Now, does not all this hold a lesson for other communities and for the nation? I think it does. I think your experience could help point the way toward solution of some of the problems of the Appalachia region. It could help reverse the drive to the cities and thus help relieve some of the those inner-city problems we hear so much about," said Gen. Clarke.

ST. AUGUSTINE HIGH SCHOOL

HON. LIONEL VAN DEERLIN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 31, 1972

Mr. VAN DEERLIN. Mr. Speaker, I am indebted to a constituent, Rear Adm. Paul F. Dugan, USN (Ret.), for the following capsule history of St. Augustine High School, located in my district, which is observing its semicentennial this year:

BRIEF HISTORY OF ST. AUGUSTINE HIGH SCHOOL

St. Augustine High School, San Diego, California, will observe its fiftieth anniversary this year, 1972.

It was in October, 1922, that the Augustinian Fathers, whose headquarters were at Villanova College, Pennsylvania, at the invitation of the then Bishop of Los Angeles and San Diego, opened the first Catholic School for boys in San Diego. Twenty students were welcomed by the first principal, the Reverend George O'Meara, Order of St. Augustine, and his two associates of the original faculty.

In the intervening 50 years the school has educated thousands of San Diego boys who have served their community, the State of California, and the nation as teachers, clergymen, lawyers, doctors, dentists, engineers, scientists, and career officers in all the armed services, and its graduating classes have grown from twelve in 1925 to as many as 175 in recent years.

St. Augustine High School is now recognized as one of the outstanding secondary schools in the West. Its graduates have done well in many institutions of higher learning throughout the country and have achieved high positions at home and abroad in business, industry, and the professions.

The present principal is the Reverend Patrick J. Keane, OSA, 3266 Nutmeg St., San Diego, California, 92104.

STATEMENT OF WEST LANE DOMAIN'S VISION, HOPES, AND ASPIRATIONS

HON. JOHN DELLENBACK

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 31, 1972

Mr. DELLENBACK. Mr. Speaker, a group of citizens in an area of my district have started a community movement that I believe deserves nationwide attention; not because it is unique, because the idea has been used before; but because it represents the kind of resourcefulness and forward thinking necessary for a bright and profitable future for all our citizens. It is a reminder that the greatness of this country was earned by its people.

A few months ago a group of citizens met in West Lane County to talk about the future of their unique corner of the beautiful State of Oregon. Several meetings have been held since. I would like to share with the Members of this body, and with all others who read the RECORD, the sense of community expressed in an editorial prepared by Archie Root, a longtime and highly respected resident of the area and editor of the West Lane News:

[From the West Lane News, Veneta, Oreg., Apr. 20, 1972]

STATEMENT OF WEST LANE DOMAIN'S VISION, HOPES AND ASPIRATIONS

About three months ago most of the areas of population in West Lane Domain had representatives who attended a meeting in Blachly at the High School a broad outline of possible accomplishments if an attempt would be made to formulate an advisory council for our area, was presented and discussed.

Following the discussion, a formal unanimous vote dictated that an organization be formed to explore ways to improve not only our economic climate but also to attempt to uncover the intangible resources of the Domain's citizens.

Since that date almost weekly meetings have been held, to search out our hidden treasures that might enhance our well being.

First we dictated a statement of the purpose of this organization: it is the following:

The purpose: To begin from the premise that the area which surrounds and encompasses the West Lane Domain represents a stage of development that is typical of most of Rural America. That it possesses less of the material tangible assets and attributes of urban areas and also is blessed with fewer rigid conditions that detract from the real quality of life. Based on the premise, the purpose of this effort will be to encourage and seek assistance from within and without that will result in an example of self inspired productivity that will be of substantial benefit to the participating community as benefactors and beneficiaries.

We are confident that the resources of the area can be protected and enhanced while they are also capable of producing a continuous supply of material to be used in the development of employment and goods.

In keeping with the national emphasis of attempting to revitalize rural America we deem it expedient that an advisory council be elected with each of the several centers of population having representatives in West Lane Domain's plan.

This council would aim to encourage each locality to become a focal point for local activities having to do with social as well as economic enterprises. The local school buildings conceivably might be used for such endeavors as recreation, drafts, arts and entertainments. Persons at both ends of the age spectrum would be encouraged to participate in the activities of their choice.

Economically, each community might have at least one small industry—for example: a hand craft factory—utilizing local raw material and local craftsmen.

We would earnestly attempt to get our Domain recognized as "Model Rural America."

To be known as leaders in model rural living, we acknowledge the existence of problems known and unknown. But we also believe we have the consensus of enough concerned persons whose faith says the problems can be, at least partially, solved.

We will never be a leader in this sort of an endeavor if we'd overlook the resources we possess. What are they? Here are some examples:

People, real estate, water, agreeable climate and schools. Within those all-inclusive categories lies resources, the scope of which few of us can comprehend. To trigger the utilization of those talents would be one of the main functions of the proposed service plan. (Advisory Council) (Service Council).

IN THE FIELD OF RECREATION

The four day work week is nearly upon us, with the consequential 3-day weekend which means more recreation. We have two lakes which we West Laners use too little. What's more we benefit too little from the other 2-million users of our lakes.

Water cycles and new devices on which to ride behind the powerful speed boats, are two examples of things we might invent.

The Americans are about ready to go all out for some outdoor sport that would be as popular as miniature golf. We should be resourceful enough to invent that unknown sport.

IN AGRICULTURE

The bracken fern that is just now coming up, is a food product of high protein content and we have a million ton in West Lane. Some one will invent a dryer and a canner that will put this food product on the market.

We have in our Domain retired persons whom we need for their ideas. We also have youth and we need them for the very same reason.

One of the greatest things we can do is to convince all our people that they are needed and we need to encourage them to produce. The lonely ones, whether they be old, middle age or youth, ought to be "discovered" and encouraged to get involved. As a thought why not have a "senior" achievement as well as a "junior" achievement movement.

INDUSTRY

The wood products we have can provide raw materials galore. Research has already been done in many fields. Furniture, rock or other products imbedded in clear plastic could be made in extremely beautiful panels, etc. etc.

LAND

We have productive earth and climate that will produce a much greater variety of foods and fibres than we now grow.

During the depression years we imported thousands of tons of horseradish from Czechoslovakia and it's so simple to raise—

and almost impossible to get rid of. We import dandelions now.

Down south they are raising catfish in small ponds and making money doing it.

All of the aforementioned endeavors that might be tackled could have and should have been done long, ago, and much, much more. But rural America has forgotten the art of co-operation and the worthwhileness of jointly achieving.

We, the people of West Lane Domain, will, in the coming years, become a closer knit body of citizens. We will have facilities that will enable neighbors to know each other better, will share ideas and will be on positive volition toward eradicating some of the most obvious problems immediately, and have a fuller more abundant life for having attempted the unusual.

EFFECTS OF SOVIET FISHING OFF THE U.S. COAST

HON. ROBERT H. STEELE

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 31, 1972

Mr. STEELE. Mr. Speaker, fishing is an important industry in the United States. It is especially vital to the economy of the coastal States as well as to the numerous fishermen who derive their livelihood from the sea.

In recent years, growing attention has been given to the Russian fishing vessels off the coast of the United States. Although various agreements have been reached between the Soviet Union and the United States regarding territorial fishing rights, there is still great concern expressed about the presence of Soviet ships fishing off the coast.

The Russian vessels, due to their enormous size and capacity, can take in much larger catches than the American boats. Also, there is a fear expressed by many of the American fishermen of being capsized or harassed by the much larger Soviet vessels while out at sea.

In order to maintain equal and fair competition with the Soviet fishing fleets, the American fleets must be outfitted with vessels that can begin to compete, in size alone, with the monstrous Soviet trawlers and their huge nets. Also, when further agreements are considered, notice must be given to improving the conditions for the American fishermen. If necessary, this may mean establishing a completely restricted territorial fishing limit with no exceptions. Specific limits on the size of catch and further restrictions on the type of fish which can be caught within specified territorial limits may be another alternative to insure the continuation of a profitable and necessary fishing industry for the United States.

The following article which was published in the May issue of the Veterans of Foreign Wars magazine, V.F.W., thoroughly discusses the situation of the American fishing industry and Soviet fishing off the U.S. coast. This enlightening article was written by Phelps Phelps, former U.S. Ambassador to the Dominican Republic and Governor of U.S. Samoa:

UNITED STATES-RUSSIAN FISHING—WHAT'S THE CATCH?

(By Phelps Phelps)

Repeated violations and interference with American commercial fishermen have marked the United States-Soviet fisheries agreements entered into for two-year periods since 1966.

Since the current pact has until next January before it expires, the public should be alerted to the situation in hopes that the new accords will provide better protection for Americans than the previous ones.

Currently two agreements are in effect with the Soviet Union for the West Coast, one covering Alaska and its environs; the other Washington, Oregon and California coasts. East Coast agreements are with the USSR and Poland and apply to the Atlantic region. Another one with Japan covers the Pacific area.

The largest American fishing vessels are less than 110 feet long, while the Russian and Polish trawlers are a thousand tons or more. Some are so large they have crews of 600 men and women.

So outclassed are American fishing craft that they can bring in only a fraction of the six to eight-ton single catches the Russians and Poles are capable of.

This problem was discussed at meetings of the Seabed Committees of the United Nations last March. Forty-three American fishery experts from all parts of the country are among the committees members.

Under the 1966–1968 agreements the Soviets were allowed to fish up to within three miles of the Long Island and New Jersey shores and to anchor for reloading usually from November to May along 10 miles of Long Island and three of New Jersey. They could enter certain ports to resupply their ships. Fishery research vessels were permitted after notifying the Coast Guard.

No limits were placed on catches of herring, ling (red hake), whiting (silver hake), porgies (scup) and flounder, or even the sportsman's favorite, black bass. However, the 1970 accords barred the Russians from catching menhaden, used for oil or fertilizer; shad and blueback and restricted river herring to 4,000 tons. Sea herring found in vast numbers in the Atlantic are unrestricted. The 1970 agreements prohibit the Russians from conducting specialized fisheries for scup and flounder. The Coast Guard estimates the amount of fish taken and the type.

The 1970 agreements, adopted as an Executive Order circumventing the Senate confirmation needed for a treaty, extended the area of operation from Cape Cod in Massachusetts to 50 miles beyond Cape Hatteras, almost to Cape Fear in North Carolina. The Soviets agreed to a period two weeks longer than previously when they would not fish in American rivers, especially for herring, during the spawning season from Jan. 1 to April 15.

Six weeks after the 1970 agreements were approved, an amendment extending the prohibited period to April 30 exempted boats less than 110 feet long. This meant American fishermen, who also were restricted by the April 15 date, could catch river herring before the Russians began their activities.

The 1970 agreements also prohibited fishing within 12 miles of U.S. shores, although the three-mile territorial limit is still maintained. This additional nine miles the U.S. added was a fisheries zone for American fishermen. Under the 1970 accords, the Russians and Poles may anchor beyond the three-mile limit, but within the nine-mile zone off Long Island and the Carolina coasts, to reload cargo as long as the ships stay six miles from the shore and the Coast Guard is notified and accompanies them.

On the East Coast also eight vessels a year may come into U.S. ports for repairs, purchase of supplies, fuel and recreation. This agreement was made by an exchange of letters. The Russians may enter only the ports of New York and Baltimore, while Poland is permitted entrance to the ports of Boston, Philadelphia and Norfolk, as well as New York and Baltimore. On the West Coast the ships may enter the ports of Portland, Seattle and San Francisco only four times a year. The Polish agreement, which was extended to next June 30, is currently being worked on for re-negotiation.

Several areas where foreign vessels are restricted from fishing with trawlers during the winter months are on the West Coast because certain fishing stocks can be overfished beyond the 12-mile limit. And Russian trawlers are not to enter any areas American fishermen are using. This is not in the East Coast agreements.

Of particular concern in the Pacific Northwest is ocean perch and salmon. While the Russians have agreed not to fish purposely for them, they are likely to take some along with their catch of other species, particularly hake, which they catch in large quantities. They say they gather very few salmon. According to an American expert, however, if they take even 10 salmon in each drag, "that could make a significant number of fish, for on the high seas, the individual stocks are intermingled." They have agreed to stay out of spawning areas.

American salmon fisheries are near the river mouth where stocks can be separated. Said an American official:

"Our view is that we have some preferential right to salmon grown in our area because, unlike the Soviet Union and Japan, we have a large investment in hatcheries. We do all possible to keep our rivers unpolluted. Our neighbor Canada, for example, hasn't put any dams on her Fraser River. On the Columbia, Americans have many hatcheries. These are expensive to operate, requiring a large financial investment to perpetuate the quantity and quality of the salmon.

"We have little trouble with the Japanese, yet we do object to their maintaining large salmon fisheries beyond 175 degrees west in the mid-Pacific. Though it is legal for them to fish there, we argue that the fish are growing very rapidly during the last few months of their lives. By not fishing for them on the high seas, they have a chance to grow to their full size before they are caught. The Japanese disagree and say it is rational to fish for salmon on the high seas and they maintain large salmon fisheries in the mid-Pacific."

Yet the United States does not permit American fishermen to catch salmon on the high seas and the Russians claim they do not catch them there.

Several restricted positions are in areas off Washington, Oregon, some parts of Alaska and the eastern Bering Sea where the Russians and Japanese are not to fish at certain times.

There have been more Russian violations on the East Coast than on the West Coast, but one in the West was recently publicized. It took place when two Russian trawlers were transferring cargo from one to another within the 12-mile limit in the Bering Sea in a restricted area and without permission. A restricted zone prohibits not only fishing but support activities such as the Russians were carrying out. After the Coast Guard "prize crew" boarded the ships to bring them to an American port, the ships' captains disregarded the orders and directed them in the opposite direction to join their other vessels. Were they intending to hold the Coast Guard crew hostage? This caused some consternation and argument, followed by compliance. The ships were taken to Adak, an American port in the Aleutians, where they were headed into the ice pack among other ships.

Violations on the East Coast occur sporadically, some this year. An American net may get tangled with larger and stronger Russian nets.

American fishermen's lobster pots were destroyed by the Russians after the Americans fishermen had placed them on the bottom of the Atlantic and left to return later for their catch. While their ships were not present, the Russians with their powerful nets, supposedly intending to catch other fish, accidentally, they said, destroyed the lobster pots According to a U.S. government spokesman, if a sufficiently valid case can be presented for damage, the U.S. government presents a claim. One case was negotiated and settled in favor of an American fisherman for $89,000. But a number of other cases are still pending. Others are being investigated and documented because there is no hope of collecting damages unless all the information is precise.

The American spokesman added: "If there is strong evidence there is a chance they will pay, we present the claim. Fishermen are free to file a claim in court, but so far the U.S. government has presented the cases."

Since then a special agreement was entered into which requires the U.S. to advise foreign governments of the location of lobster pots so their fishermen can avoid these areas. The West Coast Pacific Agreement of 1970 provides for foreign ships to leave any area where American fishermen are located. It seems this provision should not only be included in future agreements on the East Coast, but should make unnecessary an agreement to keep foreign vessels informed of where Americans are fishing or placing lobster pots.

This year an addenda to the East Coast agreement provided for inspection to be carried out by representatives of the two countries on each others' vessels. This is to detect whether limitations of fish or quantities are as prescribed. But why should American ships be inspected in American waters?

Occasionally Polish vessels commit violations. So far there have been three or four this year, even though the captains know they are being watched. The Polish vessels are as large as the Russians' and similarly equipped. Many of the Russian ships were built in Poland.

The problem of American commercial fishermen boils down to the question of protecting them. If American fishermen are to compete with the Soviets, they should have trawlers and nets of equivalent size and capability. As a solution to this, perhaps they could be granted credits at low interest that would put them in a competitive position with the Soviets and to avoid conflicts arising from disparities in equipment.

Besides that, as one American fisherman told me, there is the fear of being capsized or attacked that Americans feel when they try to fish in areas where these monster trawlers are operating with their powerful nets.

Future agreements should be drawn up with an eye to creating the best conditions and securing the best advantages for American fishermen.

The example of Norway is a case in point. When Norway's membership in the European Economic Community—the Common Market—was being considered, the others demanded fishing concessions from the Norwegians. Norway, however, firmly refused and insisted on retaining her 12-mile limit and other restrictions to protect her own fishermen. Faced with Norway's adamant position, the EEC agreed to accept her.

Then too is the threat to the American fishing industry posed by agreements with the Soviets. As a result of the huge Soviet catch of river herring three years ago, American fishermen in 1970 were restricted to half the amount taken in 1969.

American negotiators did try to restrict river herring, offering instead more reloading privileges and shore landings. The Russians refused to hear of this possibly out of fear of a repetition of the Kudirka incident. This involved the Lithuanian radio operator, Simas Kudirka, who jumped from his Soviet ship onto a nearby Coast Guard vessel and then was forcibly returned to the Russians.

The Norwegian experience might be instructive for American negotiators, and if American fishermen are equipped with trawlers large enough they might try Russian waters where varieties of fish exist that are uncommon here.

Asked why this country has not sought an agreement so American fishermen might try Soviet waters, an American official replied, "the American fishermen have not asked for it."

Enterprising as Americans are, they know their little ships would not get very far along the Soviet coast, but if they had adequate equipment that could compete, the American industry might be expanded, the cost of fish to housewives might drop and more Americans could enrich their diets with fish's extra protein.

A NEW SCHOOL FOR CHEVAK

HON. NICK BEGICH

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 31, 1972

Mr. BEGICH. Mr. Speaker, among the many rural Alaskan communities which have incredible needs for assistance in a wide variety of areas, Chevak must certainly be one of those deserving special attention. On May 12 of this year, the seven-classroom Bureau of Indian Affairs school at Chevak was totally destroyed by fire. Because of my earlier presentations on this topic, I am certain that my colleagues are aware of the rigors of life in such an area and the necessity for quality education to be available at the most local level.

The result of the fire is that 153 children in grades one through eight will be disrupted in the educational process and if no replacement school is built will be forced to go to school in other locations during the following years. In response to this need, the Alaska State Legislature has passed a resolution which indicates its feeling of priority for the replacement of the Chevak school. I bring this resolution to the attention of my colleagues and to the attention of the Bureau of Indian Affairs in the hope that some assurance of immediate action will be made to the people of Chevak that their children will be going to school near their homes next year:

HOUSE JOINT RESOLUTION NO. 137—REQUESTING THAT A NEW SCHOOL BE CONSTRUCTED AT CHEVAK, ALASKA, TO REPLACE THE ONE DESTROYED BY FIRE

Be it resolved by the Legislature of the State of Alaska:

Whereas on May 12th the seven-classroom Bureau of Indian Affairs school at Chevak, Alaska was totally destroyed by fire; and

Whereas there are 153 children in grades 1–8 whose schooling was disrupted by the disastrous fire; and

Whereas educational opportunities in rural Alaska are already limited due to a great variety of economic and geographical factors; and

Whereas many young people in the villages have to be transported to other areas of Alaska and to other states in order to get an education; and

Whereas, because most of the children affected by the Chevak fire are too young to be sent away from home for the next school term, a new school facility is desperately needed;

Be it resolved that the Alaska Legislature requests the Bureau of Indian Affairs to immediately program the construction of a new school building at Chevak, Alaska this summer to replace the one destroyed by fire so that the 153 displaced pupils may continue their education in the fall school term without further interruption.

Copies of this resolution shall be sent to the Honorable Richard M. Nixon, President of the United States; the Honorable Louis R. Bruce, Commissioner, Bureau of Indian Affairs; the Honorable James E. Hawkins, Director of Education, Bureau of Indian Affairs; the Honorable Morris Thompson, Area Director, Bureau of Indian Affairs; and to the Honorable Ted Stevens and the Honorable Mike Gravel, U.S. Senators, and the Honorable Nick Begich, U.S. Representative, members of the Alaska delegation in Congress.

BOSTON MASSACRE REVISITED

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 31, 1972

Mr. EILBERG. Mr. Speaker, the people of Philadelphia were promised that their city would be the site of the bicentennial celebration in 1976. They were led to believe by the Federal Government that there would be aid for an international exposition.

Philadelphia and the Commonwealth of Pennsylvania spent $3 million planning for our Nation's 200th birthday celebration.

Now, despite the promises and the assurances, there will be no celebration. Philadelphia, the birthplace of our Nation, the city where the Declaration of Independence was written and signed, will not get the special consideration it deserves.

The people of Philadelphia have been lied to and they are unhappy. There was disagreement about some aspects of the plans, but there was no disagreement about the fact that Philadelphia should be the site of the Nation's 200th birthday celebration.

At this time I enter into the RECORD a transcript of an editorial broadcast by a Philadelphia radio station which accurately describes the feelings of the people of my city:

BOSTON MASSACRE REVISITED

The American Revolution Bicentennial Commission lined up Philadelphia's dreams of a Bicentennial exposition and shot them to pieces in Boston this week.

This city and the State spent $3,000,000 in planning for the exposition under the impression that it had White House approval to do so.

Didn't the "most powerful senator in the country," Hugh Scott, assure us that President Nixon had given Philadelphia the nod? Didn't the word from Washington indicate the President thought Philadelphia was the logical place for the celebration? This theme dominated Senator Scott's campaign for re-election.

But an unfunny thing happened to Philadelphia on its way to the Bicentennial exposition. An election year came up and the thinking in Washington changed. That

thinking appears to be based on political expediency.

The Administration strategists apparently believe they can make much more political hay under the sunshine of a $1,500,000,000 grant divided among the fifty states.

That's how Philadelphia and the State lost $3,000,000 it had already spent for planning, as well as many more millions of potential benefits from the exposition.

But WCAU says Philadelphia can shrug off that foul blow to go on to a great celebration of its own. People across the country still want to see the birthplace of liberty, as 3,000,000 annual visitors attest, even if the present Administration in Washington is more concerned with politics.

BRITISH PONDER BASIS FOR INTELLIGENCE

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 31, 1972

Mr. RARICK. Mr. Speaker, recent events in England have caused British intellectuals to reconsider the roles of heredity and environment in determining a child's intellect.

Of some significance in this search for truth is the figure of Dr. Arthur Jensen, who began his investigation "with environmentalist suppositions and intended to write a book on the damaging effects of a poor cultural home on the child's intelligence. It was only when he began to examine the evidence in detail that he came to believe that the genetic factors must be the more important."

Dr. Jensen, who is supported by Professor Eysenck in Britain, has advanced the theory that "both environmental and genetic factors are present" in determining a child's intellect.

Inasmuch as the intellectual controversy in Britain is relevant to the many socioeconomic experiments proposed in this Congress which are based on the assumption that by changing the environment it is possible to change and control a man, I include a related article by Dr. Richard Lynn, research professor in psychology at the Economic and Social Research Institute, Dublin, Ireland, which "considers the causes of the IQ gulf between Negro and white and the possible consequences for British society," in the RECORD:

INTELLIGENCE IN BLACK AND WHITE: PROF. RICHARD LYNN CONSIDERS THE CAUSES OF THE IQ GULF BETWEEN NEGRO AND WHITE AND THE POSSIBLE CONSEQUENCES FOR BRITISH SOCIETY

The controversy sparked off two years ago by Prof. Arthur Jensen on the low IQ of the American Negro must surely have raised in many British people's minds the question of the intelligence of coloured immigrants into Britain and the problems which may arise if Jensen's theory is right and applies with equal truth to Britain's Negro immigrants.

It cannot be said that the British intellectual establishment has been forthcoming in its discussion of this matter. Indeed, from this side of the Irish Sea, the silence is positively deafening.

Yet the problems that could arise may well be serious. For it is not just an academic matter when one section of society has an average intelligence level substantially below the rest. On the contrary, it gives rise to serious social frictions.

The first person to assemble the evidence on Negro intelligence in some detail was Dr. Audrey Shuey in her book "The Testing of Negro Intelligence" published in 1958. She reviewed a number of studies showing that the average IQ of the American Negro was about 15 IQ points lower than that of American whites. The range of intelligence among the great majority of the population is about 60 IQ points, so the black-white difference of 15 IQ points is a considerable one.

The next psychologist to take the matter up was Dr. Arthur Jensen. It is not widely known that Jensen started his investigations with environmentalist suppositions and intended to write a book on the damaging effects of a poor cultural home on the child's intelligence. It was only when he began to examine the evidence in detail that he came to believe that the genetic factors must be the more important. Jensen published this conclusion in 1969 and unleashed a considerable furor.

The background to Jensen's argument is that genetic factors are of considerable importance in the determination of intelligence. About this proposition there is virtually no dispute among psychologists and sociolgists. It is partly a matter of common sense, since everyone knows that children brought up in the same family often differ quite widely in intelligence, and as they have all been brought up pretty much in the same way the most sensible conclusion is that some children are born with more brains than their less fortunate brothers and sisters.

There is also no dispute on a second point, which is that the average Negro IQ is around 85 and the average white IQ around 100. Everyone admits this.

Where the controversy begins is with the explanation of the Negro-White difference. There are three possible theories. One is to maintain that the cause of the difference is wholly genetic. But no one takes this position, since everyone admits that the poor environment of the average American Negro probably has some adverse effect on his IQ.

The second theory is that the difference is due wholly to environmental circumstances—slum housing, the low intellectual and cultural standards of the home and so on. This is the theory espoused by the environmentalists.

And the third theory, proposed by Jensen and recently supported by Prof. Eysenck in Britain, is that both environmental and genetic factors are present. Since everyone agrees about the environmental factors, the Jensenites do not argue on this front and concentrate their efforts on attempting to establish the importance of the genetic influences.

The Jensenites base their conclusion not on one fact alone but on several different types of evidence, and no doubt different members of the group put somewhat different emphasis on the different arguments. Some of these are rather technical and others fairly straightforward. To my mind three of the more straightforward considerations make the Jensen position a fairly strong one.

LITTLE EFFECT

The first of these is the very size of the difference between Negroes and whites. Fifteen IQ points is a great deal for the environmentalists to explain. If there were only five IQ points or so to explain away, well and good. But can we be asked to believe that the environment of the American Negro is sufficiently bad to bring the IQ down 15 points? This is straining credulity.

For it is probable that the IQ is very little affected by the material environment in advanced societies. We know, for example, that the average IQ in Britain today is pretty well the same as it was in 1914. Yet there has been a great increase in general standards of living and education and improvement of the environment generally in Britain from 1914 to the present day. Hence it seems doubtful whether the very low average IQ of the American Negro can be blamed wholly on his poor environment. It is more likely that he lives in a poor environment because he has a low IQ.

Jensen's second argument is derived from the fact that almost all American Negroes are not racially pure but have different proportions of Caucasian ancestry. It is possible to tell what the proportion of Caucasian ancestry is from blood tests. When blood tests are carried out it is found that the more intelligent Negroes are those with a higher proportion of Caucasian ancestors. This is a difficult one for the environmentalists to explain away.

Yet another argument comes from the superiority of white children on simple motor tasks. One of these consists of watching four electric light bulbs and pressing the button beneath the one that lights up. Speed on this task is associated with intelligence and white children can perform faster than American Negro children. Where very simple tasks like this are concerned it seems doubtful whether adverse environmental circumstances can explain the lower average Negro performance. It seems more probable that the average Negro brain is simply not working as efficiently.

The question may be asked whether it matters that American Negroes or, come to that, other racial groups have average IQs well below those of the white races. The answer to this is that there are two reasons why it does matter. The first is that where the average IQ of a group is about 85, there are around 16 per cent with IQs lower than 70 and this is the range in which people tend to be not sufficiently competent to be worth employing in an advanced industrial society. Thus a group with a low intelligence level is a burden for the rest of the population to carry. And it is not unlikely, with its enforced idleness, to be a troublesome burden.

Furthermore, a group with a low intelligence level is apt to become resentful at its apparently under-privileged position in society. It becomes truculent when it finds that its members do not get university places, executive positions and so forth as frequently as other people, and may even set about trying to destroy society because of these supposed injustices. A distinctive group with a low level of intelligence is likely to be at best a disruptive influence, and at worst a dangerous one. All this can be seen in the Black Power movement in the United States and, more recently, in Britain.

And indeed, though Jensen's work is based solely on the American Negro, the same picture seems to be emerging in Britain. The evidence is not nearly so extensive as in the United States, for the British academics have been keeping their heads well down on this issue. Nevertheless, it is beginning to appear that the intelligence level of the British Negro is not very different from that of his American counterpart.

The Asians seem to be substantially more intelligent, but the average IQ of the Negroes appears to be low, and a comparatively high proportion are now having to be educated in schools for the educationally subnormal.

The problems which are likely to arise from the possibility that many of the Negro immigrants into Britain are of low intelligence is a totally neglected aspect of the immigration question. Considering the large sums that are now being spent by the race relations industry, it is surely time for some attention to be given to this potentially serious problem.

SOUTH HOLLAND RETAINS OLD DUTCH TRADITIONS

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 31, 1972

Mr. DERWINSKI. Mr. Speaker, as a proud resident of South Holland, Ill., I am especially pleased at the wonderful growth of the community side by side with a spirited perpetuation of its historic traditions. The Chicago Tribune neighborhood section of May 18 carried a very fine article on the old Dutch traditions of South Holland. I am very pleased and proud to insert this into the RECORD:

[From the Chicago Tribune, May 18, 1972]

SOUTH HOLLAND RETAINS OLD DUTCH TRADITIONS

(By William Gaines)

The traditions of a 19th century Dutch settlement are part of the lives of modern suburbanites in South Holland.

City people crowded into the small farming community in the south suburbs in the 1950s. The descendants of Dutch immigrants who lived there feared that their village would become just another urbanized suburb.

The new people, instead, have preserved the customs, accenting the wooden shoe, tulip, and windmill. And they will all participate in the village's tulip festival which will be held June 1 through June 3.

South Holland today has 25,000 residents of various ethnic and religious backgrounds. It also has the distinction of having no liquor sales, no apartment buildings, and no sale of nonessentials on Sundays.

HAS TAX-SUPPORTED BAND

Many new residents were attracted to South Holland because of its conservative laws and religious customs.

South Holland was settled by Dutch immigrants in 1847. They were members of the Reformed Church of Holland who lived in the south province of Holland.

One hundred years later, the village, only three miles south of the Chicago city limits, was a closely knit group of descendants of the immigrants who had intermarried.

CHURCH IS COMMUNITY CENTER

The church was the center of the community and services were long and serious. There was no regular English language church service until 1935. Women were not allowed to vote in meetings of the First Reformed Church until 1942.

Farms produced vegetables and onion sets which were trucked to Chicago and other nearby cities. South Holland produced half of the country's onion sets.

The name South Holland was first used when the post office was opened in 1869. Pieter DeJong, the first postmaster, operated the post office in his general store. The village was incorporated in 1894.

The early history is not remote to Michael H. Vander Aa, DeJong's grandson.

SHOE STORE DOES NOT CHANGE

Vander Aa, 67, operates a shoe store at 16137 South Park Av. that was bought by his father in 1907.

The store is much the same as it was then. It is one small room on the front of a two-story home. A few basic shoe styles are displayed in two small windows. A counter with a large cone of string, a seat for the buyer, and shelves on two walls are the only furnishings.

In keepfng with the conservatism of his forefathers, family shoes and work shoes are the backbone of the business, says Vander Aa.

Stylish fads such as imports and high heeled men's shoes were never stocked, he said.

"I never saw any need for expansion," he said. "I keep the overhead low and the prices down and my customers come back."

Children and grandchildren in some families have shopped in the store and now many of the newcomers also shop there, he said.

BARBER ORGANIZES BAND

Marching bands were common in the village since 1905, but they were loosely organized until Joseph Van Schouwen, a barber, organized a 40-member band and got village support for it in 1943. The band plays regularly in Veterans Memorial Park, on the banks of the Little Calumet River, and on holidays and special occasions.

The band performed for the dedication of the new library and post office last year.

"Some of the new people in the village are band members. They have the same interest and pride in it as the old members," Van Schouwen said. Van Schouwen, 65, saw the village grow from dirt streets and farms into a busy suburb. The bowling alley across the street from his shop at 161st Street and South Park Avenue was an onion warehouse in the 1920s, he remembers.

South Holland had a population of 3,247 in 1950, just before the building boom. Before the boom had peaked, newcomers, outnumbered the original residents by 5 to 1.

SOME MOVED FROM ROSELAND

Some of the new residents were also Dutch who had moved from the Roseland neighborhood of Chicago, but mostly the influx was a cross section of white nationalities who moved from Chicago.

Gordon Boss, of 16415 S. Evans Av., a radio engineer, himself of Dutch ancestry, found that he had little in common with the old South Hollanders.

"We had our religion in common," he said. "After that they were interested in crops and I was involved in electronic circuits, so the conversation ended after a comment about the weather."

However, many of the farmers found greener pastures in Will and Kankakee Counties or in Indiana and their sons and daughters stayed in South Holland and adopted more modern ways.

TURN TO REAL ESTATE

Many second generation farm families went into real estate, retail business and nurseries, all of which prospered from sales to the new immigrants from Chicago.

South Holland became nationally known in 1968 when the federal government forced elementary school district 151 to bus pupils to achieve racial balance. However, the district is only one of three elementary school districts to which South Holland children go.

Some families moved or placed their children in private schools to avoid sending them to a school in nearby Phoenix.

Developed land in the village is nearing its saturation point. The maximum population can be only 33,000 and it is expected to be reached within eight years. About 300 home building permits are granted each year.

The home buyers have not forgotten the tradition behind their community. Tulip Terrace, Hollandale, and Holland Estates are names of new subdivisions.

Tulips are favorites for flower gardens and there are toy, decorative windmills on lawns and an occasional decorative wooden shoe displayed. A gas station at 171st Street and South Park Avenue has a windmill on its roof.

VOTE SUNDAY CLOSING LAW

A Sunday closing law was voted by the village board in 1959, and amended in 1960 to allow the opening of gas stations, restaurants, motels, drug stores and amusement places.

The only amusement place in the village is the bowling alley and it is kept closed on Sundays voluntarily.

The South Holland Jaycees took a survey in 1964 and found that 80 per cent of the residents approved the Sunday closing law.

South Holland opened the first high school this year. Students formerly went to Thornton High School in Harvey and Thornridge High School in Dolton. Now most of them attend Thornwood High School in South Holland.

South Holland residents turn out for the annual tulip festival in the native costumes of the Dutch settlers. The first festival was held in 1967.

"The winners of contests for the best costumes and best floats in the parade have been people of all nationalities," said Thomas H. Miller, the charter president of the South Holland Jaycees.

Miller of 15363 S. Ingleside Av., an office manager for the Santa Fe Railroad, is among those who moved to South Holland in the late 1950s.

"There is an excellent community spirit. People have accepted the laws and traditions," he said. "Because there are no apartments, each resident is more permanent and has an investment in the community."

MARITIME DAY

HON. NICK BEGICH

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 31, 1972

Mr. BEGICH. Mr. Speaker, I have recently received a copy of a proclamation by Governor Egan declaring May 22, 1972, as "Maritime Day in Alaska." We all recognize that a strong American merchant marine is essential to the Nation's economic prosperity. In 1933, the U.S. Congress designated May 22 as National Maritime Day to celebrate the first transatlantic voyage of a steamship, the SS *Savannah*, in 1819. I would like to insert into the RECORD for my colleagues attention a copy of the proclamation which so rightly honors our merchant marine:

PROCLAMATION—MARITIME DAY

We in Alaska recognize that a strong American merchant marine is essential to the Nation's economic prosperity and military security.

To remind us of the important role which the merchant marine plays in our lives, the Congress in 1933 designated the anniversary of the first transatlantic voyage by a steamship, the SS *Savannah*, on May 22, 1819, as National Maritime Day.

Under the Merchant Marine Act of 1970, the Nation's maritime industry will move forward with the task of rebuilding our merchant marine fleet, improving the competitive position of our shipbuilding industry, and restoring the United States to its rightful proud position in the shipping lanes of the world.

All elements of the maritime industry can utilize the opportunity provided by that Act to develop an American merchant marine fully capable of providing the modern, efficient services which are indispensable both to our foreign commerce and to our security.

Therefore, I, William A. Egan, Governor of Alaska, proclaim May 22, 1972, as Maritime Day in Alaska and urge the people of Alaska to honor our American merchant marine by displaying the flags of the United States and Alaska at their homes and other suitable places.

Dated this 5th day of May, 1972.

PITTSBURGH MAN WINS BRONZE MEDAL FOR LIFESAVING

HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 31, 1972

Mr. GAYDOS. Mr. Speaker, it was slightly over a year ago that a young man from my 20th Congressional District, Mr. William H. Jordan, of 821 Jones Avenue, North Braddock, risked his life to save a woman from drowning.

Today, I consider it a privilege to report that Mr. Jordan's display of courage and unselfishness has won him a bronze medal from the Carnegie Hero Fund Commission of Pittsburgh, Pa. This organization has been recognizing deeds of outstanding heroism since 1904 and in that time has awarded 4,250 bronze medals, 613 silver ones, and 21 gold medallions.

The incident involving Mr. Jordan happened on May 11, 1971, and concerned Mrs. Kathleen Huber, of 1000 Electric Avenue, East Pittsburgh. Mrs. Huber was fishing from a bridge when she fell into the river below which was approximately 8 feet deep at that point. She floated face down and motionless about 30 yards from shore as the current began carrying her downstream.

Mr. Jordan saw her. He leaped from the bridge and swam to her side. As he reached her, Mrs. Huber revived and grabbed him, causing both to submerge. They went under twice more before Jordan was able to grab a board which someone on shore had thrown into the water. He held Mrs. Huber on the board while both of them floated with the current toward a high wall at the bank. A man on the wall lowered a cable and Mr. Jordan grabbed it and held on while Mrs. Huber stood on his shoulders and then was lifted to safety.

Mr. Speaker, I am proud to represent individuals such as Mr. Jordan and I take great pleasure in inserting in the RECORD the official case history of his lifesaving heroics and a news article from the Pittsburgh Press describing the feat:

COMMISSION HONORS N. BRADDOCK HERO

A North Braddock laborer who helped save an East Pittsburgh woman from drowning was one of 23 honored today by the Carnegie Hero Fund Commission.

The recipient of a bronze medal was William H. Jordan, 24, of 821 Jones Ave.

His heroic deed occurred a year ago yesterday when Mrs. Kathleen Huber, 23, of 1000 Electric Ave., fell into water eight feet deep while fishing from a bridge over Turtle Creek in East Pittsburgh.

As she began to float motionless, face down, Jordan jumped from the bridge and swam to her, 30 feet from shore.

Both went under briefly when Mrs. Huber revived and grabbed him. They submerged two more times.

Grasping a board thrown into the water, Jordan held the woman on it as they moved with the current toward a high wall at the bank.

Jordan grabbed a cable lowered by a man on the wall and held on while Mrs. Huber stood on his shoulders. Others lifted her to the wall.

Today's awards increased the number given since the fund's inception in 1904 to 4,250 bronze, 613 silver and 21 gold medals.

CARNEGIE HERO FUND COMMISSION CASE SUMMARY—DROWNING—FILE NO. 52042–5876

Case of William H. Jordan, Sr.

Address: 821 Jones Avenue, North Braddock, Pa.

Bronze Medal awarded to William H. Jordan, Sr., who helped to save Kathleen Huber from drowning, East Pittsburgh, Pa., May 11, 1971. While fishing from a bridge over a creek, Mrs. Huber, aged 23, fell into water eight feet deep and, unable to swim, floated motionless face down as the current moved her downstream. Jordan, aged 24, laborer, jumped from the bridge and swam to Mrs. Huber, who was 30 feet from the bank. She revived and grasped him, causing them to be submerged briefly. Mrs. Huber then attempted to climb onto Jordan. They went under briefly two more times. Obtaining a board which had been thrown into the water, Jordan held Mrs. Huber on it as they moved with the current toward a high wall at the bank. From a ledge on the wall, a man lowered a cable which Jordan grasped and held to while Mrs. Huber climbed onto his shoulders. Others lifted Mrs. Huber and then Jordan onto the ledge.

THE CHILEAN REVOLUTION—A REVIEW BY FATHER JOSEPH F. THORNING

HON. GOODLOE E. BYRON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 31, 1972

Mr. BYRON. Mr. Speaker, Father Joseph F. Thorning is well known to the Members of the House of Representatives. Each year on Pan-American Day, Father Thorning, a noted expert on Latin American affairs, is the visiting chaplain of the House. Father Thorning pursues his interest in Latin America throughout the year. Recently, a book review by Father Thorning in "America," a national weekly published by the Jesuits of the United States and Canada, appeared and I would like to share Father Thorning's review of "The Chilean Revolution—Conversations with Allende" by Regis Debray with my colleagues. The book review follows:

THE CHILEAN REVOLUTION—CONVERSATIONS WITH ALLENDE, WITH A POSTSCRIPT BY SALVADOR ALLENDE

(By Régis Debray)

Will the Chilean Revolution be a "revolution without rifles"? That is the key question posed by French journalist Régis Debray in his dialogue with President Salvador Allende.

Debray, whose original idol was Fidel Castro, supplies an answer of his own. In his Introduction the author assures his readers that, in order to gain absolute power, the use of force is sanctioned by "universal principles of Marxism-Leninism."

In responding to the inquiries of his youthful admirer, Allende provides data about his boyhood, medical education and political thinking. As a lad of fourteen, he was greatly influenced by a cobbler-anarchist who taught him "how to play chess," to enjoy "the good things of life" and to read books on social issues. Three generations of his family were freemasons, who often engaged in controversy with conservatives, especially "on a religious front." Almost from the start, Allende reveals, he was "aware of his anti-imperialist vocation." As a youthful politician, he became one of the founders of the Socialist Party in Valparaiso. He insists, however, that his Marxism had "nothing to do with European Social Democrats."

When in 1938 President Pedro Aguirre Cerda organized the first, short-lived "Popular Front" government, he named Dr. Allende Minister of Public Health. The job showed the young man's capacity for leadership and brought his gifts of oratory and organization to national attention. Despite three subsequent defeats in hard-fought presidential campaigns, he won enough votes from a Socialist-Communist coalition in the Chilean Senate to become President of that body during the Christian Democratic administration of Eduardo Frei Montalva (1964–70). In his fourth try for the *Casa Moneda*, Allende emerged as victor. His plurality in the popular vote was 36.3 per cent.

As President of Chile, Dr. Allende, although alluding to some differences with Castro as "fundamental and violent," explains that their goals are almost identical: "complete economic and political domination." As often as Debray expresses impatience with "the pace of socialization," his mentor emphasizes his determination to "expropriate the means of production that are still in private hands." For this to happen, he adds, control must be established over the legislative and judicial branches of government. His models are "the Socialist countries."

Recent events in Chile raise doubts about Allende's prospects of success for such a comprehensive program. The 1972 congressional by-elections brought victories to a reunited front of Christian Democrats, liberals and nationalists. As a result, Allende does not dare to consult the public about his decision to dominate congress and the courts. Food shortages, housing problems, runaway inflation, lowered productivity in mines, factories and on farms, defaults on indebtedness and near-bankruptcy haunt the Popular Unity regime.

This Debray-Allende colloquy is a valuable reference work. It can be studied, now and in the future, either as a blue-print for another collectivized society or as a plan for peaceful construction of a Socialist, but non-Soviet, Republic, respectful of basic rights and dedicated to the correction of social evils, while providing fairly for human needs.

TRIBUTE TO BORIS KOCHUBIYEVSKY

HON. ABNER J. MIKVA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 31, 1972

Mr. MIKVA. Mr. Speaker, in light of the continued repression of Jewish religious and cultural activities in the Soviet Union, it is with great pleasure that we welcome here those who have been granted exit visas by the Soviet Union. In continuing to aid efforts to focus worldwide attention upon the plight of Soviet Jewry, we can benefit greatly by hearing firsthand what life is truly like for the Jews of Russia.

Last week, my colleague from Maryland, GILBERT GUDE, had the opportunity of participating in a unique "undedication" at the Jewish Community Center in Rockville, Md. Boris Kochubiyevsky, a Soviet Jew recently released from prison, and now a citizen of Israel, was

presented with a plaque that had been dedicated in his honor 2 years ago, as a symbol of the fight for freedom for Soviet Jewry. An account of the tribute to Mr. Kochubiyevsky from the Jewish Week-American Examiner follows:

AREA TRIBUTE TO KOCHUBIYEVSKY WINDS UP WITH EFFORT TO GIVE PETITIONS TO SOVIET OFFICIALS

It was Boris Kochubiyevsky night at the Jewish Community Center Monday evening. but Kochubiyevsky, the guest of honor, whose demands for an exit permit to Israel inspired a mass-movement of Soviet Jewry to follow suit, did not voice his usual fiery protest. Instead, he accepted the warm tributes of more than 250 area residents who had come to see him, braving a steady downpour.

A high point of the program was the presentation to Kochubiyevsky of a plaque that had signalled the initiation of an area Kochubiyevsky drive in March 1970, after he had been sentenced to three years in a Soviet prison. The plaque, at the Jewish Community Center, was to stand as long as Kochubiyevsky was denied his freedom.

Dr. David Korn, chairman of the Jewish Community Council's Soviet Jewry Committee, presented the plaque to the former Soviet militant, now a citizen of Israel. In brief response Kochubiyevsky said "helping Israel is helping Soviet Jewry,' and added that Soviet Jews "count on the free world's help in securing freedom and justice."

GUDE PLEDGES SUPPORT

Rep. Gilbert Gude, who was principal speaker at the dedication of the plaque in 1970, was on hand again, this time to welcome the object of the drive he helped to launch. The Maryland congressman pledged his support to the cause of freedom of Soviet Jews and announced that he and several other congressmen would introduce a resolution to this purpose this week in Congress.

Another speaker at the rally, Michael Epelman, described his efforts to obtain the release of his wife Polina and his eight-year-old daughter Julia from Leningrad. Epelman left the USSR in February 1971 "because, as a Jew, I could not live and work in a country whose government blindly supported regimes seeking to destroy my people. I found it intolerable to continue to render allegiance to a country which supplied bullets whose purpose was to kill my brothers—the citizens of Israel."

MANY APPEALS

He said his wife knew of his feelings but he did not inform her of his plan to leave the country for fear of involving her as an accomplice in his act—with possible harsh consequences. After he arrived in Israel, his wife indicated her desire to join him, and he initiated formal steps to make this possible—but her application for an exit visa has been refused by the Soviet authorities. His wife has since appealed to many authorities, including the United Nations and the International Red Cross—all, so far, to no avail.

Another speaker, Leonard Orioff, principal of Woodson High School in suburban Maryland, told of the plight of a cousin now living in Russia who has been denied permission to emigrate. His talk was followed by brief remarks by Katia Palatnik, sister of Soviet prisoner of conscience Raza Palatnik; Shlomo Shoham, former Soviet prisoner, and by a reading of Kochubiyevsky's famous letter of protest by Anne Chodoff. Dr. Isaac Frank, executive vice-president of the Jewish Community Council, presided.

Dr. Frank distributed petitions addressed to Soviet Ambassador Dobrynin, and said that those signed petitions asking for justice and freedom for Soviet Jews on the eve of President Nixon's visit to Moscow would be delivered to the Soviet embassy that evening. Charter buses arranged by the Council took some 100 people from the Center building at about 9:30 p.m. to travel to downtown Washington. The demonstrators held two simultaneous protests. Half the group formed a picket line at 16 and K Streets, N.W., and the other half formed a silent vigil in front of the Philip Murray Building directly across from the Soviet Embassy.

REFUSE PETITIONS

Kochubiyevsky, Dr. David Korn, and Rabbi Leon Adler attempted to deliver the petitions to the Soviet embassy. After several rebuffs at the Embassy gate, a Soviet embassy official came outside and spoke to the delegation. He refused either to accept the petitions or to admit the delegation. The vigil and picket line continued until after 11 p.m.

In addition to Monday night's demonstrations, it was urged that the concern of American citizens over the plight of Soviet Jewry be forwarded to both President Richard M. Nixon and to Soviet Secretary Leonid Brezhnev during their summit talks next week.

THE FRENCH VOTE WITH BICYCLES

HON. SEYMOUR HALPERN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 31, 1972

Mr. HALPERN. Mr. Speaker, in the late 1960's and on into the early 1970's, the United States has been the scene of many protests. Without doubt, peaceful protest, redress of grievances and active participation in governmental affairs are the hallmark of American tradition.

We all know, however, that we are not the only country challenged to meet the problems of the future. While ecology, urban frustration, rising prices and continuing social unrest may seem to be particular only to the United States, a quick look at any European newspaper indicates otherwise.

The form of protest may not seem different to those of us who are cognizant of these protests but a recent demonstration in Paris last month revealed that many Frenchmen made known their opposition to a government-controlled media referendum by producing a colossal traffic jam by bicycling down—10,000 at a time—the Champs Elysees.

These enterprising Parisians, some young and some old, were demonstrating their displeasure with excessive noise, traffic jams, lack of sufficient and efficient public transportation and the ominous transformation of public parks to parking lots.

While this "bike-in" did not solve the many problems facing advanced civilization today, it nevertheless was a new and imaginative way to focus attention on the ills of modern society.

This month, Friends of the Earth published a most provocative article written by Justice DeLacy Keller, which vividly describes that day in April when the French voted with their bicycles. If there are no objections, Mr. Speaker, I should like to include that article in today's RECORD.

The article follows:

THE FRENCH VOTE WITH BICYCLES

(By Justine Dee Lacy Keller)

When all good Parisians should have been home pondering whether to vote *oui* or *non* on greater Common Market policy in Mr. Pompidou's referendum April 23, some 10,000 of them were careening down the Champs Elysees on bicycles, producing the capital's worst traffic jam since last October's Metro strike. The demonstration *a velo* strayed from riot traditions begun with the Commune uprising in 1870 and most recently seen in May, 1968; for the first time, bicycles replaced the barricades, and it was the demonstrators who wore gas masks, not the CRS riot troops called out to head them off. Despite an intensive bombardment by the government-controlled media in favor of the referendum, a greater percentage of Frenchmen withheld their opinion than in any previous referendum; apparently, the only "mobilized" Parisians were the partisans of pure air.

Signs proclaiming "Long live bicycles, down with cars," "Legs, not motors," "Autos stink, pollute and cause nervous breakdowns!" bobbed up and down at the Porte Dauphine near the Bois de Boulogne where rendezvous time was 1:30 p.m. on April 22. Hundreds, then thousands, of bicycles of all ages and styles herded protectively together, waiting for the take off signal from Jean-Luc Fessard, organizer of the demonstration for Les Amis de la Terre, Friends of the Earth's French sister, in close cooperation with the *Comite Anticuleaire de Paris*, the *Comite de Liberation Ecologique, Etre, Objectif Socialiste*, and the Federation of Users of Public Transport. There were chic folding bicycles from the 16th *arrondissement*, elderly rusted ones repainted red, racing bicycles dragged out of the cellar for the occasion. There were bicycles built for two, and even one for three, tricycles, mopeds relieved of motors, and finally a few courageous Frenchmen on roller skates. A man who had managed to scrounge up only one skate had no trouble hitching a ride. He was pulled along between two bicycles for the ten mile trek.

These enterprising Parisians were responding to posters and green-inked tracts which had been distributed by Les Amis de la Terre, and publicized by *Le Nouvel Observateur* and the underground *Charlie Hebdo*. They effectively nagged passing urbanites with the taunting question, "Are you happy?" In case of negative response, the leaflets exhorted Parisians to unite and fight the familiar causes of urban discontent: noise, traffic jams, lack of efficient public transportation, the alarming sacrifice of parks to parking lots, and the ever extending concrete carpet.

After a futile attempt by 100 or so policemen to reroute the 10,000 bicycles out onto the exterior boulevards. Fessard gave the signal to move out around 2:30 p.m. The procession swarmed around the Place de l'Etoile and started its triumphal descent down the Champs Elysees to the Place de la Concorde, up the Blvd. St. German through the Latin Quarter, toward the Bastille and on to the Bois de Vincennes, crossing Paris from west to east. Four bus loads of riot troops again tried to disperse the crowd lower down on the Champs Elysees only two feet from the Elysee Palace. Wary of an image of brutality on the day before the referendum, however, the police gave up temporarily.

While automobile traffic fumed, some sympathetic motorists used their cars to block off streets, then got out and watched the parade with amusement. Pedestrians flocked together shouting *"Bon courage"*, and the French equivalent of "Right on!" Buses unable to move sat dejectedly by the curb, and demonstrators stuck a "For Sale" sign on the windshield of one while the driver was off downing a cognac. But not all drivers were amused. Some got out of their cars to excoriate the cyclists. One frustrated driver trying to get away for the weekend refused to stop for the procession and ran into several bikes with his bumper. He immediately found himself surrounded by his adversaries, who shook the car, let the air out of his tires, and broke a tail light. The cyclists let him go

after he reimbursed the damage done on the spot. Similar clashes of interests occurred until arrival at the Bois de Vincennes, where members of the Grand Magic Circus troupe greeted the throngs with open arms and played a victory hymn on musical instruments.

NIGHTSTICKS IN THE WOODS

Dancing and singing continued during the hour-long woodland revelry which was broken up when helmeted riot troops on motorcycles charged the crowd. Tear gas was used to disperse the cyclists, many of whom had already fled at the approach of the troops. Efforts by adults present to reason with the police were to no avail. Fifty people were taken into police headquarters, held for five hours, and searched; when they returned to fetch their bicycles, several were missing. The CRS seemed to take delight in smashing the spokes of the temporarily abandoned cycles with nightsticks. It is worthwhile noting that the police, in order not to provoke any criticism, waited until the demonstrators were safely out of sight in the woods before resorting to violence.

With the overwhelming success of Paris' first ecological demonstration—similar attempts at arousing public opinion against nuclear centers in Lyon, Bugey, and Fessenheim turned out only one-sixth as many people—Les Amis de la Terre scored some important points. Unhappy urbanites have realized that there exists an effective way to protest the declining quality of big-city life. The bicycle may have become the symbol of the ecological revolution just beginning in France; for the first time, the absolute supremacy of the automobile in Paris has been challenged by a substantial number of Parisians now demanding an alternative means of transport. This is quite an accomplishment in the face of Mr. Pompidou's recent proclamation, "We must adapt Paris to the automobile and renounce a certain esthetic idealism."

Strengthened by the participation of 10,000 people in Saturday's demonstration, Les Amis de la Terre plans to seek an encounter with Mr. Robert Poujade, so far ineffectual Minister of the Environment, to demand: the creation of pedestrian streets (Paris, along with London, lags far behind other European capitals in this domain); one million free bicycles at the disposition of Parisians; the development of free, non-polluting public transportation based on Rome's recent example, the closing of Paris to more automobile traffic, and a halt to creation of inner-city expressways.

Voting with a bicycle instead of a ballot isn't a political tradition in France; however, it may have just become one.

EQUAL COVERAGE FOR THE MENTALLY ILL

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 31, 1972

Mr. WALDIE. Mr. Speaker, this country's attention to the mentally ill has long been a problem requiring immediate action in our quest to provide comprehensive health care to all Americans.

While contemplating a national health insurance program to insure to all Americans proper medical attention, we must not again neglect the mental and emotional illness brought on by complexities of life today.

This dilemma is brought out clearly in the publication, "Equal Coverage for the Mentally Ill," being distributed by the American Psychiatric Association.

Beyond representing the official position of the American Psychiatric Association on coverage of mental and emotional illness under any system of national health insurance, this pamphlet also contains an overview on insurance coverage of mental illness.

Further, it highlights a study soon to be released, "Health, Insurance, and Psychiatric Care: Utilization and Costs," directed by Health Economist, Louis S. Reed, Ph. D.

Mr. Speaker, the problems of the mentally and emotionally ill have been in shadows long enough. I see this pamphlet as very enlightening and recommend it highly.

Copies of this pamphlet may be obtained from the Division of Public Affairs of the American Psychiatric Association, 1700 18th Street, Washington, D.C. 20009.

WASHINGTON REPORT FROM CONGRESSMAN BOB PRICE

HON. ROBERT PRICE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 31, 1972

Mr. PRICE of Texas. Mr. Speaker, it is my policy to publish a weekly news report to keep my constituents advised of my activities in their behalf. The following is the text of my latest Washington report:

FEDERAL GUN CONTROL

At a time when the question of gun control is once again a subject of discussion and debate, I want to make my stand on this issue crystal clear.

When the Gun Control Act of 1968 was considered by the House, I spoke in opposition to it and I voted against it. At that time I thought the act was ill-conceived, and I still do. In the 90th Congress, again in the 91st Congress, and still again in the current 92nd Congress, I have introduced legislation that would repeal the Gun Control Act.

As an interim measure, I also introduced legislation repealing the recordkeeping requirements for shotgun and rifle ammunition. I took this approach because I thought that, even if the Congress would not be disposed to repealing the full act, it would favor repeal of at least that portion of the act that had proved to be particularly burdensome to those who deal in and use sporting ammunition.

I was gratified when both the House and Senate agreed during the 91st Congress to exempt shotgun and rifle ammunition from the act. We still need to free .22 caliber rimfire ammunition from Federal regulation; the House passed a bill during the last Congress that would have done this, but the bill died in the Senate. I introduced a bill in this Congress to accomplish the same thing and one similar to mine was reported out favorably by the Ways and Means Committee last November for action on the House floor, but it has not yet been acted on.

It is clear to me that gun control is not the answer to crime in the United States. As long as criminals feel they can profit from crimes involving the use of guns, they will continue to use them—regardless of any law, federal or otherwise, to the contrary.

What we need instead of a federal gun control law is stronger enforcement of the laws we already have on the books; better wages, equipment and facilities for state and local police; stronger sentencing by the judiciary of those who are found guilty; reform of our present penal system to include teaching a man a meaningful job while he is serving his sentence; and provision for an automatic, mandatory increase of the penalty for any crime where a gun was used in committing it.

MESQUITE BRUSH CONTROL

The practice of controlling undesirable shrubs was eliminated from the national Rural Environmental Assistance Program for 1972 because it was being used in many areas for unintended purposes.

Since controlling mesquite brush in Texas, however, was one of the intended purposes of REAP, I asked the U.S. Department of Agriculture for a clarification, and they have informed me that the practice of controlling mesquite brush may be included in local programs in 1972 upon recommendation of the State and county program development groups and approval by the national office. Such a practice is permitted under "Practice F-2: County conservation practices," a category that is intended to cover practices which are not included in the national program but which are needed to meet particular conservation problems in a county.

When a practice involving the control of competitive shrubs on grazing lands is needed in a particular county for a sound conservation program, provision is made that the county program development group may develop a special county conservation practice to cover brush eradication measures that need to be performed on pasture or rangeland. Such a practice has already been approved by ASCS for use in any county in Texas in 1972 that has a need for it in providing a sound county conservation program and that submits an appropriate justification.

FHA FARM OPERATING LOANS

The Administration released $37 million in farm operating loan funds last week, making available the full $350 million appropriated for fiscal year 1972. This funding puts the farm operating loan program at an all-time high level. Two other programs are also at record levels—the farm ownership loan program with $350 million available and the emergency loan program with $140 million.

The new farm operating loan funds will be available through the Farmers Home Administration county offices and may be used to buy seed, feed, fertilizer, livestock, tractor fuel and other equipment and facilities needed to run a successful farming operation. FHA supplies this credit to family farmers who are unable to obtain conventional credit from regular sources at reasonable rates.

THE NATION'S POOR: REEXAMINING THE MYTHS

HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 31, 1972

Mr. CLAY. Mr. Speaker, much has been written and spoken concerning the plight of the poor in this country of unrivaled affluence. A decade ago poverty was thought of only as a concern of less developed countries, or as a condition relatively nonexistent in the United States. The rising GNP and an expanding economy blinded many people to the harsh realities of basic survival faced by some 25 million Americans.

Mr. Speaker, in the 1960's the war on

poverty became a major operation of government. Programs to aid the poor were developed on all levels—local, State, and Federal. These programs originated and continue to function on the basis of a variety of assumptions about poor people—age, sex, ethnic origin, demography, and work status. Often, however, these assumptions have shakey statistical foundations, or the assumptions are not revised as factors change over time.

Mr. Speaker, as an example, information from the 1970 census indicates that, although the percentage of poor in the total population has declined steadily over the years, in the period 1969–70 the real number of persons below the poverty level increased by 1.2 million. A report in the monthly newsletter of the Urban League of St. Louis, on a publication of the Office of Economic Opportunity entitled "The Poor in 1970," presents the results of the 1970 census as it relates to the dimensions of poverty in this decade.

Mr. Speaker, I would like to bring this report to the attention of my colleagues in the hope of providing a reexamination of some of the misconceptions about our poorer citizens. With your permission the report follows:

A NEW LOOK AT THE POOR

From the Executive Director:

A recent publication from the Office of Economic Opportunity, titled *The Poor in 1970*, highlights the depth of the poverty problem. There have been so many misconceptions about it. Labels like "it is a ghetto problem" or "the poor won't and don't work" are too easily offered. Some would tend to call it a problem of race. They wrongly think most of the poor are black followed by Spanish Americans and Indians.

Contrary to public opinion the labels poor and black are not synonymous. In fact, on the percentage scale based on the 1970 census report, one third or 33⅓ of the black population fall in that category. This group clearly represents the single largest percentage of an ethnic populus. Next, 25 per cent or 2.2 million Spanish Americans are classified as poor. The total combination of these groups comprise less than 40 per cent of the nation's identified poor.

Nearly seven out of every 10 poor people are white.

The census report established several facts about poverty and the poor. Children and females constitute a great percentage of the poor in America. They, together with the elderly, represent from 83 to 85 per cent of all the poor. This is understandable when one considers that in a family situation these individuals have the least income. They are usually dependent upon someone or something for their day-to-day existence.

The report also revealed that poverty is not just a product of the urban ghetto. Only 32 per cent of all the poor live in the central cities. The remaining 68 per cent live in the suburbs or in non-metropolitan areas. Geographically, the south is the hardest hit by poverty. Nearly half of the nation's poor live there. The north central section of the country has about 23 per cent of the poor.

It has been thought that poor and unemployed go hand in hand, yet the census tells us that the poor do work. Nearly 25 per cent are employed full-time year-round, 34 per cent work full-time half of the year and another 41.1 per cent work on a part-time basis.

In spite of laws recently passed by Congress, it must be noted that elderly whites tend to live longer than any single ethnic group and they stay poorer longer. Old age assistance at the state level is scarcely a livable income for them. The larger percentage of them can barely eke out an existence. Many live in substandard housing.

The census report has exploded some of the myths and misconceptions about the poor. These myths were always based on ignorance, prejudice and distorted facts. The report has given us a valid barometer with which to use in supporting the war on poverty.

ISRAEL'S INDEPENDENCE DAY

HON. J. HERBERT BURKE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 31, 1972

Mr. BURKE. Mr. Speaker, I am delighted to pay special tribute to Israel, which on May 15 celebrated its 24th anniversary of its independence. Israel is a nation which can be pointed to as a model for other nations seeking the ideal of self-fulfillment. The Jewish people for 2,000 years longed to have their own homeland and during this entire period, despite the hardships and disillusionments, the Jews never lost hope that one day it will come about.

Israel is the land of hope for the Jews of the world and beckons all its children wherever they be to come and help build the State of Israel and to help defend her against its adversaries. But, as one can see in the articles which daily appear in the press, the task is not an easy one. Daily we read of the struggles of the many valiant Jews who are trying to emigrate from the Soviet Union, but who are denied this right by the communist leaders. Recently, one of the lead stories from the Los Angeles Times of May 21, 1972, describes how the Soviet security police squashed a demonstration by Jews and other religions in Soviet controlled Lithuania. The following is the article:

SOVIETS QUASH SERIOUS RIOT IN LITHUANIA, ARREST JEWS

(By Murray Seeger)

Moscow, May 21.—The Kremlin, on the eve of President Nixon's visit to Moscow, has put down a violent riot in Lithuania, and repressed Jewish dissidents.

The new incidents involving Lithuanian Catholics and Jews in several regions were reported by Lithuanian and Jewish sources who contacted Western newsmen here.

The riot broke out in Kaunas, Lithuania, on Thursday following a funeral for Roman Talanta, a 20-year-old Catholic factory worker who died Monday 12 hours after he set himself afire in a public park.

[An Associated Press dispatch from Moscow quoting Lithuanian informants said several thousand Lithuanians fought police with sticks and stones. Young Lithuanians roaming the streets reportedly chanted, "Freedom, Freedom," and "Freedom for Lithuania." Kaunas, with a population of 306,000, is Lithuania's second largest city.]

A policeman was killed and hundreds of demonstrators were arrested during two-days of rioting, according to Lithuanians who telephoned reports to Western newsmen in Moscow.

Mostly young people, the demonstrators were protesting Russian domination of their country, which was annexed to the Soviet Union along with Latvia and Estonia by Stalin in 1940. The young people also called for more freedom for the Roman Catholic Church, which has 3.5 million adherents in the tiny republic.

To put down the riot, Soviet authorities dispatched units of the tough, heavily armed internal security forces to Kaunas. The authorities also denounced Talanta publicly as having been "mentally disturbed" and a "drug addict."

Over 17,000 Lithuanian Catholics sent a petition to the United Nations several weeks ago to complain that Soviet leaders were interfering with their freedom to worship.

Although the Kaunas riot was not directly connected with President Nixon's visit, the Lithuanians wanted their protests brought to his attention.

The same desire by Jewish leaders was blamed for the arrest of nine persons in Moscow today and for a series of confrontations between Jews and the secret police throughout the past week in different cities.

Protesting religious persecution, most of the Jewish dissidents have sought permission to emigrate to Israel. Jews who have applied for exit visas told newsmen that they had been called in by the secret police and asked to sign a pledge that they would not participate in public demonstrations during Mr. Nixon's visit.

Some of the leaders who had asked for permission to present their protests to the President were drafted into the army earlier this month. Six of those arrested today were from Moscow and the others were reportedly picked up at railroad stations when they arrived from other cities. Jewish sources said the men would probably be held in jail for 10 days.

A total of 302 Jews signed a statement to be given Mr. Nixon this week in Moscow. Twenty-four pages long, the petition says the signers hope that will be positively felt also that the summit talk will bring a "general improvement in international conditions in the solution of our problems."

"The single correct and just resolution of our problem is to allow all those to emigrate to Israel who want to," the petition says. It carries signatures from Moscow, Minsk, Vilnius, Kaunas, Riga, Tallin and Kiev.

[In Washington, Dr. David Korn, a Howard University professor who is also chairman of the Soviet Jewry Committee for the Jewish Community Council of Greater Washington, said the petition was presented to the U.S. embassy in Moscow Friday afternoon.

[Korn said that Washington Jewish activists have been unable to telephone during the past week a number of Moscow Jews seeking to emigrate to Israel. Korn said he reached Mrs. Roman Rutman by telephone yesterday and that she told him that five Jews have been arrested, including her husband.

Mr. Speaker, stories such as these reveal the true picture of the situation of people who have no place to turn and who, unlike some of those who in our country have become inveterate protesters, cannot leave their land. It is time the world took note that the Soviet Union, which seeks the role of leadership in the world, will not permit its own people the independence of self-expression, but instead, resorts to false accusations of "insanity" when their citizens seek this right.

Months ago, I urged the President to make the issue of the plight of Jews in the Soviet Union a part of his agenda during his talks with Russian leaders.

Consequently, at this propitious time, and although I am not a Jew, I would like to join with the Jews throughout the free world when they shout, "Let my people go!" My best wishes go to the people of Israel on their 24th anniversary of this great nation.

PITTSBURGH'S NEIGHBORHOOD SERVICES, INC. FINDS HIGH RISK BORROWERS NO RISK AT ALL

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 31, 1972

Mr. MOORHEAD. Mr. Speaker, it has long been my contention that the lending institutions of this country oftentimes disqualify for loans individuals who, indeed, are solid risks.

The banks and savings and loans make their decisions on criteria that, from their point of view, tries to exclude all but the most reliable applicants. This is fine for the institutions' repayments record but it does manage to shuttle many people, who seek loans, into the hands of loan sharks or forces them to suffer with no financial assistance at all.

This problem is especially crucial in the home mortgage and home improvement field.

But one group in Pittsburgh has gone out of its way to lend money to people who have been refused by traditional lending institutions.

I am pleased to note that there have been no outstanding defaults on loans and many, many happy new homeowners who have been helped through the faith of Pittsburgh's Neighborhood Housing Services, Inc.

Sam Spatter, writing in the Pittsburgh Press Sunday magazine supplement, has put together an excellent story on this unique organization and I would like to introduce it into the RECORD at this time:

HOW TO RECYCLE A DETERIORATING NEIGHBORHOOD

(By Sam Spatter)

Pittsburgh's central North Side is an area of older houses, vacant or small storerooms and narrow streets, but 41,000 Pittsburghers call it home.

Most of them live in these older houses because they have small, if any, incomes. And very few new houses have been constructed in their neighborhood since World War II ended.

The area is not a ghetto or a slum. Nor is it all black or all white. If anything, it is an area on its way back. That's because there are people like Tom Jones and Jim Cook and residents such as Lillian Hess, Ernest and Roseann Williams, the Charles Klinger family, and James and Jacqueline Revis.

They are just a few of the many who either work or live in the community. And they all take pride in the fact they are part of the neighborhood.

The catalyst for this feeling is Neighborhood Housing Services Inc., a four-year-old nonprofit agency which operates out of a mobile home used in the 1960s by the Urban Redevelopment Authority (URA) as a field office. URA is out of the area but Neighborhood Housing Services remains.

OTHER PEOPLE CARE

Through the agency, Tom Jones and Jim Cook show the residents that other people care about them. They do it by providing them with money to either fix up or buy houses in the community. These are the same people whose loan requests were turned down by local commercial banking institutions and the government because they are considered "high-risk."

The funds from Neighborhood Housing are not outright grants. They must be paid back, but the agency makes repayment a lot easier than usual. Interest rates can range from zero to seven per cent (or whatever the going rate is at the time).

Deciding on the loan is a board of directors composed primarily of neighborhood residents. They are the ones who determine whether a Lillian Hess, a Charles Klinger, an Ernest Williams or a James Revis gets a loan. And so far, according to Tom Jones, executive director of the agency, no one has been refused help.

"There was one fellow who wanted a rehabilitation loan and the board turned him down. Instead, it gave him a loan to buy a better house," he recalls.

So when James Cook, associate director, brought Lillian Hess' case to the directors, he needed little persuasion to get them to agree. By stretching the agency's boundary lines a little, the loan was approved and the 67-year-old widow now has peace of mind.

Up until that time, she had spent all but $13 from her $140 monthly income from Social Security and pension checks on mortgage and loan payments.

"I wrote President Nixon for help," she sighed. "He advised me to contact state and local officials and agencies. But no one seemed able to help." Mrs. Hess said she prayed for help and finally it came in the form of an attorney from the Neighborhood Legal Services Association. He didn't have funds, but he said he would bring her case to the Neighborhood Housing Services.

Jim Cook needed only one trip to the Hess home on Creek Street, just above the East Street Valley area, to know the woman was in dire straits. He brought the matter to the board which approved a loan to her to pay off the mortgage and the $4,000 for "modernization." The board said her repayment schedule should be interest-free at $35 a month.

That left her with $105 each month to buy food and clothing, pay utility bills and transportation costs. It gave her, she said, a new lease on life, despite the fact she is getting treatment at one of the local hospitals for cancer.

She has lived alone since her two daughters married and moved away. Her husband died in 1948, two years before she sold her larger home to move into her present smaller house. And a few years ago she not-too-wisely agreed to pay $4,000 to a company which built her a flight of concrete steps.

The Hess case typifies the problem many other families of the North Side find themselves in today, Jones said. But they are only part of the total housing problem in the area.

Years of neglect by absentee home ownerships and the city have taken their toll. The "riots" of 1968 accelerated the community's deterioration. There were times, just a year or two ago, when owners walked away from their property or offered to give it away.

Today, they don't do that, Jones said. Property which could have been obtained for nothing now has a price tag of thousands of dollars. And the greater number of home owners in the community are working to bring their neighborhood back.

Neighborhood Housing is making a major contribution to that comeback. The $500,000 pumped into the program by the Sarah Mellon Scaife Foundation is the prime reason, he said.

FOUNDATION AGREED

The foundation agreed to fund $125,000 in 1968 to this high-risk loan program, providing none of this money went toward administration costs. So the neighborhood went to the local financial institutions, primarily savings and loan associations. They asked, and got from 20 of them, contributions to pay the salaries of three persons—Jones, Cook and a secretary. This support has continued through today, and probably into the future.

Since its initial funding, the foundation has made three more $125,000 donations, the latest coming this year. This has given the agency the opportunity to make 240 loans, worth $390,000. All are high-risk, yet only $6,000 in loans—a meager two per cent—is considered delinquent.

That's where the neighborhood board comes into play, Jones admits. When someone gets behind, they talk to him. And unless there's a major problem involved, the payments start coming in again.

Home loans are not the agency's only concern. The staff works with families on mortgages, personal loans, re-establishing their credit ratings and housing counseling. This counseling has helped some families save money, Jones reports. Like the time one family was ready to pay $3,000 for installation of a furnace when the cost should have been half that amount.

A LOOK OF HOPE

Working with families and granting them loans has helped the neighborhood take on a look of hope and newness.

Ernest and Roseann Williams are typical examples. A Vietnam veteran, the 29-year-old Williams was paying $88 a month at the Arlington public housing complex, but now pays $75 a month on his home mortgage, made possible by the agency.

The Williamses, who have two children, own a house on Armandale Street which was boarded up after it had been vacated, vandalized and fire-bombed. There's very little trace of that deterioration today because the Williamses have, through their own talents and by hiring professional help, made the two-bedroom house an attractive, safe place to live.

For James and Jacqueline Revis, their home above a vacant store at 1600 Brighton Road, is turning into a place of beauty.

It's all because they have taken the time and effort to fix up their house with what is generally known as "sweat equity." That's when the owner does the work.

New windows have been installed, a new ceiling is in place, and wood-paneled walls set off their modernistic living room. The couple have installed new kitchen cabinets and appliances, and are working on plastering and painting the walls. Even the bathroom is in for modernization. And the empty storeroom below will eventually become the couple's game room.

Revis works at the J&L plant in Aliquippa while his wife is a nurses' assistant at St. Francis Hospital.

Mrs. Revis believes home ownership is the greatest satisfaction she, as a black woman, has enjoyed. And she urges more blacks to take advantage of home ownership instead of paying high rents for deteriorated homes others own.

"I have pride in my home, and that's why my husband and I are fixing it up," she said.

That feeling of pride in home ownership is also part of Charles Klinger's life these days. And he has dignity as well for a man unemployed but eager to make his home a place his family can enjoy. He does it, like the Revises, with sweat equity.

BOUGHT THROUGH FHA

Klinger lives with his wife, Mary, and their six children in a five-story house at 1151 Voskamp St. He purchased the house through the Federal Housing Administration's (FHA) insured mortgage program for $5,300.

It was a house that needed repairs, from the attic to the cellar. The plumbing and heating are still bad and a retaining wall has caved in.

"I asked FHA to provide the money to fix the wall, but they refused," he said. Frustrated, out-of-work, with his house slowly deteriorating and no money to make repairs, Charles Klinger was ready to give up. Neighborhood Housing's Tom Jones heard about the problem and through his efforts, a loan was forthcoming.

Instead of being a man of despair, Klinger now is a man of hope, pride and dignity.

That's what help from the agency has meant to him.

The work of Neighborhood Housing Services has not gone unnoticed.

The Lawrenceville Economic Action Program, funded by Community Action Pittsburgh, established a $50,000 loan fund patterned after the North Side program.

A high-risk revolving loan fund also has been established in the Turtle Creek Valley Model Cities Neighborhood, where a $320,000 fund was set up by the district's Housing Development Corp.

Another possible spin-off would take the North Side program to other states. The Federal Home Loan Bank Board has asked Jones to help make up proposals to be presented these communities.

Also, as a result of the activity, seven savings and loan associations here have organized a service company. Slaco, which plans to build initially 18 new housing units in the central North Side. Neighborhood Housing Services will be involved with them.

Jones said others are also demonstrating interest in the central North Side. He points to the restoration program of the local History and Landmarks Foundation in the Mexican Street area adjacent to this section, the movement of Allegheny Housing Rehabilitation Corp. into the district and the acceptance now by financial institutions of invesments in the neighborhood.

His agency has helped stop foreclosures and aided 25 to 30 people in saving their homes. And it has a $500 loan which can be given without board approval in emergency cases.

"What seems to astound the federal people, after we explain our program and how much money has been loaned, is that we can do it with a staff of three," Jones said.

SUMMER EMPLOYMENT

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 31, 1972

Mr. DERWINSKI. Mr. Speaker, I am especially pleased to insert into the RECORD an editorial on summer employment in the Marian Megaphone, the school publication of Marian High School in Chicago Heights, Ill., by one of its staff members, Miss Laurie Wolf.

This editorial certainly contains practical advice for young people looking for work.

The editorial follows:

SUMMER EMPLOYMENT: JOBS GO TO THE BEST QUALIFIED

The majority of teens throughout the country are looking for part-time jobs for the summer months. If you're the type of person who expects a job to be there waiting for you, you can count yourself out as one of the nation's employed.

Since there is such a scarcity of jobs for any age level, only the best qualified and most interested will succeed in obtaining jobs.

It would benefit you to rate yourself before you set off on your first job interview. Ask yourself if you are truly interested in a job. Are you conscientious and do you get along well with others? You should be willing to lend a hand to a fellow employee. Get to work on time and refrain from calling in sick. If you fulfill these requirements, then you'll do all right in finding a job.

Once you've analyzed yourself, you can begin searching the paper for job openings. However, many summer jobs are filled well in advance of June 1, and experience is often needed to even get an interview.

Volunteer work is usually valuable to teens and gives them the needed experience. Candy-striping is helpful to anyone interested in the field of nursing. There is also handy-striping for boys. Working in a summer camp is useful for those who would like to teach youngsters. A small town weekly newspaper will sometimes hire young journalists to write for them. And, of course, cutting grass and yard work are always in demand.

An energetic, industrious individual can always find something to do. Just remember, you will probably spend about 80,000 hours of your life earning a living. So why not start this summer to find something useful as well as enjoyable? Make the most of your appearance on the stage of life.

Laurie Wolf.

THE RIGHT TO BE GAY IN PRIVATE

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 31, 1972

Mr. RARICK. Mr. Speaker, we are now apprised that the District of Columbia government has negotiated a treaty with the American Civil Liberties Union to legalize private homosexual acts involving adults 16 years of age and over.

This may be regarded by some as a tremendous step forward for the civil rights movement but most people will question the precedent of government officials legislating immorality by treaty at domestic summit meetings.

I ask that a pertinent newsclipping follow.

[From the Washington Post, May 31, 1972]

D.C. WILL NO LONGER PROSECUTE PRIVATE, ADULT HOMOSEXUAL ACTS

(By Bart Barnes)

Homosexual acts between consenting adults in private will no longer be subject to criminal prosecution in the District of Columbia under terms of an agreement between the city government and the American Civil Liberties Union.

In a stipulation filed in U.S. District Court and stemming from a lawsuit against Washington police by four homosexuals, the city government agreed that the D.C. sodomy statute "does not apply and cannot be applied to private consensual sexual acts involving adults." The stipulation defined adults as persons 16 years old and over.

Dr. Franklin E. Kameny, founder of the D.C. Mattachine Society, hailed the agreement as a major victory in the struggle for homosexual rights.

Although seldom enforced, Kameny said, the D.C. sodomy laws have provided a legalistic excuse for discrimination against homosexuals, particularly in the area of federal employment.

"We intend that our dance at our community center next week will be in celebration of this agreement," Kameny said.

Legislatures in five states, Connecticut, Illinois, Colorado, Oregon and Hawaii, have recently repealed laws prohibiting homosexual acts between consenting adults. The Colorado repeal becomes effective June 30 while the Hawaii repeal is effective at the first of the year.

The lawsuit on which the stipulation between government and the ACLU was based was brought by four homosexuals who said Washington police were using the city's sodomy statute to harass homosexuals.

Assistant Corporation Counsel Stephen Shane Stark, who signed the stipulation, denied this and made it a part of the stipulation that the agreement "shall not be construed as implying" that the city had harassed homosexuals.

The stipulation specifically mentions "private" consensual sexual acts and would not necessarily exempt homosexual acts committed in public rest rooms from prosecution, according to Kameny.

He did add, however, that he thought the terms of the stipulation should apply to the case of a man convicted in Superior Court last fall on a charge of running a disorderly house in connection with a homosexual health club at 413 L St. NW. That conviction is currently being appealed.

Praising the stipulation yesterday, James Heller, president of the ACLU Fund, said enforcement of the sodomy statute "labels homosexuals as lawbreakers, thus giving government agencies an excuse to fire them on the grounds of their 'criminal' behavior."

"The stipulation signifies that the government agrees that the invasion of privacy for the purpose of imposing conventional morality is not an appropriate police function," he said.

In recent years there has been an increasing amount of litigation and publicity involving rights of homosexuals. Currently pending in U.S. District Court here is a class action suit against the Civil Service Commission seeking an injunction blocking the federal government from firing, harassing or even investigating people solely on the basis of their private sexual life.

Ralph J. Temple, the ACLU's legal director, said yesterday's stipulation would likely be an important part of that case.

Temple also noted there have been three recent cases in which the ACLU has won security clearance for people who had been denied such clearances on grounds of their homosexuality.

There have been two cases, both widely publicized in this area, during the last year in which servicemen have been given less than honorable discharges from the Navy and the Marine Corps on grounds of homosexuality. Temple said this is also a likely subject of further litigation.

WHO ABOLISHED THE CONSTITUTIONAL POWERS OF CONGRESS?

HON. ROBERT F. DRINAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 31, 1972

Mr. DRINAN. Mr. Speaker, if we awoke tomorrow morning to learn that in our sleep the Constitution had been rewritten, surely we would be astonished. In my judgment, that is exactly what has happened with respect to the constitutional authority of Congress. As recent events have repeatedly shown, the Executive has taken upon himself the right to act as a legislature—and we have acceded to that baseless assertion of power in almost every case.

Vice Adm. Hyman Rickover recently testified before the Senate Armed Services Committee on this subject, and I wish to bring his excellent statement, as reprinted in the New York Times of April 27, to the attention of my colleagues. I believe that his comments would be warmly endorsed by our Founding Fathers were they alive today.

THE DECLINE OF CONGRESSIONAL POWER

(By H. G. Rickover)

WASHINGTON.—As a realist, I must say that about the only real power Congress has left

is the negative power of denying funds. Surely this was never the intention of the framers of the Constitution, nor has it come about by the proper procedure of constitutional amendment. Take the bill to limit the ability of the executive to carry on indefinitely an undeclared war. I thoroughly approve the intent of the bill. But ought it to be necessary? Does not the Constitution vest in Congress and in Congress alone the power "to declare war"?

This clause occasioned hardly any debate in the Constitutional Convention. The executive was at first envisioned, as Sherman of Connecticut put it, as "nothing more than an institution for carrying the will of the legislature in effect," Congress being declared the "depository of the supreme will of the society"!

When the debate opened on the powers of the executive, even those favoring a vigorous single executive, rather than a council or committee set up by Congress, opposed giving him the power to make war—a power which at that time was everywhere the prerequisite of the executive. Fear was expressed that if the executive power within the Federal Government were to encompass peace and war, the President would be rendered a monarch "of the worst kind; to wit, an elective one."

Power seemed extremely dangerous to the founders of our Federal system. They were anxious to vest it where the people could best influence its exercise. I believe we were at that time the only country entrusting the war power to the legislature.

I digress into these historic reminiscences only to support my point that failure to exercise the powers vested in Congress results in their diminution, if not total loss.

It is, of course, the immense scope and complexity of the governmental activities financed by taxes that has brought out the enormous growth of bureaucratic influence on the way the money collected from the American people is spent. The chairman of the House Appropriations Committee has pointed out that Congress usually makes only relatively small changes in the budget submitted by the Administration. Beyond this, the increasing use of Federal power has—as Madison predicted—allowed the Federal bureaucracy to exercise what in effect are discretionary powers in disposing of public moneys.

When Congress does not exercise the power vested exclusively in it to make the laws that govern the United States, its power to do so atrophies. Indeed, I submit that Congress has already lost much of its power by not using it.

Congress may change the Administration's budget by 1 or 2 per cent, but to all intents and purposes Congress no longer has control over the budget. Like any other parliamentary body in a free society, it does, however, have the power of legislative oversight as well as the right to refuse to vote appropriations if it judges that in the past they have not been used in accordance with the laws it has enacted.

It is my firm belief that the present procurement situation can be remedied only if Congress will use these two important powers to compel reform. It is not in the nature of a powerful bureaucracy to improve its way unless prodded by someone with power from without.

Since Congress itself can no longer control in detail how appropriated moneys are spent, its constitutional control of the purse strings now depends more than ever on the judicious exercise of its investigatory function, and on the negative power to refuse funds.

SENATE—*Thursday, June 1, 1972*

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

PRAYER

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

We bow before Thee, O Lord, not in our own merit but in our need. So often when we would do good, evil is present with us. We do those things we ought not to do and leave undone those things we ought to do. Forgive our sins, overrule our mistakes, correct our errors, complete our inadequacies, and renew us in mind and heart. Give us Thy higher wisdom for our daily duties.

We pray Thee, O Lord, to inspire and undergird the President, the Members of this body, and all our leaders, that there may come to the Nation a new reality of justice for all and the fulfillment of the long awaited kingdom where Thou dost rule in righteousness.

Hear us, in the Redeemer's name. Amen.

REPORT OF A COMMITTEE SUBMITTED DURING ADJOURNMENT

Under authority of the order of the Senate of May 31, 1972, Mr. FULBRIGHT, from the Committee on Foreign Relations, reported favorably, with an amendment, on May 31, 1972, the bill (S. 3390) to amend the Foreign Assistance Act of 1961, and for other purposes, and submitted a report (No. 92-823) thereon, which was printed.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States, submitting a nomination, was communicated to the Senate by Mr. Leonard, one of his secretaries.

EXECUTIVE MESSAGE REFERRED

As in executive session, the President pro tempore laid before the Senate a message from the President of the United States submitting the nomination of Italo H. Ablondi, of New York, to be a member of the U.S. Tariff Commission, which was referred to the Committee on Finance.

ORDER OF BUSINESS

The PRESIDENT pro tempore. The Senate adjourned in executive session last night; hence it is convening in executive session today, but under the unanimous-consent agreement last night, the following business will be transacted as in legislative session.

The Senator from Montana is recognized.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Wednesday, May 31, 1972, be dispensed with.

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

COMMITTEE MEETINGS DURING SENATE SESSION

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

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

AUTHORIZATION FOR APPROPRIATIONS FOR PROCUREMENT OF VESSELS AND AIRCRAFT AND CONSTRUCTION OF SHORE AND OFFSHORE ESTABLISHMENTS IN THE COAST GUARD

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 785, H.R. 13188.

The PRESIDENT pro tempore. The bill will be stated by title.

The legislative clerk proceeded to read as follows:

H.R. 13188, to authorize appropriations for the procurement of vessels and aircraft and construction of shore and offshore establishments, and to authorize the average annual active duty personnel strength for the Coast Guard.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Commerce with amendments, on page 1, line 7, strike out "$81,070,000" and insert "$81,740,000"; on page 2, line 10, strike out "$15,100,000" and insert "$18,100,000"; after line 13 insert:

(3) a long range search and rescue helicopter.

In line 22, after the word "following", strike out "$45,650,000" and insert "$46,040,000"; on page 4, line 20, after the word "of", strike out "39,074" and insert "39,449"; and, on page 5, after line 2, insert a new section, as follows:

SEC. 4. Section 475, title 14, United States Code, is amended—

(1) by amending subsection (a) to read as follows:

"(a) The Secretary of the Department in which the Coast Guard is operating is authorized to lease housing facilities at or near Coast Guard installations, wherever located, for assignment as public quarters to military personnel and their dependents, if any, without rental charge upon a determination by the Secretary, or his designee, that there is a lack of adequate housing facilities at or near such Coast Guard installations. Such public housing facilities may be leased on an individual or multiple-unit basis. Expenditures for the rental of such housing facilities may not exceed the average authorized for the Department of Defense in any year except where the Secretary of the Department in which the Coast Guard is operating finds that the average