SENATE—*Monday, July 28, 1975*

The Senate met at 10 a.m., and was called to order by Hon. WENDELL H. FORD, a Senator from the State of Kentucky.

PRAYER

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

O Lord, who has promised that where two or three are gathered together in Thy name Thou art in the midst of them, make us vividly aware of Thy presence now and in each moment of this day's toil. Amid the stresses and strains of a fast-moving agenda give us "the peace of those whose minds are stayed on Thee." We do not ask for mystic revelations of finished programs and ready-made legislation, but only that we may take one step at a time wisely, in obedience to conscience and in accord with Thy will. If Thou wilt answer our prayer, strengthen and help us, then shall we be better than we are, wiser than we know and stronger then we dream. Bestow upon this body, its officers and servants the seal of Thy benediction.

We pray in the name of the great Redeemer. Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., July 28, 1975.

To the Senate:

Being temporarily absent from the Senate on official duties, I appoint Hon. WENDELL H. FORD, a Senator from the State of Kentucky, to perform the duties of the Chair during my absence.

JAMES O. EASTLAND,
President pro tempore.

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

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Saturday, July 26, 1975, be dispensed with.

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

REQUEST TO WAIVE THE CALL OF THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the call of the legislative calendar, under rule VIII, be dispensed with.

Mr. ALLEN. Mr. President, reserving the right to object, I point out to the distinguished majority leader that we have a number of matters coming over under the rule, the first being Senate Resolution 209 to declare a vacancy in the office of U.S Senator for the State of New Hampshire for the term beginning January of this year

The ACTING PRESIDENT pro tempore. The Chair points out that that would precede the call of the calendar.

Mr. ALLEN. The Chair points out what?

The ACTING PRESIDENT pro tempore. The Chair points out that resolutions coming over under the rule would precede the call of the calendar whether there is objection or not.

Mr. ALLEN. Yes, I know, if I object. That is the reason why I am reserving the right to object, wondering if we might agree on a vote on that resolution.

Mr. MANSFIELD. No.

Mr. ALLEN. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. MANSFIELD. Mr. President, I understand that there are two objections, because the distinguished Republican leader indicated that he was going to object, also.

The ACTING PRESIDENT pro tempore. The Senator from Pennsylvania.

DETERMINATION OF SENATE ELECTION IN NEW HAMPSHIRE

Mr. HUGH SCOTT. Mr. President, far more than a flyspeck on the body politic is the New Hampshire election. On this one the Senate is full of flyspecks, and they are all over our face, because we got nowhere and, in my judgment, we are not going to get anywhere, unless we send this contest back to New Hampshire.

I have read the Washington Post this morning, and I ask unanimous consent that at the end of my remarks the Post editorial appear at that point in the RECORD.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. (See exhibit 1.)

Mr. HUGH SCOTT. I note the overtone of desperation on the part of the Post editorial writer that nothing seems to be done and, perhaps, the contestants ought to take the lead in discussing some compromise.

I have no objection to the contestants discussing it with each other. It is the Senate's business and, if they can work it out for us that is great. There is no objection to their talking it over making each other some proposals.

Mr. MANSFIELD. Mr. President, will the Senator yield right there?

Mr. HUGH SCOTT. Yes.

Mr. MANSFIELD. Mr. President, I notice that the distinguished Republican leader has stated "It is the Senate's business."

It truly is the Senate's business because if the Senator will turn to article I of the Constitution of the United States he will find that in section 5 it states:

> Each House shall be the judge of the elections, returns, and qualifications of its own Members.

Mr. President, I think the Senate has been unduly castigated because it is facing up to its constitutional responsibilities. There is nothing I would rather do than get this Wyman-Durkin matter out of this Chamber. But much as I would like to see that done, I have no choice as a Senator of the United States and a Senator from Montana but to adhere to article I, section 5 of the Constitution of the United States which says:

> Each House shall be the judge of the Elections, Returns, and qualifications of its own Members.

It is not an easy job to be in this position and to uphold the Constitution of the United States and to be criticized for it day in and day out by the press of this Nation.

Do they not believe in the Constitution? Evidently not. But I do, and I intend to uphold my oath of office and carry out my responsibilities in upholding the Constitution, to the best of my ability. This is the basic document on which we govern, and I do not think it should be turned aside lightly, and I do not think that we should be criticized for upholding the Constitution of the United States.

It is as simple as that. I thank the Senator.

Mr. HUGH SCOTT. Not at all.

Mr. President, and it is also as complicated as that, as one newspaper editorial points out:

> It is equally possible to argue that since neither Mr. Wyman nor Mr. Durkin is yet a member of the Senate that the Senate has no jurisdiction whatsoever.

But the Constitution provides us with further guidance, much in keeping with logic and an application of the framework of the system under which we are governed. Article V of the Constitution provides:

> . . . and that no State, without its consent, shall be deprived of its suffrage in the Senate.

Now, the legislation of the State of New Hampshire has said this deprivation is without its consent, has asked that the certificates be sent back and that the seat be declared vacant, and that a new election be held. So the State is proceeding under Article V.

Under the 17th amendment:

> The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for 6 years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

Now, moreover, it is entirely within the responsibility of the Senate, exercising its constitutional responsibility, as the distinguished majority leader has pointed out, in being the judge of its own membership, the Senate has the constitutional right to send this election

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back. No one has contested it, no one has argued otherwise. There is no question whatever that in the course of judgment of its membership the Senate may call for a new election or it may declare the seat vacant, as indeed the Senate has in Illinois, in Pennsylvania, in Iowa, and in numerous other States.

Mr. MANSFIELD. Mr. President, will the Senator yield briefly?

Mr. HUGH SCOTT. Yes.

Mr. MANSFIELD. I only wish to point out what we have been endeavoring to do is to have the evidence presented to the Senate, and no evidence has been presented as yet.

The Committee on Rules and Administration reported a resolution, I understand, 8 to 0. We have not got to the first—we have completed the first issue of that bill, but there are in excess of 30 issues to be faced up to.

I have not seen the evidence yet. I want to keep an open mind. We are not trying to steal this election, as has been alleged. There has been no hanky-panky. There has been no subterfuge. All we want to do is to see the evidence and to face up to these issues which have been reported to the full Senate by the Committee on Rules and Administration, and we are denied that chance except for one issue, just one.

The RECORD ought to be clear. This is a constitutional matter, and article I, section 5, regardless of what anyone says, is the law of the land. We cannot shirk that responsibility. We cannot avoid it much as we, some of us, would like to.

As I say, Mr. President, and to my friend, the distinguished Republican leader, there is nothing I would rather do than to get this Wyman-Durkin contest out of this Chamber, but I cannot, I will not and I shall not forego my constitutional responsibility as a Senator of the United States nor will I forego the Constitution which, when I came in, I swore to defend and uphold, and I will.

Mr. HUGH SCOTT. Mr. President, there is no shirking of responsibility in sending this election back. That, too, is under the Constitution, and there is no shirking responsibility in recognizing that New Hampshire has had one vote only on numerous important issues.

There is no shirking of responsibility if we let these two contestants see what they have to say about it. But, above everything else, the Constitution will be observed no matter which way we go. I point out when issue (1) was invoked it was invoked against our clear and valid and, I would say, constitutionally unquestionable right to have 10 precincts tallied, and our right to have Mr. Wyman's protests heard after Mr. Durkin's were heard. That is not justice, and I am not very much in favor—I am not at all in favor—of that procedure.

I yield to the Senator from Connecticut.

EXHIBIT 1

[From the Washington Post, July 28, 1975]

THE EMPTY SENATE SEAT

It is incredible that the Senate should go on vacation for a month without settling the New Hampshire Senate election case. But that is what the Senate intends to do. Majority Leader Mike Mansfield has decided the controversy has become so bitter and snarled that further votes should be deferred until September—without even any agreement to resolve this tedious business then. Meanwhile, the people of New Hampshire have already been denied one Senate vote on voting rights, defense policy, tax cuts, jobs legislation and a host of other bills. Each day the seat stays empty is another day of denial of a whole state's right to equal representation in the Senate.

Partly because of the complexities of the case, but mostly out of partisan stubbornness, the 99 seated senators have maneuvered themselves into a stalemate. The Democrats have the votes to keep the Republicans from declaring the seat vacant and clearing the way for a new election in New Hampshire. The Republicans have the votes to block cloture and keep the Democrats from imposing a solution in the Senate. The partisan lines have gotten more rigid every week, and neither party leaders nor rank-and-file senators seem inclined to abandon those lines and negotiate a procedural accord. If this state of affairs persists, the seat could stay empty-but-not-vacant for a long, long time. Conceivably, it could even remain so for five years and five months, until the term of the unseated senator runs out and New Hampshire voters elect someone in 1980.

Such a collapse of governmental competence cries out for intervention by some dispassionate and decisive force. However, no magic mediator is available. One side or the other has rejected every suggestion that the unresolved issues be turned over to the General Accounting Office or the American Arbitration Association. Since this is not your average labor-management dispute, the Federal Mediation Service can't be called in, nor can anyone invoke the Taft-Hartley Act. The people of New Hampshire cannot settle the thing among themselves unless the Senate sends it back. Neither the President nor the courts may intervene because the Constitution gives the Senate the power to judge election cases. There is no standing for an appeal to the United Nations, the World Court or the Organization of American States, or, for that matter, the Marines.

Since no distinterested party can be called in, it seems to us that the responsibility for an extraordinary effort to end the impasse rests more than ever with those who have the most direct stake in the result. By that we mean the two contenders, Republican Louis C. Wyman and Democrat John Durkin. No one else has more sensitivity to the concerns of New Hampshire, and no one else has more influence with various senators than the candidates on whose behalf this bitter battle has been carried on. We are not suggesting that Messrs. Wyman and Durkin flip a coin to see who should withdraw. But they certainly could sit down together and try to agree on dropping some challenges, stipulating certain readings of New Hampshire law, naming someone to make the final tally, and recommending a deadline for decision when the Senate reconvenes. If the two candidates could work out a reasonable way to a settlement, their respective partisans in the Senate would have no excuse for not taking it. This may sound unappealing to both sides. It would involve some concessions and some risks. But if nobody concedes anything, no one will ever win. That empty seat can only be won by one candidate and only if both are mature enough to risk losing it.

Mr. WEICKER. I thank the distinguished Senator from Pennsylvania and I wish to be associated with his comments.

I would like to go point-by-point because, aside from the passion exhibited by the distinguished Senator from Montana, I think it is necessary to keep the very simple facts of the case before the American people.

I do not think the distinguished Senator from Montana is suggesting that when the Senate sent back the Smith Brookhart election they were acting unconstitutionally, and this is exactly what happened in previous Senates.

I do not think the Senator from Montana would suggest that he is the only champion of the Constitution on the floor and that those of us who feel it should go back to New Hampshire are shirking our constitutional oath.

Mr. MANSFIELD. Will the Senator yield there?

Mr. WEICKER. In a minute.

Mr. MANSFIELD. I want to ask, was the evidence presented to the Senate ahead of time?

Mr. WEICKER. I am going to get to the evidence in a minute.

The fact is that article I, section 5, which the distinguished Senator from Montana refers to, says:

> Each House shall be the judge of the elections, returns, and qualifications of its own Members.

Now, I have to ask a rhetorical question of the distinguished Senator from Montana, Where does article I, section 5, say that each House shall be the judge of the elections, returns, and qualifications of its own Members, and shall make such determination by referring it to a Rules Committee or by votes on the Senate floor?

It says nothing, it is silent.

What I am saying to the distinguished Senator from Montana is that the Constitution leaves open the question of how each House shall do this. It could very well be a Rules Committee determination is the best way, or on the Senate floor.

For myself, feeling politics has very much opened up in these things, they do not take place behind closed doors and in the Senate Chamber any more, I feel the best determination can be made by the people of New Hampshire themselves. This is the open, clean way, and not wheel and deal in the cloakroom or in the Rules Committee or on the Senate floor.

I happen to be a great admirer of the distinguished majority leader, I do not think anybody has more courage than he, but on the issue of the Constitution, he is just plain wrong, and trying to go ahead and raise a false alarm, which is not the case at all, the Constitution provides that we shall be the judge of the qualifications of our own Members, it does not say how we do it.

But it has been suggested now, almost 6 months, that a far better determination can be made by the people of New Hampshire. That is a far better mechanism to use than sitting here and negotiating out what are the rights of the people of New Hampshire.

Point two is to the issues. Unfortunate-

ly, for the distinguished Senator from Montana, the last time we had the issues discussed, there was a rollover right here in the well of the Senate Chamber and the distinguished Senator from Montana will remember the issues had been decided a minute or so before the rollcall in favor of the position taken by the minority side, and with 1 or 2 minutes to go on that vote there was a great deal of scurrying around in the well of the Chamber here.

Mr. HUGH SCOTT. Will the Senator yield?

With no minutes left to go.

Mr. WEICKER. With almost no minutes left to go.

Votes were switched and the majority position then prevailed.

Yes, we got taught a very valuable lesson and that is that far from being an open matter that would be discussed and decided on its merits, there was going to be a straight down the line party exercise.

So that I personally am going to follow the admonition of, once shame on you, twice shame on me, and I will insist and continue to do so on resolving this matter in the best possible way, which is to send it back to New Hampshire.

One last point, if I might, that each Senator might contemplate. I have several of my staff and constituents that recently spent some time in New Hampshire and they found out how pleasant and delightful life is in New Hampshire and the life in New Hampshire seems to be going along very well with only one Senator. If this takes hold, half of us can be out of a job as people realize that the business of the Nation can as well be conducted with one Senator as two Senators.

So I would suggest to all my colleagues that they might keep this in mind because if it goes longer and New Hampshire continues to prosper and the country continues to prosper, it might be determined by the people of New Hampshire to cut the size of this Chamber in half, and I am not so sure that would not be to the benefit of the entire Nation.

What I am saying is that whether we cut it in half or whether both Senators ought to go ahead, or do not seat either, the fact is that if there is a violation to the spirit of the Constitution, it is the way this matter is being handled.

Never before have we gone ahead and not seated anyone. We have seated somebody without prejudice to the person that was appealing.

But the problem is that this was Mickey Moused right from the beginning, Mr. Majority Leader. We did not follow our precedents.

Mr. ROBERT C. BYRD. Mr. President, I am going to have to ask for the regular order. The distinguished leader is entitled to some time, but they have had 15 minutes now; the standing order is 10 minutes each. I will not ask for it, Mr. President.

The ACTING PRESIDENT pro tempore. The Senator from West Virginia makes a point.

Mr. ROBERT C. BYRD. I would like the leader to have a chance.

Mr. MANSFIELD. Will the Republican leader——

Mr. WEICKER. I thank the minority leader.

Mr. MANSFIELD. I would like to ask one question of the distinguished Senator from Connecticut. Did the Senator, during the course of his discourse, use the phrase, "straight party line" in relation to this matter?

Mr. WEICKER. But for certain members of the side, notably Mr. ALLEN and two or three others, there has been party discipline exercised by the majority on the votes on their side.

Mr. MANSFIELD. The only straight party line has been on the Republican side and there has not been a straight party line on the Democratic side, is that correct?

Mr. WEICKER. The Republican position is not to have the matter resolved here at all, but send it back to New Hampshire.

Mr. MANSFIELD. Will the Senator answer?

Mr. WEICKER. I have answered.

Mr. MANSFIELD In other words, then, I will state the answer. The Republicans have been solid at all times. There have been divisions within the Democratic Party on this side of the aisle, not just one, but more than one, on a number of occasions, and then as far as cloture is concerned there has been four that I can recall offhand, so as far as the straight party line matter is concerned, that is a Republican truism, but as far as we are concerned, does not hold water, and I know the Senator would agree?

Mr. WEICKER. I would agree that the Republican position of sending it to New Hampshire has been adhered to and there has been response on the other side that was shared.

But when we got to the issues, the arm twisting exercise that took place in the well was incredible.

Mr. MANSFIELD. I do not know how to arm twist.

Mr. WEICKER. I saw a lot of votes change so very fast.

The ACTING PRESIDENT pro tempore. The Senator from Pennsylvania may sum up.

Mr. HUGH SCOTT. Mr. President, I would prefer to sum up by yielding, if I may, a brief time to the Senator from Oregon, pointing out only this. Our view is that it was unconstitutional to deny Mr. Wyman the seat in the first place when he had a certificate by a two-vote majority, and it is against the rules of this Chamber for votes to be changed in the well after a motion for the regular order has been made.

I yield the remainder of my time.

Mr. ROBERT C. BYRD. Mr. President, there is no remainder of time.

The ACTING PRESIDENT pro tempore. There is no remainder of time.

Mr. ROBERT C. BYRD. I will not raise a point of order, but there is no remainder of time. The time has expired.

Mr. HATFIELD. Mr. President, I thank the distinguished minority leader for yielding.

I might make one observation, I would say up to now the Republican or minority position has been the bipartisan position. The majority party has had the straight partisan position because ours has been votes cast by both Democrat and Republican. That makes our position bipartisan.

Mr. MANSFIELD. Will the Senator yield?

That is the most unusual explanation I have ever heard of bipartisanship.

Mr. HATFIELD. I appreciate the distinctive character that has been applied to my observation by the majority leader.

Mr. President, I would just like to point out one thing. Back on January 3, 1953, the Republican Party controlled the Senate at that time and Senator Taft requested that Senator Chavez should be permitted to take the oath and be seated without prejudice, and it was done.

At no time was any charge or suggesting of election fraud or irregularity made against the Senator.

So even though this was a Republican body controlled by the Republican Party, Senator Dennis Chavez, a Democrat, was seated without prejudice.

Mr. MANSFIELD. Will the Senator yield there?

What was the vote differential between Senator Chavez and his opponent at that time?

Mr. HATFIELD. It is right here in the RECORD. I would say it is more than two votes.

Mr. MANSFIELD. Yes, considerably more than two.

Mr. HATFIELD. But the basic——

Mr. MANSFIELD. But I would point out that this Senate this year seated the distinguished Senator from Oklahoma (Mr. BELLMON) despite the fact that there was a contest and, if I recall correctly, the difference was somewhere between 4,000 and 5,000 votes in Mr. BELLMON's favor, so there is no question there.

Mr. HATFIELD. Mr. President, I think the basic principle is still valid. That is, only Mr. Wyman held and holds a valid certificate of election.

The ACTING PRESIDENT pro tempore. The time for the majority and minority leaders has expired.

COMMUNICATIONS FROM EXECUTIVE DEPARTMENTS, ETC.

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

PROPOSED LEGISLATION RELATING TO AUTOMOBILE EMISSION STANDARDS

A communication from the President of the United States transmitting a draft of proposed legislation relating to automobile emission standards (with accompanying papers); to the Committee on Public Works.

PROPOSED LEGISLATION BY THE SECRETARY OF COMMERCE

A letter from the Secretary of Commerce transmitting a draft of proposed legislation to amend the Public Works and Economic Development Act of 1965 to extend the authorizations for a 3-year period (with accompanying papers); to the Committee on Public Works.

PROPOSED AMENDMENT TO REQUEST FOR APPROPRIATIONS FOR THE DEPARTMENT OF AGRICULTURE—(S. DOC. 94-94)

A communication from the President of the United States transmitting an amendment to the request for appropriations for the fiscal year 1976 in the amount of $3,137,095,000 and for the transition period July 1 through September 30, 1976, in the amount of $788,883,000 for the Department of Agriculture (with accompanying papers); to the Committee on Appropriations, and ordered to be printed.

REPORT OF THE SECRETARY OF TRANSPORTATION

A letter from the Secretary of Transportation transmitting, pursuant to law, a report from the driver education evaluation program (with an accompanying report); to the Committee on Public Works.

REPORT OF THE ASSISTANT SECRETARY OF DEFENSE

A letter from the Assistant Secretary of Defense transmitting a list of contract award dates for the period July 15, to October 15, 1975 (with accompanying papers); to the Committee on Armed Services.

PROPOSED ACT BY THE COUNCIL OF THE DISTRICT OF COLUMBIA

A letter from the Chairman of the City Council of the District of Columbia transmitting, pursuant to law, copies of an act adopted by the Council establishing Advisory Neighborhood Council areas and single-member districts (with accompanying papers); to the Committee on the District of Columbia.

REPORT OF THE OFFICE OF THE DISTRICT OF COLUMBIA AUDITOR

A letter from the District of Columbia Auditor transmitting, pursuant to law, a report on Department of Human Resources Personnel Funding (with an accompanying report); to the Committee on the District of Columbia.

AMENDMENTS TO THE BUDGET OF THE ENERGY RESEARCH AND DEVELOPMENT ADMINISTRATION

A letter from the Deputy Administrator of the Energy Research and Development Administration summarizing the effects of proposed amendments on ERDA's programs and showing the changes being requested as compared to the original budget submitted to Congress (with accompanying papers); to the Joint Committee on Atomic Energy.

REPORTS OF THE IMMIGRATION AND NATURALIZATION SERVICE

A letter from the Commissioner of the Immigration and Naturalization Service transmitting, pursuant to law, reports concerning visa petitions which have been approved by the Service covering the period May 16 through May 30, 1975 (with accompanying papers); to the Committee on the Judiciary.

PROPOSED REGULATION OF THE DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

A letter from the Executive Secretary to the Department of Health, Education, and Welfare transmitting, pursuant to law, a copy of a proposed regulation entitled, "Guaranteed Student Loan Program" (with accompanying papers); to the Committee on Labor and Public Welfare.

PETITIONS

Petitions were laid before the Senate and referred as indicated.

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

Senate Concurrent Resolution No. 71 adopted by the Legislature of the State of Louisiana; to the Committee on Appropriations:

"SENATE CONCURRENT RESOLUTION NO. 71

"A concurrent resolution to memorialize the Congress of the United States to maintain funding of the Law Enforcement Assistance Administration budget in such amount as will not reduce the funds allocated towards the education and training of law enforcement officials

"Whereas, in recent years there has been a marked increase in the crime rate across the nation, to the extent of being a real threat to the orderly functioning of society; and

"Whereas, it is generally recognized that the first line of defense against crime in the community is the local law enforcement agency; and

"Whereas, the purpose of the Law Enforcement Assistance Administration is to assist state and local government to reduce crime and at this time approximately ten percent of all uniformed police in this country have been trained with assistance from the Law Enforcement Assistance Administration; and

"Whereas, the Law Enforcement Education Program is the particular program which provides the financial assistance for the education of local law enforcement officers and this vital program would be directly affected by a cut in the budget of the Law Enforcement Assistance Administration.

"Therefore, be it resolved by the Senate of the Legislature of Louisiana, the House of Representatives thereof concurring, that the Congress of the United States is hereby memorialized to maintain the budget of the Law Enforcement Assistance Administration at such a level that the Law Enforcement Education Program may continue in operation at present level of effectiveness or above.

"Be it further resolved that a copy of this Resolution shall be transmitted to the presiding officer of each house of the Congress."

Senate Concurrent Resolution No. 97, adopted by the Legislature of the State of Louisiana; ordered to lie on the table:

"SENATE CONCURRENT RESOLUTION NO. 97

"A concurrent resolution to memorialize the United States of America to pass United States House of Representatives Resolution 335 in order to establish a House Committee to conduct a complete investigation and study of the problem of United States servicemen presently designated as missing in action as a result of military operations in Southeast Asia

"Whereas, there exists a grave national concern with respect to those United States servicemen presently designated as missing in action as a result of military operations in Southeast Asia; and

"Whereas, because of the absence of conclusive information concerning the plight of these United States servicemen designated as missing in action, the families of such servicemen have experienced a prolonged period of anxiety and uncertainty; and

"Whereas, the families of these servicemen designated as missing in action have admirably displayed sustained strength and courage under very trying circumstances; and

"Whereas, these United States servicemen designated as missing in action have by their many acts of valor exemplified the highest ideals of patriotism and heroism in their service to the United States and those principles for which it stands; and

"Whereas, the United Sates of America; in due recognition of such patriotism and heroism, owes these servicemen and their families an incessant obligation to ascertain the true plight of all such brave Americans; and

"Whereas, Michael B. Varnado, a native resident of the state of Louisiana and a United States Army helicopter pilot in Southeast Asia, has not been conclusively accounted for since May 2, 1970; when his aircraft was shot down by enemy weapons fire; and

"Whereas, the parents of Michael B. Varnado have continually received conflicting reports as to the true plight of their son; and

"Whereas, as a result of the great sorrow and anguish associated with the death of a close relative or friend, there exists a great need for conclusiveness and accurateness in the reporting procedures concerning the plights of those United States servicemen presently designated as missing in action as a result of military operations in Southeast Asia.

"Therefore, be it resolved by the Senate of the Legislature of Louisiana, the House of Representatives thereof concurring, that the Congress of the United States of America is hereby memorialized to pass United States House of Representatives Resolution 335, in order to establish a House Committee to conduct a full and complete investigation and study of the problem of United States servicemen presently designated as missing in action as a result of military operations in Southeast Asia.

"Be it further resolved that copies of this Concurrent Resolution shall be transmitted to each of the members of the Louisiana Congressional Delegation, the speaker of the United States House of Representatives, the president of the United States Senate and the president of the United States of America."

Senate Concurrent Resolution No. 55 adopted by the Legislature of the State of Florida; to the Committee on Post Office and Civil Service:

"A concurrent resolution to urge and request the Louisiana Congressional delegation to take whatever steps they deem necessary to assure that the United States Bureau of the Census will conduct a more accurate census in the future

"Whereas, the United States census has been conducted in such a manner that social, economic, and political factors have influenced, and in part caused, a questionable margin of error therein, affording noteworthy discrepancies in federal funding on the state and local level which the citizens of Louisiana feel should be corrected in the future; and

"Whereas, the education of the public toward the necessity of an accurate census, providing information to them as to the benefits which may accrue on the basis of the census, might contribute to and assist in obtaining a closer approximation of true and accurate results in the census; and

"Whereas, the census is conducted from a 25 percent sample base of the entire population and the results can only be as accurate as the data plotted, and this is further complicated by the fact that the census funding is based on one dollar per sample person interviewed, which economically curtails the hiring of qualified personnel with an expertise in demography and statistical analysis so vitally necessary for the accuracy in the conduct of such a census; and

"Whereas, this situation often has the effect of perpetuating the necessity of district directors being political appointees who in the majority of the cases lack the necessary expertise in demography and statistical analysis and the ability to follow up with checks and balances on the information obtained; and

"Whereas, a combination of these social, economic, and political factors has produced census figures which have been shown, by subsequent censuses or by other demographic tools, to be significantly inaccurate, and these errors, due to the use of the census for numerous governmental programs, are compounded countless times over in the application and implementation of such programs.

"Therefore, be it resolved by the Senate of the Legislature of Louisiana, the House of Representatives thereof concurring, that the

legislature does hereby urge and request the Louisiana Congressional delegation to take whatever steps they deem necessary to assure that the Bureau of the Census will conduct a more accurate census in the future.

"Be it further resolved that a copy of this Resolution be forwarded immediately to the presiding officers of the House of Representatives and of the Senate of the United States Congress, to each member of the Louisiana Congressional delegation, to the Director of the Bureau of the Census, and to the President of the United States, the Honorable Gerald R. Ford."

Senate Concurrent Resolution No. 109 adopted by the Legislature of Louisiana; to the Committee on the Judiciary:

SENATE CONCURRENT RESOLUTION No. 109

"A concurrent resolution to apply to the Congress of the United States for a convention to propose an amendment to the Constitution of the United States

"Whereas, an ever-increasing public debt is inimical to the general welfare of the people of the United States; and

"Whereas, the national debt is already dangerously high and any further increases will be harmful and costly to the people of the United States; and

"Whereas, a continuous program of deficit financing by the federal government is one of the greatest factors supporting the inflationary conditions presently existing in this country and therefore has been the chief factor in reducing the value of the American currency; and

"Whereas, payment of the increased interest required by the ever-increasing debt would impose an undue hardship on those with fixed incomes and those in lower income brackets; and

"Whereas, it is not in the best interest of either this or future generations to continue such a practice of deficit spending particularly since this would possibly deplete our supply of national resources for future generations; and

"Whereas, by constantly increasing deficit financing the federal government has been allowed to allocate considerable funds to wasteful and in many instances nonbeneficial public programs; and

"Whereas, by limiting the federal government to spend only the revenues that are estimated will be collected in a given fiscal year, except for certain specified emergencies, this could possibly result in greater selectivity of federal government programs for the benefit of the public and which would depend upon the willingness of the public to pay additional taxes to finance such programs; and

"Whereas, there is provision in Article V of the Constitution of the United States for amending the Constitution by the Congress, on the application of the legislatures of two-thirds of the several states, calling a convention for proposing amendments which shall be valid to all intents and purposes when ratified by the legislatures of three-fourths of the several states, or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by the Congress.

"Therefore, be it resolved by the Senate of the Legislature of Louisiana, the House of Representatives thereof concurring, that we do hereby make application, pursuant to Article V of the Constitution of the United States, to the Congress of the United States to call a convention of the several states for the proposing of the following amendment to the Constitution of the United States:

"AMENDMENT —

"SECTION 1. Except as provided in Section 3, the Congress shall make no appropriation for any fiscal year if the resulting total of appropriations for such fiscal year would exceed the total revenues of the United States for such fiscal year.

"SEC. 2. There shall be no increase in the national debt and such debt, as it exists on the date on which this article is ratified, shall be repaid during the one-hundred-year period beginning with the first fiscal year which begins after the date on which this article is ratified. The rate of repayment shall be such that one-tenth of such debt shall be repaid during each ten-year interval of such one-hundred-year period.

"SEC. 3. In time of war or national emergency, as declared by the Congress, the application of Section 1 or Section 2 of this article, or both such sections, may be suspended by a concurrent resolution which has passed the Senate and the House of Representatives by an affirmative vote of three-fourths of the authorized membership of each such house. Such suspension shall not be effective past the two-year term of the Congress which passes such resolution, and if war or an emergency continues to exist such suspension must be reenacted in the same manner as provided herein.

"SEC. 4. This article shall apply only with respect to fiscal years which begin more than six months after the date on which this article is ratified."

"Be it further resolved that this application by the Legislature of the state of Louisiana constitutes a continuing application in accordance with Article V of the Constitution of the United States until at least two-thirds of the legislatures of the several states have made similar applications pursuant to Article V, but if Congress proposes an amendment to the Constitution identical with that contained in this Resolution before January 1, 1976, this application for a convention of the several states shall no longer be of any force or effect.

"Be it further resolved that a duly attested copy of this Resolution be immediately transmitted to the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States; to each member of the Congress from this state; and to each house of each state legislature in the United States."

Senate Memorial No. 1384 adopted by the Legislature of the State of Florida; to the Committee on Interior and Insular Affairs:

"SENATE MEMORIAL No. 1384

"A memorial to the Congress of the United States, urging Congress to take appropriate action to allow the continuation of agricultural activities in the Hole-in-the-Donut area of the Everglades National Park.

"Whereas, the Hole-in-the-Donut area of the Everglades National Park is a unique and extremely productive farming area which has been in agricultural use for over 60 years, and

"Whereas, the Hole-in-the-Donut area was excluded from the original boundaries of the park in recognition of its value for agricultural use, and

"Whereas, in 1970, the Congress of the United States authorized the acquisition of agricultural holdings in the park, including the Hole-in-the Donut area, and legislation was enacted requiring all farming to cease on the government-acquired lands within the Hole-in-the-Donut area, and

"Whereas, individual efforts by growers over the past 5 years to reach a compromise agreement with the Department of the Interior to allow farming to continue have been fruitless, and

"Whereas, the remaining agricultural leases for the 3,500-plus acres farmed in the Hole-in-the-Donut area this year will expire on June 30, 1975, and

"Whereas, an independent study of farming in the Hole-in-the-Donut area indicates that there is no history of, and no indication of future environmental damage as a result of farming in the area, and

"Whereas, the cessation of farming in the Hole-in-the-Donut area will have extremely severe social, economic, and environmental impacts as it will lead to the virtual destruction of the Hole-in-the-Donut area's tomato industry, which during a certain 6-week period produces up to half of all the tomatoes packed in the United States, and the unemployment of thousands of farmworkers, and

"Whereas, the continuation of farming in the Hole-in-the-Donut area is in the best interests of the nation and the park itself, as well as of the people of Florida, Now, therefore,

"Be it resolved by the Legislature of the State of Florida:

"That the Congress of the United States is urgently requested to immediately take appropriate action to allow the continuation of farming in the Hole-in-the-Donut area of the Everglades National Park by providing for the continuation of the long term agricultural lease of 5,000 acres within that area.

"Be it further resolved that copies of this memorial be dispatched to the President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, and to each member of the Florida delegation to the United States Congress."

Resolution No. 138 adopted by the Legislature of the Ponape District, Eastern Caroline Islands; to the Committee on Interior and Insular Affairs:

"RESOLUTION No. 138

"A resolution respectfully requesting the Administering Authority of the Trust Territory to cease and desist from any and all activities and negotiations with separate districts of Micronesia; to allow Micronesians to exercise their right of self-determination; and urging the peoples of Micronesia to utilize the central legislative body in determining their future; directing the Committee on Judiciary and Government Relations to exercise any means necessary in ensuring the fulfillment of the intent and purpose of this Resolution; and for other purposes

"Whereas, it is the sense of the Third Ponape District Legislature, Sixth Regular Session, 1975, that the United States, as Administering Authority for the Trust Territory of the Pacific Islands, is obligated under the United Nations Charter and the Trusteeship Agreement of the Former Japanese Mandated Islands to foster the political, economic, social and educational advancement of the inhabitants of Micronesia and to promote, to the fullest extent possible, the development of the Territory toward self-sufficiency and self-government; and

"Whereas, it is also the sense of this Legislature that because of the smallness and isolated nature of the islands of Micronesia, and because of the limited resources, personnel, and labor force available in the Trust Territory, economic, social and political advancement toward self-sufficiency can only be accomplished through a high degree of political cooperation and economic interaction between and among the districts of Micronesia; and

"Whereas, despite the long tradition of consolidated administration by the German, the Japanese and the American administrations, and despite repeated protests by the Congress of Micronesia and strong criticism by the 1973 United Nations Visiting Team to the Trust Territory, the United States, in promoting its own territorial and military interests in the Northern Mariana Islands, has instituted separate status negotiations with the political subdivision of the Trust Territory Government known as the Mariana Islands District for its incorporation into the territorial possessions of the United States of America; and

"Whereas, the United States has initiated these separate negotiations with this important segment of the Trust Territory of the Pacific Islands which is rich in potential for economic and social growth and

equipped by the United States with the most highly developed infrastructure of all the islands of Micronesia, without any consideration of the crucial importance of the Northern Mariana Islands for the future development and economic vitality of the remainder of Micronesia; and

"Whereas, the unprecendented action of the United States Government in negotiating separately with the Mariana Islands District has unwittingly encouraged various interest groups within the other districts of Micronesia to exploit the possibilities of asserting the right of separate status negotiations at a time when the Trust Territory is faced with political and economic crisis, significantly jeopardizing the viability of our central legislative body and the fragile thread of unity in Micronesia so essential for the maintenance of the territorial integrity and economic vitality in the Trust Territory; and

"Whereas, the Congress of Micronesia through repeated acts and resolutions, and the esteemed traditional leaders of the islands of Micronesia, assembled in conference, by resolution and petition, have sought in every way possible to counteract the disruptive activities of the Administering Authority which are resulting in the fractionalization and disunification of Micronesia; and

"Whereas, the Congress of Micronesia has further sought to enable all the people of Micronesia to decide, in accordance with duly established and recognized means of democratic political expression, what form of political status and future government is best for them, by calling for a Constitutional Convention with delegates representing every district of Micronesia to convene in July, 1975; and

"Whereas, the Congress of Micronesia, in its most recent Regular Session passed legislation calling for a national referendum not later than July 12, 1975, which among other things, will seek to determine whether the people of Micronesia wish to continue the unified nature of Micronesia; now, therefore,

"Be it resolved by the Third Ponape District Legislature, Sixth Regular Session, 1975, for and on behalf of the people of Ponape District, that the Administering Authority of the Trust Territory of the Pacific Islands is hereby respectfully requested to cease and desist from any and all activities and negotiations with the separate political subdivisions of Micronesia which disrupt the territorial integrity of Micronesia in order to promote its own territorial and military goals within the Trust Territory of the Pacific Islands, and to allow the people of Micronesia, through their inherent right of self-determination, to develop for themselves the nature and scope of the government of Micronesia; and

"Be it further resolved that all the peoples of Micronesia are hereby humbly requested and beseeched to utilize the legal modes of self-expression provided by the central legislative body of the Trust Territory Government to determine the future of Micronesia, and to approach the Constitutional Convention for Micronesia with open minds and a sense of cooperation necessary to ensure a viable political future for all the peoples of Micronesia; and

"Be it further resolved that the Committee on Judiciary and Governmental Relations of the Ponape District Legislature is hereby authorized and directed to exercise any means necessary, court action or otherwise, to ensure that the intent and purpose of this Resolution is realized; and

"Be it further resolved that certified copies of this Resolution be transmitted to the United Nations Trusteeship Council, the President of the United States of America; the Secretary of the United States Department of the Interior, Ambassador Franklin Haydn Williams, each of the United States Congressmen and Senators, the U. S. House of Representatives Committee on Interior and Insular Affairs, the U. S. Senate Committee on Interior and Insular Affairs, the Director of the Office of Territorial Affairs, the High Commissioner of the Trust Territory of the Pacific Islands, the Presiding Officers of the Congress of Micronesia, the Presiding Officers of all six District Legislatures in the Trust Territory, the Pre-Convention Committee of the Micronesian Constitutional Convention, and the Traditional Leaders of Micronesia."

House Resolution No. 44 of the Legislature of the State of Illinois; to the Committee on Foreign Relations:

"HOUSE RESOLUTION 414

"Whereas, A female civilian American citizen has been held by Communist-controlled police for at least three weeks without formal charges and was moved from police headquarters to the offices of the former Center for National Documentation for formal interrogation, according to police sources; and

"Whereas, The center formerly carried out investigation of political infractions but was ordered disbanded after last month's de facto take-over of power by the Communist Pathet Lao; and

"Whereas, U.S. Embassy officials said they were not aware of the move and requested to visit the prisoner, who has been held since her arrest on June 4, 1975, despite laws forbidding the detention of prisoners for more than 24 hours without formal charges being made, but there has been no reply to that request; and

"Whereas, The State Department reported that an American Consulate official was allowed to see the prisoner in her cell on June 6 and understood that she would be released on the condition she leave the country, but no expulsion order was issued and she was not released; and

"Whereas, About a week later the prisoner told an Associated Press Reporter, through a window in the wooden police station where she was then held: "I don't know why I am being held. I have been here seven days. They kept me in two sets of handcuffs until yesterday."; and

"Whereas, Pathet Lao Radio and the Laotian news agency have accused the prisoner of working for the Central Intelligence Agency in an attempt to smuggle American T-28 fighter-bombers out of Laos, but those charges have not been confirmed by the Laotian government, which told State Department officials it had issued no such information; and

"Whereas, The prisoner, Mrs. Rosemary Ann Conway, nee Curtin, a native of Chicago, Illinois, graduated with honors from the Academy of Our Lady, a Chicago Catholic school, in 1956, and taught in a South Suburban school until she began teaching English in Laos in 1972; and, therefore be it

"*Resolved*, By the House of Representatives of the Seventy-ninth General Assembly of the State of Illinois, that we memorialize the Congress of the United States of America to take such action as may be necessary and expedient to effect the immediate release of Mrs. Conway, a civilian and natural born citizen of the United States of America and the State of Illinois, from the Communist-controlled prison in Laos; and, be it further

"*Resolved*, That a suitable copy of this preamble and resolution be sent by the Office of the Secretary of State to the President and Vice-President of the United States of America, to the Majority and Minority Leaders of both Houses of the Congress of the United States of America, to the two United States Senators and the 24 United States Representatives elected by the People of the State of Illinois, and to the brother and the sister of Mrs. Conway."

Assembly Resolution No. 145 adopted by the Assembly of the State of New York; to the Committee on Finance:

"JOINT RESOLUTION NO. 145

"Joint resolution of the Legislature of the State of New York memorializing the Congress of the United States to remedy the existing deficiencies in the Federal Supplemental Security Income program

"Whereas, the United States Congress acted to create a single, national Supplemental Security Income program to replace more than eleven hundred fifty State and local programs of welfare for the aged, blind, and disabled, effective January 1, 1974; and

"Whereas, the Congress so acted with the express purpose of creating a minimum income program under which those too old and infirm to support themselves might live in dignity, free of dependency on the welfare system; and

"Whereas, the wisdom of the Congress in so acting has been demonstrated in that nearly one hundred fifty thousand aged and disabled New York State citizens who might never have applied for "welfare" status have now been accepted into the SSI program; and

"Whereas the Congress, recognizing that the basic Federal SSI grant would be insufficient to meet the needs of many aged, blind, or disabled persons, encouraged the States to provide supplemental payments by permitting States to do so and yet be forever "held harmless" at 1972 State and local costs for aid to the aged, blind, and disabled regardless of how the SSI caseload might grow after January 1, 1974; and

"Whereas, the Congress also encouraged the "cashing out" of the food stamp program for the SSI population by permitting the States to include the cash value of food stamp supplemental payments subject to the "hold harmless" limitations on State and local costs; and

"Whereas, The state of New York, on behalf of its two hundred seventy thousand AABD beneficiaries, actively supported the creation of the SSI program, chose to supplement the basic Federal SSI grants, and elected to cash-out the food stamp program for the SSI population, with the latter decision grounded in the assumption that it was far better social policy to provide ten dollars monthly to all SSI recipients rather than provide the equivalent amount in food stamps to the less than half of the SSI population who would actually use them; and

"Whereas, The Congress has failed to act on a number of critical issues which, if not remedied, threaten to undermine the promise of the SSI program for New York's aged, blind and disabled citizens, to wit:

"The Congress has failed to modify the hold harmless mechanism so that the state of New York and a number of other states might pass along increases in the basic Federal SSI grant voted and funded by the Congress—increases which SSI recipients in those states without optional supplementation programs are now benefiting from;

"The Congress has failed to provide federal funding for emergency needs of the SSI population—emergencies such as eviction, utility disconnection, loss of household goods due to fire or flood and loss or theft of checks and cash;

"The Congress has failed to provide the means by which states providing the cash value in lieu of food stamps could increase the cash-out payment in the event the bonus value of food stamps is raised nationally;

"The Congress has failed to create new definitions of disability for adults and children under the SSI program which would recognize the significant differences in needs and abilities of this population in comparison with those served by Social Security insurance programs;

"The Congress has failed to make special provision for SSI beneficiaries in need of minimal supportive care and services either in non-medical congregate living facilities or in their own homes; now, therefore, be it

"*Resolved*, That the Congress of the United States be and hereby is respectfully memorialized to remedy these deficiencies so that the full promise of the Federal Supplemental Security Income program will be realized for both the SSI beneficiaries and taxpayers of New York state; and be it further

"*Resolved*, That copies of this resolution suitably engrossed be transmitted to the President of the Senate of the United States, the Speaker of the House of Representatives, and to each member of the Congress of the United States from the state of New York."

Senate Concurrent Resolution No. 138 adopted by the Legislature of the State of Louisiana; to the Committee on Commerce:

"SENATE CONCURRENT RESOLUTION NO. 138

"A concurrent resolution to memorialize the president of the United States, the Louisiana Congressional Delegation, the United States House of Representatives and Senate, and the chairman of the Federal Communications Commission to investigate the manner in which the Public Broadcasting Service and related federally funded agencies employ the use of tax free monies and grants to produce programs purportedly of a documentary nature which in reality serve to abuse and defile a significant segment of the American population such as the program "The Good Times Are Killing Me" recently broadcast by the Public Broadcasting Service

"Whereas, the Acadian people and their culture epitomize the graciousness and warmth characteristic of Louisiana life; and

"Whereas, approximately thirty-five percent of Louisiana citizens are of Acadian descent and contribute unselfishly to the development of the economy of Louisiana particularly in the fields of oil and gas production and agriculture; and

"Whereas, a significant number of Louisiana state officials, businessmen, and women, professional men and women, farmers, educators, clergy and manufacturers, are proud of their Acadian heritage; and

"Whereas, no part of the United States can surpass southwest and south Louisiana in hospitality and genuine friendliness; and

"Whereas, those citizens of Louisiana affectionately known as Cajuns have never been afraid to deliver an honest day's work nor ashamed to exhibit their religious feeling or loyalty to the United States of America; and

"Whereas, certain federal agencies such as the Public Broadcasting Service have chosen to depict a proud, heritage-rich people as stupid, childish, and completely devoid of manners and means through the use of so-called documentaries such as "The Good Times Are Killing Me," recently broadcast by the Public Broadcasting Service.

"Therefore, be it resolved by the Senate of the Legislature of Louisiana, the House of Representatives thereof concurring, that the president of the United States, the Louisiana Congressional Delegation, the United States House of Representatives and Senate and the chairman of the Federal Communications Commission are hereby memorialized to investigate the use of federal tax free funds by federally funded agencies and more particularly the Public Broadcasting Service in producing programs styled as documentaries which in fact demean, abuse, and defile any ethnic or cultural group of American citizens such as the program "The Good Times Are Killing Me".

"Be it further resolved that a copy of this Resolution be transmitted to the president of the United States, the Louisiana Congressional Delegation, the speaker of the United States House of Representatives, the president of the United States Senate, and the chairman of the Federal Communications Commission."

House Joint Resolution No. 6-104 adopted by the Congress of Micronesia; to the Committee on Armed Services:

"HOUSE JOINT RESOLUTION NO. 6-104

"A House joint resolution requesting the Secretary of the United States Department of Defense to grant Trust Territory medical referrals special exemption to the new schedule of higher inpatient and outpatient medical charges to be levied by military medical facilities in Guam and Hawaii.

"Whereas, the health and well-being of the people of Micronesia have been and will continue to be one of the primary concerns of the Trust Territory Government; and

"Whereas, until it has sufficient medical staff and equipment in its hospitals and dispensaries to provide emergency medical care for severe illnesses, injuries, specialized treatment and surgery, the Trust Territory will require continued reliance upon military facilities for referral care of Trust Territory patients both in Guam and Hawaii; and

"Whereas, the Trust Territory Government has been formally advised by the United States Surgeon General of the impending increase in outpatient and inpatient medical charges to be levied in military medical facilities in Guam and in Hawaii and that referral rates at military hospitals may be increased to $147 a day for Micronesians beginning with Fiscal Year 1976; and

"Whereas, in a letter dated May 23, 1975, Dr. Richard R. Taylor, Department of the Army, refused a request by the Department of the Interior to continue the rate of $66 per day for Micronesian referral patients in military hospitals, and indicated that the rate would be raised to $147 for Fiscal Year 1976; and

"Whereas, this increase of more than one hundred percent would effectively reduce the number of referrals that could be made by the Trust Territory Government by one-half, thereby endangering the life and health of the citizens of the Trust Territory; and

"Whereas, the Fiscal Year 1976 budget has already been presented to the United States Congress under the assumption that the referral rate would remain at $66 per day; and

"Whereas, the United States Government has a treaty obligation to 'protect the health of the inhabitants' of Micronesia under the provisions of Article 6 (3) of the Trusteeship Agreement for the Former Japanese Mandated Islands; and

"Whereas, this decision to more than double the referral rate for Trust Territory inhabitants is in direct violation of this treaty obligation undertaken by the United States Government; now, therefore,

"Be it resolved by the House of Representatives, Sixth Congress of Micronesia, First Special Session, 1975, the Senate concurring, that the Department of Defense is hereby requested to continue the rate of $66 per day for Micronesian referral patients in military hospitals; and

"Be it further resolved that certified copies of this House Joint Resolution be transmitted to the President of the United States, the Secretaries of the Departments of Defense and the Interior, the Speaker of the House of Representatives and the President of the Senate, United States Congress, and the High Commissioner of the Trust Territory of the Pacific Islands."

"Adopted: July 1, 1975."

House Joint Resolution No. 6-107 adopted by the Congress of Micronesia; to the Committee on Appropriations:

"HOUSE JOINT RESOLUTION NO. 6-107

"A House joint resolution requesting the United States Congress to appropriate an additional $6,950,000 for the Trust Territory of the Pacific Islands as an additional appropriation for fiscal year 1976

"Whereas, the sum of $15,000,000 was authorized as a supplemental appropriation for the Trust Territory for Fiscal Year 1975; and

"Whereas, the United States Congress only appropriated $8,050,000 of the authorized amount as a supplemental appropriation for Fiscal Year 1975; and

"Whereas, the $6,950,000 which was not appropriated included $945,000 for Fiscal Year 1974 deficit, $1,500,000 for cost increases in Public Works, $100,000 for cost increases in Transportation and Communications, $150,000 as the United States contribution to the preparation of the Comprehensive Economic and Social Development Plan for Micronesia, $4,055,000 for the purchase of field trip ships, and $200,000 for the architectural and engineering fund; and

"Whereas, these programs are badly needed in Micronesia to offset the cost increases in fuel oils and other supplies to provide for planning studies, and to provide for urgently needed field trip vessels; and

"Whereas, because the $2,545,000 requested for cost increases was not appropriated, the government has had to request a reprogram of $2,500,000 funds badly needed for capital improvement projects in order to keep the power plants and ships operating; and

"Whereas, because the $4,055,000 requested for field trip ships was not appropriated, over half of Micronesia's population living in the outer islands continues to suffer from a dangerously inadequate shipping service; and

"Whereas, the United States Congress has already indicated that the request for these funds was justified by passing legislation authorizing the appropriation of the full amount requested; now, therefore,

"Be it resolved by the House of Representatives, Sixth Congress of Micronesia, First Special Session, 1975, the Senate concurring, that the United States Congress is hereby requested to appropriate an additional $6,950,000 for the Trust Territory of the Pacific Islands as an additional appropriation for Fiscal Year 1976; and

"Be it further resolved that certified copies of this House Joint Resolution be transmitted to the Speaker of the House of Representatives and the President of the Senate of the United States Congress."

A resolution adopted by the County Council of St. Louis County, Missouri, supporting an amendment to the Constitution on the subject of abortions; to the Committee on the Judiciary.

A resolution adopted by the Council of the City of Schenectady, New York, supporting continuation of the Federal Revenue Sharing program; to the Committee on Finance.

A resolution adopted by the Council of the City of Cleveland, Ohio, urging funds for the creation of public service jobs; to the Committee on Labor and Public Welfare.

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

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

The legislative clerk proceeded to call the roll.

Mr. ROBERT C. BYRD. 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.

REPORTS OF COMMITTEES

The ACTING PRESIDENT pro tempore. The Chair now calls for reports of standing and select committees.

The following reports of committees were submitted:

By Mr. NUNN, from the Committee on Government Operations, without amendment:

S. 2195. A bill to establish a National Center for Productivity and Quality of Working Life; to provide for a review of the activities of all Federal agencies including implementation of all Federal laws, regulations, and policies which impede the productive performance and efficiency of the American economy; to encourage joint labor, industry, and Government efforts to improve national productivity and the character of working conditions; to establish a Federal policy with respected to continued productivity growth and improved utilization of human resources in the United States; and for other purposes (Rept. No. 94-335).

FEDERAL RULES OF CRIMINAL PROCEDURES AMENDMENTS ACT OF 1975—CONFERENCE REPORT—(REPT. NO. 94-336)

Mr. McCLELLAN submitted a report from the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 6799) to approve certain of the proposed amendments to the Federal Rules of Criminal Procedure, to amend certain of them, and to make certain additional amendments to those rules, which was ordered to be printed.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The ACTING PRESIDENT pro tempore. The Chair now recalls for the 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. ROBERT C. BYRD (for himself and Mr. ALLEN):

S. 2187. A bill to amend the Internal Revenue Code of 1954 to increase the exemption for purposes of the Federal estate tax to increase the estate tax marital deduction, and to provide an alternate method of valuing certain real property for estate tax purposes. Referred to the Committee on Finance.

By Mr. HATFIELD:

S. 2188. A bill to amend the Federal Energy Administration Act of 1974 in order to discourage the use of electricity and natural gas in large amounts and to provide minimal rates for small users. Referred to the Committee on Commerce.

S. 2189. A bill to require the Interstate Commerce Commission to establish nondiscriminatory rates and charges for the transportation of recyclable and recycled solid waste materials. Referred to the Committee on Commerce.

S. 2190. A bill to direct the Secretary of Transportation to make an investigation and study to determine a National Transportation Policy which will result in maximum energy efficiency in our national transportation system. Referred to the Committee on Commerce.

S. 2191. A bill to amend the Federal Energy Administration Act of 1974 to provide for a study of conservation measures applicable to building construction and of the extent to which agencies of the Federal Government are encouraging energy conservation in such construction, and for other purposes. Referred to the Committee on Banking, Housing and Urban Affairs.

S. 2192. A bill to amend the Internal Revenue Code of 1954 to provide a tax credit for contributions to a neighborhood corporation and to provide other financial assistance to such corporations organized under State law to furnish their own neighborhood services. Referred to the Committee on Finance.

By Mr. MUSKIE:

S. 2193. A bill to amend the Fish and Wildlife Act of 1956 in order to authorize the Secretary of Commerce to make loans to United States fishermen to cover the costs of damages to their vessels and gear by foreign vessels. Referred to the Committee on Commerce.

By Mr. BARTLETT (for himself and Mr. BELLMON):

S. 2194. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the McGee Creek project, Oklahoma, and for other purposes. Referred to the Committee on Interior and Insular Affairs.

By Mr. NUNN (for himself, Mr. PERCY, Mr. JAVITS, Mr. JACKSON, Mr. CHILES, Mr. ROTH, and Mr. BROCK):

S. 2195. A bill to establish a National Center for Productivity and Quality of Working Life; to provide for a review of the activities of all Federal agencies including implementation of all Federal laws, regulations, and policies which impede the productive performance and efficiency of the American economy; to encourage joint labor, industry, and Government efforts to improve national productivity and the character of working conditions; to establish a Federal policy with respect to continued productivity growth and improved utilization of human resources in the United States; and for other purposes. Referred to the Committee on Government Operations.

By Mr. HARRY F. BYRD, JR.:

S. 2196. A bill to amend the Internal Revenue Code of 1954 to provide that certain Government publications, including the Congressional Record received by Members of Congress, shall not be treated as capital assets, thereby denying a deduction for contributions of such publications. Referred to the Committee on Finance.

By Mr. STEVENSON:

S. 2197. A bill to extend the Emergency Petroleum Allocation Act of 1973 for 90 days. Referred to the Committee on Interior and Insular Affairs.

By Mr. GARN (for himself, Mr. LAXALT, Mr. CURTIS, Mr. THURMOND, Mr. FANNIN, Mr. HRUSKA, and Mr. HELMS):

S. 2198. A bill to amend the Fair Labor Standards Act of 1938 to repeal provisions relating to State and Local employees. Referred to the Committee on Labor and Public Welfare.

By Mr. MONDALE:

S. 2199. A bill to amend title 42, U.S. Code, Section 503(a)(3). Referred to the Committee on Labor and Public Welfare.

By Mr. CHILES:

S. 2200. A bill to extend coverage of the automobile assistance program and the specially adopted housing program to those veterans qualifying for assistance under section 351 of title 38, United States Code. Referred to the Committee on Veterans' Affairs.

By Mr. JACKSON (for himself and Mr. FANNIN) (by request):

S. 2201. A bill to provide for the administration of oaths and affirmations and for the issuance of subpoenas in investigations, hearings and proceedings in the Department of the Interior. Referred to the Committee on Interior and Insular Affairs.

By Mr. HUMPHREY:

S. 2202. A bill to delay the use of funds for military construction on the island of Diego Garcia. Referred to the Committee on Armed Services.

By Mr. HARTKE (for himself, Mr. GRAVEL, and Mr. HUMPHREY):

S. 2203. A bill to provide for paper money of the United States to be embossed to indicated the denomination thereof. Referred to the Committee on Banking, Housing and Urban Affairs.

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

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

The legislative clerk proceeded to call the roll.

Mr. ROBERT C. BYRD. 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.

EXECUTIVE SESSION

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider the nomination of Maj. Gen. Kenneth L. Tallman to be a lieutenant general.

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

U.S. AIR FORCE

The legislative clerk read the nomination of Maj. Gen. Kenneth L. Tallman, U.S. Air Force, to be lieutenant general.

QUORUM CALL

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

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

The legislative clerk called the roll, and the following Senators entered the Chamber and answered to their names:

[Quorum No. 67 Ex.]

Allen	Byrd, Robert C.	Scott, Hugh
Bartlett	Ford	Sparkman
Byrd, Harry F., Jr.	Hatfield	Weicker
	Mansfield	

The ACTING PRESIDENT pro tempore. A quorum is not present.

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

The motion was agreed to.

The ACTING PRESIDENT pro tempore. The Sergeant at Arms will execute the order of the Senate.

Pending the execution of the order, the following Senators entered the Chamber and answered to their names:

Abourezk	Dole	Helms
Bayh	Domenici	Hollings
Beall	Eagleton	Hruska
Bentsen	Fannin	Huddleston
Biden	Fong	Humphrey
Brock	Garn	Inouye
Brooke	Glenn	Jackson
Bumpers	Gravel	Johnston
Burdick	Griffin	Laxalt
Cannon	Hansen	Leahy
Case	Hart, Gary W.	Long
Clark	Hart, Philip A.	Magnuson
Cranston	Hartke	McClellan
Culver	Haskell	McClure
Curtis	Hathaway	McGee

McGovern	Packwood	Stennis
McIntyre	Pearson	Stevens
Metcalf	Percy	Stevenson
Mondale	Proxmire	Stone
Montoya	Randolph	Symington
Morgan	Roth	Talmadge
Moss	Schweiker	Thurmond
Muskie	Scott, William L.	Tower
Nelson	Stafford	Tunney
Nunn		Young

Mr. ROBERT C. BYRD. I announce that the Senator from Florida (Mr. CHILES), the Senator from Idaho (Mr. CHURCH), the Senator from Mississippi (Mr. EASTLAND), the Senator from Massachusetts (Mr. KENNEDY), the Senator from Rhode Island (Mr. PASTORE), the Senator from Rhode Island (Mr. PELL), the Senator from Connecticut (Mr. RIBICOFF), and the Senator from New Jersey (Mr. WILLIAMS) are necessarily absent.

Mr. GRIFFIN. I announce that the Senator from Tennessee (Mr. BAKER), the Senator from Oklahoma (Mr. BELLMON), the Senator from Arizona (Mr. GOLDWATER), the Senator from New York (Mr. BUCKLEY), the Senator from New York (Mr. JAVITS), the Senator from Maryland (Mr. MATHIAS), and the Senator from Ohio (Mr. TAFT) are necessarily absent.

The PRESIDING OFFICER. A quorum is present.

ORDER OF PROCEDURE

The PRESIDING OFFICER. The first order of business is advising and consenting to the first nomination on the calendar.

Mr. HUGH SCOTT. Mr. President, may I respectfully inquire of the distinguished assistant majority leader whether this is a filibuster or not?

Mr. ROBERT C. BYRD. Not in the usual sense, in regard to which the distinguished Republican leader and his colleagues have shown themselves to be very adept.

Mr. HUGH SCOTT. I want the country to know that, in the opinion of the minority leader, this is a filibuster designed to prevent us from having a vote on New Hampshire before the recess. I shall make that point from time to time between now and the recess.

Mr. ROBERT C. BYRD. Mr. President, the Senator has had numerous votes already. I think he has had eight votes on the motion to send the matter back to New Hampshire, so he has been given plenty of opportunities to vote.

He was given an opportunity to vote on the Mansfield amendment, but what did he do? He moved to table the amendment and he lost on that motion.

He probably will get other chances this week.

Mr. HUGH SCOTT. If we get some other chances this week, I shall feel, I would say, rather moderately better about it. I shall feel best of all if we were to succeed in prevailing. We have a chance of prevailing if we allow the roll to be called, have the Senators stay out of the well, and let the rollcall vote be announced accordingly. One may harbor the thought, as the French say, and in that way, one may march forward with some progress.

Mr. ROBERT C. BYRD. The marching, I think, was done not at the request of the leadership on this side. If there was any marching done, it must have been ordered elsewhere. We know nothing about it.

Mr. HUGH SCOTT. I thank the distinguished assistant majority leader, and I understand he will now proceed with the filibuster.

Mr. ROBERT C. BYRD. I thank the distinguished Republican leader. The leadership on this side is simply reacting to the actions that were evident, beginning on last Saturday, when the distinguished Senator from Alabama (Mr. ALLEN), exercising his right under the rules, objected to my unanimous-consent request that there be a 10-minute period for the transaction of routine morning business today with a 2-minute limitation on statements therein. That was a clear signal that the Senate was going to have to operate under rule VII this morning, and so the leadership on this side has just protected itself accordingly.

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

Mr. ROBERT C. BYRD. I would just as soon get on with the nominations but, yes, I will yield.

Mr. JOHNSTON. It just occurred to me, since we were speaking so critically about filibusters, whether it might not be an appropriate time to get a time limitation agreement on the whole question of Durkin-Wyman.

Mr. ROBERT C. BYRD. That is the solution. The leadership on this side has repeatedly made such a proposal to the leadership on the other side and, exercising their rights, they have rejected it repeatedly.

Mr. JOHNSTON. I wonder if the distinguished Senator from Pennsylvania would be in a mood to speak about a time limitation on all questions with respect to Durkin-Wyman so we can bring this matter to a close and end the filibuster?

Mr. ROBERT C. BYRD. Mr. President, I ask for the regular order. However, I will allow the Republican leader to answer to question——

Mr. HUGH SCOTT. We appreciate the chance.

Mr. ROBERT C. BYRD (continuing). Before I ask for the regular order.

Mr. HUGH SCOTT. We do appreciate the chance, as an oppressed minority, one of the leading American minority groups, to be given an opportunity to be heard, in a squeaky sort of way, every now and then.

Mr. ROBERT C. BYRD. Well, the distinguished Republican leader knows we are discussing legislative business in an executive session, which is not in order.

Mr. HUGH SCOTT. In response to what has been said about a possible time limit, of course, all the 99 Senators need to be consulted on that, and there may be reasons why Senators on both sides of the aisle would prefer an opportunity to send the election back to New Hampshire. But our problem is when our first and strongest, as we view it, our strongest, issue of the 35 issues stated in the resolution, came up, one in which we felt that every aspect of justice would be served if we could only have a tally, that is, just a count, to see how many people dropped pieces of the paper in the ballot box in 10 precincts, just to count the papers not to count the votes, we were denied that privilege.

That compelled us to conclude we were subject to the tyranny of the majority by 61 to 38, and that we have no hope of prevailing through the process suggested, namely, that we go ahead with a vote on every issue, so that the majority can roll us one by one 34 more times. We just do not like being rolled that much.

Mr. ROBERT C. BYRD. The Senator is not being "rolled," and on that first issue the vote was not 61 to 38. A good many Democrats voted with the Republicans, but the Republicans voted solidly.

Mr. HUGH SCOTT. I will say to the Democrats who voted with us there are some reasonable people on the other side of the aisle, and we welcome this excess of logic, and we anticipate more of it.

Mr. ROBERT C. BYRD. Well, there are reasonable people on both sides of the aisle, and I would like to feel that every Senator in this body is a reasonable man.

As to "rolling" the minority, that is pure horseradish.

Mr. President, I ask for the regular order.

U.S. AIR FORCE

The PRESIDING OFFICER. The regular order is advising and consenting to the nomination.

The Senate resumed consideration of the nomination of Maj. Gen. Kenneth L. Tallman to be a lieutenent general.

The PRESIDING OFFICER. Without objection, the nomination is considered and confirmed.

The assistant legislative clerk read the nomination of Lt. Gen. Robert E. Huyser, to be a general.

The PRESIDING OFFICER. Without objection, the nomination is considered and confirmed.

The assistant legislative clerk read the nomination of Lt. Gen. Daniel James, Jr., to be a general.

The PRESIDING OFFICER. Without objection, the nomination is considered and confirmed.

The assistant legislative clerk read the nomination of Maj. Gen. George E. Schafer, to be Surgeon General of the Air Force in the grade of lieutenant general.

The PRESIDING OFFICER. Without objection, the nomination is considered and confirmed.

The assistant legislative clerk read the nomination of Maj. Gen. William Y. Smith, to be a lieutenant general.

The PRESIDING OFFICER. Without objection, the nomination is considered and confirmed.

NOMINATION PASSED OVER—MAJ. GEN. ALTON D. SLADE TO BE LIEUTENANT GENERAL

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the next nomination go over.

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

The assistant legislative clerk read the nomination of Maj. Gen. Charles E. Buckingham to be a lieutenant general.

The PRESIDING OFFICER. Without

objection, the nomination is considered and confirmed.

The assistant legislative clerk read the nomination of Maj. Gen. Wilbur L. Creech to be a lieutenant general.

The PRESIDING OFFICER. Without objection, the nomination is considered and confirmed.

The assistant legislative clerk read the nomination of Maj. Gen. Thomas W. Morgan to be a lieutenant general.

The PRESIDING OFFICER. Without objection, the nomination is considered and confirmed.

The assistant legislative clerk read the nomination of Lt. Gen. William J. Evans to be a general.

The PRESIDING OFFICER. Without objection, the nomination is considered and confirmed.

The assistant legislative clerk read the nomination of Maj. Gen. George Rhodes to be a lieutenant general.

The PRESIDING OFFICER. Without objection, the nomination is considered and confirmed.

The assistant legislative clerk read the nomination of Maj. Gen. Devol Brett, to be a lieutenant general.

The PRESIDING OFFICER. Without objection, the nomination is considered and confirmed.

The assistant legislative clerk read the nomination of Lt. Gen. Felix M. Rogers, to be a general.

The PRESIDING OFFICER. Without objection, the nomination is considered and confirmed.

The assistant legislative clerk read the nomination of Maj. Gen. John F. Gonge to be a lieutenant general.

The PRESIDING OFFICER. Without objection, the nomination is considered and confirmed.

The assistant legislative clerk read the nomination of Maj. Gen. Raymond B. Furlong to be a lieutenant general.

The PRESIDING OFFICER. Without objection, the nomination is considered and confirmed.

The assistant legislative clerk read the nomination of Maj. Gen. George G. Loving, Jr., to be a lieutenant general.

The PRESIDING OFFICER. Without objection, the nomination is considered and confirmed.

The assistant legislative clerk read the nomination of Maj. Gen. Robert T. Marsh to be a lieutenant general.

The PRESIDING OFFICER. Without objection, the nomination is considered and confirmed.

LEGISLATIVE SESSION

Mr. ROBERT C. BYRD. Mr. President, I move the Senate return to legislative session, and I ask for the yeas and nays on the motion.

The PRESIDING OFFICER. Is there a sufficient second? There is not a sufficient second.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. ROBERT C. BYRD. Mr. President, I ask for the yeas and nays on the motion to return to legislative session.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. 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.

The question is on the motion of the Senator from West Virginia. The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Florida (Mr. CHILES), the Senator from Idaho (Mr. CHURCH), the Senator from Mississippi (Mr. EASTLAND), the Senator from Massachusetts (Mr. KENNEDY) the Senator from Rhode Island (Mr. PASTORE), the Senator from Rhode Island (Mr. PELL), the Senator from Connecticut (Mr. RIBICOFF), and the Senator from New Jersey (Mr. WILLIAMS) are necessarily absent.

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

Mr. GRIFFIN. I announce that the Senator from Tennessee (Mr. BAKER), the Senator from Oklahoma (Mr. BELLMON), the Senator from New York (Mr. BUCKLEY), the Senator from Arizona (Mr. GOLDWATER), the Senator from New York (Mr. JAVITS), the Senator from Maryland (Mr. MATHIAS) and the Senator from Ohio (Mr. TAFT) are necessarily absent.

The result was announced—yeas 84, nays 0, as follows:

[Rollcall Vote No. 339 Ex.]

YEAS—84

Abourezk	Garn	McGee
Allen	Glenn	McGovern
Bartlett	Gravel	McIntyre
Bayh	Griffin	Metcalf
Beall	Hansen	Mondale
Bentsen	Hart, Gary W.	Montoya
Biden	Hart, Philip A.	Morgan
Brock	Hartke	Moss
Brooke	Haskell	Muskie
Bumpers	Hatfield	Nelson
Burdick	Hathaway	Nunn
Byrd, Harry F., Jr.	Helms	Packwood
Byrd, Robert C.	Hollings	Pearson
Cannon	Hruska	Percy
Case	Huddleston	Proxmire
Clark	Humphrey	Randolph
Cranston	Inouye	Roth
Culver	Jackson	Schweiker
Curtis	Johnston	Scott, Hugh
Dole	Laxalt	Scott, William L.
Domenici	Leahy	Sparkman
Eagleton	Long	Stafford
Fannin	Magnuson	Stennis
Fong	Mansfield	Stevens
Ford	McClellan	Stevenson
Stone	McClure	Thurmond
Symington	Tower	Weicker
Talmadge	Tunney	Young

NAYS—0

NOT VOTING—15

Baker	Eastland	Pastore
Belimon	Goldwater	Pell
Buckley	Javits	Ribicoff
Chiles	Kennedy	Taft
Church	Mathias	Williams

So the motion was agreed to.

LEGISLATIVE SESSION

The PRESIDING OFFICER (Mr. BUMPERS). The motion having been agreed to, the Senate is once again in legislative session.

DISAPPROVAL OF CONSTRUCTION PROJECTS ON THE ISLAND OF DIEGO GARCIA

The PRESIDING OFFICER. Two hours having elapsed, the Senate will now resume the consideration of unfinished business, Senate Resolution 160, which the clerk will state.

The legislative clerk read as follows:

A resolution (S. Res. 160) disapproving construction projects on the Island of Diego Garcia.

The PRESIDING OFFICER. The time for debate on the resolution, any debatable motion, or appeal, is limited to 5 hours, to be equally divided between and controlled by the Senator from Mississippi (Mr. STENNIS) and the Senator from South Carolina (Mr. THURMOND), with one-half hour each reserved for the Senator from Virginia (Mr. WILLIAM L. SCOTT) and the Senator from Ohio (Mr. TAFT), in addition to the 5 hours.

Mr. MANSFIELD. Mr. President, I believe that I am entitled to half the time, because the Senator from Mississippi and the Senator from South Carolina are both against the resolution of disapproval. I would hope that the distinguished Republican leader would take that up with the distinguished Senator from South Carolina, because there has to be a division of time, and I think I am entitled to it as the author of the resolution.

Mr. HUGH SCOTT. The Senator, of course, is making a reasonable request——

The PRESIDING OFFICER. The Senate will be in order. Senators will please take their seats or retire to the cloakroom.

Does the Senator from Pennsylvania wish to proceed?

Mr. HUGH SCOTT. Mr. President, the Senator from South Carolina is here, and the Senator from Mississippi is temporarily off the floor. Because the Senator from South Carolina is here, he can, of course, speak for himself. But I understand he is willing to agree to a reasonable division of time, if the distinguished majority leader will also work it out that the chairman of the committee——

Mr. MANSFIELD. Oh, yes, I know the distinguished chairman of the committee and the distinguished Senator from South Carolina would like to split the time; and I would ask unanimous consent that I be given half of the time and

the distinguished Senator from South Carolina, for the Senator from Mississippi, be given the other half.

Mr. HUGH SCOTT. To be divided——

Mr. MANSFIELD. Equally.

Mr. HUGH SCOTT. The other half of the time to be divided equally, by agreement between the Senator from Mississippi and the Senator from South Carolina.

Mr. MANSFIELD. That is all right. That is a matter that the Senator from Mississippi and the Senator from South Carolina would have to agree on. But I would like to have the half of the time on this side.

Mr. HUGH SCOTT. Yes; the Senator from South Carolina advises that that is satisfactory with him if it is with the Senator from Mississippi.

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

Mr. MANSFIELD. I understand, then, that half of the time would be under my control or whomever I may designate.

The PRESIDING OFFICER. The Senator is correct.

Mr. MANSFIELD. Mr. President, the Senate has now proceeded to the consideration of Calendar No. 199, Senate Resolution 160, a resolution disapproving construction projects on the island of Diego Garcia.

As the Senate knows, Diego Garcia is a flyspeck in the Indian Ocean, an atoll, so-called, situated approximately 1,000 miles south of India, if my recollection is correct. The Navy has been endeavoring to establish a base in Diego Garcia since the early 1960's; and, over the opposition of the late, great Senator from Georgia, Richard Brevard Russell and others, it seems to be on the threshold of making further progress, but we shall see.

There is at the present time a resolution of disapproval of the recommendation of the President of the United States, who had advocated that the funds mentioned last year—$13 million or $14 million—be used for further construction purposes on that flyspeck in the Indian Ocean.

Mr. President, to the best of my knowledge, I know of no negotiations which have been conducted between this country and the United Kingdom relative to the use of Diego Garcia. I know of no treaty which has been before the Committee on Foreign Relations, seeking to bring about, openly, an agreement on this particular atoll.

It is my understanding that an amendment was submitted to S. 1517, the omnibus foreign relations authorization bill, on Friday last, expressing the sense of Congress that the President should seek negotiations with the Soviet Union to achieve agreement on mutual limitations of naval and other deployments in the Indian Ocean.

It is my understanding that all the nations along the littoral—Asia and Africa—have indicated that they are opposed to what is being undertaken in Diego Garcia. I realize, of course, that we have been assured privately—very privately—that while that is the public attitudes of the nations along the littoral, underneath they really want us to go ahead.

I am in receipt of letters from the Ambassadors of Malagasy—formerly known as Madagascar—off the coast of Africa, and Somalia, expressing their concern over what the United States is attempting to do.

I should mention, also, that in addition to no treaty, to the best of my knowledge, there is no executive agreement—or, if there is, it has not been brought to the attention of Congress—by means of which the United Kingdom grants certain rights to the United States on this uninhabited flyspeck, this atoll, in the Indian Ocean.

Mr. President, I think there has been too much hanky-panky in the field of forging policy so far as the military is concerned. I recall, for example, that some years ago, a General Burchinal, I believe—either the commander of the U.S. 8th Air Force in Europe or the deputy commander—carried on negotiations with the Government of Spain. If those negotiations, conducted without the knowledge of Congress, had been put into effect, we would have been involved, in our relationship with Spain, to participate under certain circumstances on the African continent. Fortunately, that was found out in time.

I do not blame General Burchinal, because he was acting under instructions. But I do not like the idea of negotiations being carried on in behalf of this country in that manner; because when they are, the civilians, who are supposed to be supreme in the conduct of the government of this country, under the Constitution, are left out in the cold and are presented with facts when it is too late, usually, to do anything.

So, Mr. President, I know of no treaty with the United Kingdom which gives us rights on Diego Garcia. I know of no executive agreement which gives us rights on Diego Garcia, though I anticipate that there may well be one. I have tried for years to find out about it, and so far I must admit failure.

What the countries bordering the Indian Ocean want is an ocean of peace, a sphere of peace. What our Navy wants is to spread itself halfway around the world, and what I think the significance is is the closeness of Diego Garcia to the oilfields of the Middle East.

The significance also is that this means the start of a three-ocean Navy. If the Senate and Congress and the American people want to do that, they should lay it all out in the open. A three-ocean Navy—we have enough to do looking after the two oceans, the Atlantic and the Pacific, on the east and on the west.

So, Mr. President, I think that this amendment, which was agreed to by the Committee on Foreign Relations and which will be before the Senate shortly, is a critical one because it requests the administration to pursue fully diplomatic channels on this matter before both nations—the United States and the Soviet Union—embark on the path of increased competition in the Indian Ocean region, a competition which would clearly pose high economic costs. The figure projected, and I have the figure at my disposal, is something just under $200 million. But if we start this program, it is going to extend into the billions of dollars.

In addition to high economic cost, there is the question of political uncertainties and the danger of heightened tensions. Are we going to put a chip on our shoulder and dare the Soviet Union to build up its naval strength in the Indian Ocean? Are the Russians going to put a chip on their shoulder and dare us to build up our naval strength in the Indian Ocean? Are we going to hear about hobgoblins during the course of this debate? Incidentally, may I say, in reading the conference report on the military authorization bill, it appears to me that, to a large extent, the Pentagon has come out on top in anything, in almost everything, it desires. They are getting the Rickover nuclear missile cruiser—only $60 million to start with, but the total cost, as of now, will be between $1.2 and $1.3 billion.

Do you know, Mr. President, how many of those missile cruisers they want, costing between $1.2 and $1.3 billion? Twenty-five to twenty-eight. They have retained the B-1 when the B-52's are capable of still continuing in operation for anywhere from 10 to 20 years.

Where is all this money coming from? When is it going to stop? Have we not learned anything from Vietnam? We have neither the resources nor the manpower to be the policeman of the world. And here, we want to go into the Indian Ocean and, for the time being, spend just tens of millions of dollars, but eventually, down the road, and not too far down the road, billions of dollars. Why? So that we can develop a flyspeck in the Indian Ocean, Diego Garcia, so that we can have a three-ocean navy.

When is Congress going to wake up? When is it going to recognize that it represents all the American people? When is it going to learn the lesson of Vietnam? Or is it ever?

I think, Mr. President, that we ought to give this matter the most serious consideration, because, while perhaps the Soviet Union does intend to expand its naval presence in the Indian Ocean, I think we ought to see if something cannot be worked out by means of which the Indian Ocean can remain a sphere of peace and not be subject to what has been happening in the Pacific Ocean in recent years. It is a time to seek mutual restraint on naval deployments and it is time to do so before those deployments become a fait accompli.

So, Mr. President, as we consider this bill later today, I hope that, despite the recommendation of the President of the United States, enough Senators will have the gumption to stand up and say no to this further expansion of American military power, to this continuation of a "policeman of the world" policy, to this exorbitant cost, which this country can no longer undergo. The stakes are great as far as this particular atoll, this flyspeck in the Pacific Ocean, is concerned.

I hope that the debate—and I am sure it will be—will be spirited, that the facts will be laid out, and I hope, also, that emotions will not supersede responsibilities and a recognition of the facts of life. After all, if we undertake this program,

the American people can be prepared to pay and pay and pay; and for what? A flyspeck in the Indian Ocean, which is wanted by none of the littoral states, the states bounding the ocean; a flyspeck which will be very close to the Middle East, where a large portion of the world's oil is in the ground or in production. It will take us half-way around the globe to an area in which we have no business, an area which can bring about a situation which will produce a new spiraling of armaments and the costs attached thereto, an area of possible danger, which I think we should forego while we can still see clearly, before we have the chance, deliberate or otherwise, to send American men into that area and repeat, in the future, another Vietnam.

Mr. President, I am against any Vietnams, anywhere in the world. I hope that, at long last, we have learned the lesson of misadventure, that tragedy, which cost 55,000 American lives, which cost 303,000 American wounded, which cost approximately 150 billion American dollars, and which, before we get through paying for it, is going to cost this Nation at least, at the very least, $435 billion—and the payment will extend well into the last portion of the first half of the next century.

I urge my colleagues later today to give the most serious consideration to all the implications contained in the Diego Garcia situation and to weigh them most carefully, because we will pay and pay through the nose in the years and in the decades ahead.

I, for one, am sick and tired of sending American men and women to fight or to be placed in a position where they may have to fight in foreign areas of the world, unless—unless—it is necessary for the security of the United States. Vietnam was not. Diego Garcia is not.

Mr. President, I have spent about 20 minutes this morning explaining my position on Diego Garcia, that flyspeck in the Indian Ocean upon which so much money has been spent so far, and tens of millions of dollars of expenditures are contemplated in the immediate future, and in my opinion billions of dollars in the not-too-distant future.

Mr. President, Richard B. Russell, one of the giants of the Senate's past, spent more than half his natural life in the U.S. Senate. His expertise concentrated on military policy and strategy. He left a great imprint on all with whom he served, including the Senator from Montana now speaking. On Vietnam he and I agreed and both of us opposed in the beginning, and that also includes the distinguished chairman of the Committee on Armed Services, the Senator from Mississippi (Mr. STENNIS)—all three of us opposed in the beginning—the real beginning going back two decades—direct American involvement; we parted after that decision for direct involvement was made—after the flag was planted—but that divergence was based more on our separate opinions of how best then to serve the honor of our country.

The Senate never really had a crisp decision on the direct involvement in Southeast Asia. We are afforded today, however, the opportunity to determine whether the American flag will in effect be embedded in the Indian Ocean. The tragic mistake of Southeast Asia—a mistake that touched and must be shared by every administration of the past three decades—a mistake which in addition to the great losses of life and treasure turned son against father and brother against brother to a degree unequaled since the War Between the States—is behind us by a matter of mere weeks—and we are considering a new and dramatic venture into South Asia. This is not simply an issue of $14 million today or $175 million in the near future or even the additional $8 billion that is necessary for the three-ocean Navy; it is also a matter of extending and intruding in dramatic fashion U.S. military presence and might in a relatively untouched area of the globe. The proponents would argue that this is different from Vietnam, from Cambodia, from Laos, from Thailand—that there are no people to alienate on Diego Garcia.

That is correct. There is no people, and there have been no people in Diego Garcia except U.S. military personnel in recent years, and very recent years I may say.

But our ships will be there. Our destroyers and carriers and whatever else will use this base to patrol every inch of water off the 30 countries comprising the littoral of this ocean—maintaining an American presence but with all——

Mr. STENNIS. May we have quiet, Mr. President? We want to hear.

The PRESIDING OFFICER. The Senator's request is appropriate. Let the Senate and the galleries be in order so that the speaker may be heard.

Mr. MANSFIELD. I will repeat:

Our destroyers and carriers and whatever else will use this base to patrol every inch of water off the 30 countries comprising the littoral of this ocean—maintaining an American presence and with all the sophistication of the seventies—a moving rather than a stationary target. What a narrow lesson to have learned from three decades in Southeast Asia, and its cost in 55,000 dead Americans, 330,000 wounded Americans, 150 billion American dollars, and the cost of that war will reach at least, based on prices in 1972 $435 billion. Think what has happened since inflation. Based on 1972 prices, it will cost this country $435 billion for that misadventure, that tragedy in Southeast Asia.

Very few of us went to Vietnam but our sons and our brothers did. It is going to be your sons and your grandsons who are going to be paying for Vietnam well into the last quarter of the first half of the next century, the 21st century.

Was our mistake there simply a matter of tactics? Or was it something more profound? Did we not learn that America should have no design on maintaining a modern-day empire by replacing the autonomy of individual nations. Did we not learn that we cannot and should not attempt to make the nations of the world in our own image and our own likeness. And this is what must be understood as we are permitted today to vote clearly on an issue with its full significant before us this time. We are being warned ahead, not being told after the fact.

On May 19 when this resolution of disapproval was introduced, I asked, "Why, in the face of the fact that all nations bordering on the Indian Ocean have asked the United States and the Soviet Union not to escalate the arms race in the Indian Ocean area, has the administration forwarded this letter of certification?" Again, I ask the question. The 30 nations on the littoral of the Indian Ocean have all publicly asked the United States to refrain from deployment at Diego Garcia. These nations include Australia, Pakistan, Iran, Thailand, Singapore, Indonesia, Somalia, Malagasy, and others. Does this opposition mean anything to the administration?

Does it mean anything to this Congress? Does it mean anything to the people of this Nation who sent us here and whose surrogates we are?

I remember most vividly, when the Soviet Union was building a missile base in Cuba that posed a direct threat to our mainland the U.S. military forces were placed in a state of war readiness. What arrogance on our part to ignore the wishes of the littoral nations. Is it that their state of war readiness is so insignificant to us? Oh, the proponents will say, some of the representatives of these nations secretly invite us to go into the Indian Ocean but publicly they cannot admit it. What a familiar ring. Were these not the whispers of our allies around the globe during our tragedy in Southeast Asia?

Have we not heard this refrain year after year after year from our Pentagon and our State Department and previous administrations as well as this? Of course we have. How often are we going to be goaded at appropriate times during the year with these whispers, these insinuations, these innuendoes?

I hope we have matured beyond the point of whispered diplomacy and public policy arrived at in secret. If the public officials of the nations of the littoral insist publicly that we refrain from expanding our presence in the Indian Ocean, who are we attempting to influence by going against that publicly expressed judgment?

The issue is more than just money, but it is time as well that we consider the taxpayer's pocketbook. Navy figures in the possession of the Military Construction Appropriations Subcommittee indicate that this base will cost approximately $175 million. I contend that the money the administration is requesting to start construction of a Navy facility on Diego Garcia is only a downpayment. Oh, yes, you will hear figures that the most it will cost is about $35 million in construction, but this simply is not so. What about the costs of equipment; costs to pay Seabees to build this base? I have figures that show that it will cost not only $175 million to build the base and $8 billion to expand the fleet to operate from that base, but also approximately $800 million each year for these expanded fleet opera-

tions. These are all dollars coming out of the American taxpayers' pockets. And those are just the costs for expanded naval operations.

In January 1974, the Air Force, when it appeared that they would be left out of the Diego Garcia program, came in with a request to extend the runway by 4,000 feet and to spend $3.3 million for Air Force-related operational facilities. The Air Force has admitted that they want to operate C-135 tankers out of Diego Garcia. For what use? The answer is Air Force reconnaissance over the Indian Ocean; but the added capacity extends as well the U.S. strategic air capacity from the western Pacific into the full reaches of the Indian Ocean.

From the beginning, it has been my contention, when the request first was made by the Navy, that the creation of an operational facility at Diego Garcia was only the entering wedge for a three-ocean Navy. I know there are elaborate projections saying that the U.S. Navy will operate only in the Indian Ocean on an interim basis, which amounts to approximately 6 months out of every 12-month period. I am well aware of the fact that the Navy contends that they will be able to operate in the Indian Ocean with a carrier force of 12 in number, a reduction from the present 15-carrier force. But, I say to my colleagues, you can expect in future years that the Navy will come to the Congress saying that because of the Russian presence in the Indian Ocean, we must have additional carriers—an additional buildup.

I beg my colleagues to remember that we started in Vietnam by placing a few hundred advisers to train the Vietnamese Army and not more than a few hundred million dollars. It can be all but assured that if we start a naval base on Diego Garcia, it will be the beginning of an escalation that will lead to an all-out arms race in the Indian Ocean area. And then there is oil. The argument is used over and over again that our presence in the Indian Ocean is vital to keep the sea lanes open for U.S. petroleum interests. I submit that our presence in the Indian Ocean had absolutely no effect on the oil situation during the Yom Kippur war of October 1973. The Arabs shut the oil off. The U.S. Navy, the U.S. Department of Defense, and the U.S. State Department could do nothing about it. The Arabs simply said they would not sell us oil and they can do it again. But the argument is still used that the Navy will insure oil over the transit routes of the Indian Ocean.

In each year that the Navy has had the request before the Congress for an operational base on Diego Garcia, there is always the new threat.

Mr. President, it is difficult for me to understand why Senators cannot see through the Berbera, Somalia, testimony by the Department of Defense. Past history indicates that when DOD wants to get a new appropriation through the Congress that is controversial, we generally hear the words "the threat, the threat—the United States must counter the threat." Now the threat is that the Russians are building a base at Berbera, in Somalia. Last year it was Socotra and Umm Zasr in Iraq.

The United States has had a limited operating base in the Indian Ocean-Persian Gulf since 1948. We have communications facilities there; we have a supply ship that stands by; and we operate two destroyers out of Bahrein. At Berbera, Somalia, the Russians have communications facilities; they have a so-called barracks shop there; and they operate submarines and surface ships out of Berbera. There is an airfield being built that the Somalis say will be 4,000 meters in length, and there is a missile-handling facility. However, there is no indication that there are any bunkering facilities for Russian naval ships in the harbor of Berbera. In fact, the Somalis contend that the fueling facilities will hold 130,000 barrels of fuel, which certainly is not much fuel. On the other side of the coin, I must point out that the Navy wants 600,000 barrels on Diego Garcia.

We have an advance communications facility already on Diego Garcia, a communications facility which was put on Diego Garcia only because we were being forced out of a communications facility at Kagnew in Ethiopia; and when we were forced out, our military did not want to get out.

We have an advanced communications facility already on Diego Garcia; already an 8,000-foot runway—so you can see that anything that the Russians have at Berbera, the United States already has at Diego Garcia. We have reached status quo.

Speaking of Berbera, it is interesting to note that the Somalian Government has invited—I believe through Under Secretary of Defense Clements—U.S. Navy ships to visit Berbera. If my information is correct, plans are now under way—perhaps dates have been set—for U.S. Navy ships to visit Berbera in August or September. If I am wrong in that respect, I hope the Department of Defense will correct me.

Perhaps we can find out by going to the office of the Vice President, where there is a task force drumming up support against this resolution of disapproval. So they have their guns all out—the Pentagon, the State Department, the White House—and all we have are 99 Senators, who may or may not exercise good judgment in this instance, who I am sure will vote their convictions.

I do think it is odd for a flyspeck in the Indian Ocean to have this array of heavy artillery, even outside this Chamber, buttonholing Senators and asking them, perhaps telling them—I hope no Senator would ever be told by anybody in the executive branch—how they should vote on a measure which is our responsibility and ours only.

I hope these lobbyists will go away and occupy themselves doing the duties which are theirs under the law. Those duties are not to try to twist arms in the Senate, to try to get us to do something against our will, and I hope the Senate will keep that in mind.

Then, there is the argument that to operate in the Indian Ocean, we must have in Diego Garcia a bunkering facility to fuel American warships. I believe that the term repeatedly being used is "a filling station." What sarcasm.

According to the information furnished by the Committee on Armed Services, U.S. naval ships have access today to 16 countries around the Indian Ocean littoral—may I repeat, Mr. President: U.S. naval ships have access today to 16 countries around the Indian Ocean littoral—for the specific purpose of fueling and bunkering. In fact, the Soviets are welcome in only 13 of the littoral states. So it is not that we do not have a place to refuel our ships or ports to visit. It is really that the Navy wants a new operating base in Diego Garcia—halfway around the world and on a flyspeck in the Indian Ocean. They have wanted such a facility for many years, well over a decade, to my personal knowledge; I believe two decades, perhaps a little more. Usually Congress, and especially the Senate, especially the Senate, has stood up on its hind legs and opposed this unwarranted expansion.

In fact, a study was made by the Joint Chiefs of Staff in the late 1950's concerning the "strategic island concept." It was decided then—then, in the late fifties—by the Navy that it should have an operating facility on the island of Diego Garcia. The strategic premises for this operating facility go that far back. As my colleagues are well aware, negotiations were started 9 years ago for an operating base at Diego Garcia.

I want to state that regardless of Russians in the Port of Berbera, Somalia, the Navy would still want an operating base at Diego Garcia. Secretary Schlesinger, appearing before the Military Construction Subcommittee in June, was asked the question: If there were no Russian naval operations out of the Port of Berbera, Somalia, would the Navy still want the base on Diego Garcia?

His answer? An emphatic "Yes." The Navy would still want the base on Diego Garcia.

The arguments go beyond raising the strategic threshold in that area of the world. The Alice in Wonderland logic of the "bargaining chip" has returned: Let us build up Diego Garcia and our presence in the Indian Ocean, the whispers in the Senate corridors say, and then we will be able to negotiate it away, probably with great drama, by a future administration in a decade to come, and we all will feel good that another step toward peace has been achieved.

And at what cost? How, Mr. President, can we participate in such a charade, such a perversion of logic and reason? Today, the Indian Ocean, thank God, is not yet an area of superpower confrontation. In fact, it is one of the last areas of the world in which neither of the superpowers has permanent installations. The Soviet Union has received a bunkering and logistics welcome from 13 nations in the littoral of the Indian Ocean. In turn, the United States has a similar welcome in 16 countries. The Somalian facility, investigated by our own colleagues, offers no greater assistance than the present U.S. facilities in the Persian Gulf.

The distinguished Senator from Iowa

(Mr. CULVER), who has demonstrated such insight and attention to this matter during his years in Congress, and especially since he came to the Senate—a most welcome addition—argues for a further period of pause to permit the commencement of talks with the Soviets on preventing a further arms race in the Indian Ocean. Why now must we rush to accelerate the arms race? Why must we now convert a relatively peaceful and stable part of the globe into another area of potential conflict, confrontation, and, yes, even war? This flyspeck is pretty close to Middle East oil.

Just a few weeks ago, the Senate considered the military procurement authorization bill. It was only a matter of days after the Nation's abrupt withdrawal from Southeast Asia. From all sectors, we heard voices of reason, voices calling for a reevaluation of American foreign policy and the strategic and military arms that would complement that policy as we approached the future.

I was one who listened to those voices with fresh hope. For years with many of my colleagues in this body, I have attempted to confront the issues wrought by American military forces who have been stationed abroad for three decades. Almost 25 percent of all our military forces are stationed on foreign soil. Not since the time of the Roman Empire have so many ventured so far from home in peacetime. I have believed that existing American foreign policy can be achieved with far fewer stationed abroad. I still do, and did when the military procurement bill was before us. But, like others, I refrained from raising again that issue at that time. I believed the overwhelming Senate sentiment desired maintenance of the status quo in the context of foreign affairs until the dust of Vietnam and Southeast Asia had settled. Even expanded requests for military hardware, considered necessary for existing commitments, were permitted to pass through awaiting an honest reassessment.

I refer in that instance to the so-called Rickover nuclear cruiser, which was opposed by the Department of Defense, which was opposed by the OMB, which is going to cost $1.2 to $1.3 billion at present day prices, and for which they have plans numbering somewhere between 25 and 28. The cost is going to go way up, beyond $1.2 to $1.3 billion, even before the first one is built.

The Senate did not approve the *Rickover* nuclear cruiser and the chairman of the Committee on the Budget, who I hope and expect will speak on this matter when the conference report is before us, had something to say about the President himself busting the budget which he sent down. So I hope we will keep that factor in mind, too.

As a matter of fact, this year, the Pentagon has gotten just about everything it requested and a little more. When are we going to wake up?

Why, then, should not the same attitude, of maintaining the status quo on commitments, on new ventures into new areas, apply? What is our post-Vietnam foreign policy? What are the lessons of Vietnam and Southeast Asia? How best should we manifest American foreign policy abroad? Can the United States live in harmony with other nations of the world, regardless of their cultural, governmental, or social structures? Is our policy now, "live and let live," rather than "in our image and likeness"?

I think these and many other questions that are basic to a reevaluation of American foreign policy are essential before new ventures are undertaken.

The momentum of a past policy should not foreclose a possible option for restraint in the arms race. To build a base as a bargaining chip to give it away is a logic that might also need reassessment. I hope our final judgment will reflect the maturity of a settled nation entering its third century and not just the bravado of a growing boy.

At the outset of these remarks, I invoked the memory of a great Senator of the past, Richard Russell of Georgia, who chaired the Committee on Armed Services. About a decade ago the Navy had another request before that committee. It was for a new type vessel that could move men and their equipment faster and in greater number than ever before. The vessel in question was the so-called FDL. Senator Russell opposed that Navy request not because the vessel would not do what the Navy said it would do, not because the cost was too high for the mission it would accomplish, but rather for a more basic and sensible reason. Senator Russell said:

> If we make it easy for the Navy to go places and do things, you can be assured that they will always be going places and doing things.

Mr. President, that is the issue today. To expand the present Navy facility on Diego Garcia, we will certainly be making it far easier for the Navy to go to the Indian Ocean and to go there en mass. Once there in full force, I am sure that it will find many things to do. Today, the Senate has a unique opportunity. I hope that the Senate will exercise this opportunity so as to create a pause—a pause that might open a positive opportunity toward world peace.

Mr. President, may I say that, in a certain sense, I speak as a veteran. I was an enlisted man in the Navy, discharged honorably with the rank of seaman second class. I was an enlisted man in the Army, discharged honorably with the rank of private. I was an enlisted man in the Marine Corps, discharged honorably with the rank of Pfc. I have given 5 years in the service of my country in uniform. I think I know what I am talking about. I only hope that the Senate will weigh this matter carefully and will be fully aware—as some of us have tried to be—fully aware of just what this means in the future; $10 million, $13 million, $175 million, $8 billion, and what do you have in this ocean of peace? An arms race; chips on the shoulders of the Soviet Union and the United States. They build, we build. They send ships, we send in ships. We cannot afford a three-ocean Navy. We are stretched to the limit to take care of a two-ocean Navy to guard us on the Atlantic on our east and the Pacific on our west.

So far there is no indication that Vietnam and Southeast Asia have taught us a lesson. We are spending more than ever, going beyond what the Pentagon wants in some instances. Are we going to be taken for a ride, or are we going to face up to our responsibilities as Senators of the United States?

Mr. STENNIS. Mr. President, I yield myself such time as I may use.

Now, Mr. President, I think we all agree this is a highly important decision which is to be made. I have dealt with this issue for several years, as one Senator, and I did not readily agree at all to back this expansion. I did agree last year that we approve an amendment making this a special part of the bill so that the Senator from Montana or anyone else could bring it before the Senate at a special matter on the facts. We finally agreed to that in conference and provided that the President of the United States, Mr. Ford, who was then just very recently in office, would have to make a certification—let us get these facts now about where the authorization is, that he would have to make a certification—as President, as to the need for this facility, and then a resolution of disapproval would be in order, within a 60-day period, to be passed on by either the House or the Senate. If the resolution of disapproval passed then the appropriation would be killed, otherwise it would not be.

Let us remember the money has already been authorized, over half of it. It has been authorized this year for a second amount, the second installment, and this will be the last one except a minor one that I will mention.

Mr. President, may we have order—may we have quiet, I mean. There may be some who are looking for the facts.

We agreed in the committees, in the authorization language, that the second sum also would follow the disposition of this matter that is now before us.

So there is no complication about it except that this is an additional proceeding here that gives everyone a chance to be heard. I think this is a policy question. I just mention that I have helped to bring to a conclusion this situation in which we are passing on this matter today.

Now, Mr. President, let us be certain we get the facts on this matter. Talking about a third-ocean Navy with these huge sums of money, no one that I know of in a position of authority, who has dealt with this matter, has given any figures except the figures that are now before us, I mean, based on the realities. Here is a more recent affirmation of the Chief of Naval Operations, a man who, I think—and I am sure all of us think—is a man worthy of belief, Admiral Holloway. Last year I wrote him a letter referring to the sums of money authorized and I asked him whether or not there were any other plans or further expenses to be incurred.

In his response, dated November 26, 1974—that is about the time we had this

matter in conference—Admiral Holloway, as Chief of Naval Operations, said:

Other than the $26.8 million from fiscal year 1975 and 1976 proposed for the fleet logistics support function, and so forth, the Navy has no plans for future military construction programs for Diego Garcia.

Now, on June 10, 1975, at a hearing, I referred to the above letter and asked Secretary of Defense Schlesinger—

What is the situation now, Mr. Secretary, as to any further plan for an expansion of this island into a more permanent base?

Secretary Schlesinger said:

The plans are unchanged, Mr. Chairman, the improvement cost and the requested cost amount to about $37 million. We intend an austere support facility.

Now, that is the direct evidence upon this project. The cost and the plan.

Later, we have had this certification from the President of the United States in response to a law that Congress passed that he must make an evaluation. He must make an evaluation as the Chief of State, as the head of the administration, and we decide the matter finally after he has made his evaluation. He certified here in a solemn declaration that is before us. It is in the report, I am sure, and I do not have it right now where I can reach it.

That covers the point as to the cost, and that covers the point as to the need now.

Mr. President, right today, now, as I am told, we have talk about a third ocean navy. We now have a small task force over there in the Indian Ocean. We are already in there. We have no base; we are not planning a base. We are planning a supply depot, or a filling station, or storage area for fuel, for gasoline and oil. That is all, and we are already there.

Now, where is that? That is in the Indian Ocean.

I am told, Mr. President, that now, day or night, at any given time, of all the oil that is moving on the high seas in the world, at least half of it is right there in that area.

That means something. I am sure it means something to us. It means a lot to me as I, more or less, fumble along in the hearings on the appropriations requested for long-range research and development for new and additional sources of energy.

This is where our present supplies of oil are. They can be cut off. Maybe it does not make any difference, but I believe that it is highly important that we at least have a presence there that is capable of meeting a situation.

We pray to God that no such situation will arise, but if oil to the whole free world is on the move there and it is intercepted for very long, I think we would have to do something. Certainly if it is known that the source of fuel for our ships is 3,500 miles away—and those are the facts—then that makes trouble more likely.

As I say, we have a task force there now. I wish the Indian Ocean could be set up as an area of peace, along with others. They are not going to paint me into a corner as a warmonger during this debate, either, because the record shows to the contrary.

But I say now, this is a point of preparedness for us, certainly, to this modest extent.

It is 3,500 miles from there to the Philippines, and that is where we have to go and come, back and forth, with these naval vessels that carry those oil supplies.

I brought the map along. I am not strong on having all these maps lined up there, but I thought this was one case where everyone would have a chance to see and understand.

Mr. President, may I wait until I can have the attention of the Senators?

I invite attention to that route now from the Philippines over to Diego Garcia, through a particular strait through which our vessels carry these supplies. This is not really good. It is what is known in naval terms as a torturous route. Whatever fuel we have, except for 60,000 gallons that I will refer to later, we are cut off from it, and there is that 3,500-mile journey from the Philippines.

I say it is just commonsense. We do not have to argue what the foreign policy is going to be in the Mideast, or who is in danger there, or how much Israel may be concerned, or Iran might be concerned, or Saudi Arabia. I mention now that they have not a chance in the world to cope with this problem. They are not going to have any third-ocean navy. They cannot have a one-ocean navy.

If we mean business now about protecting against what might be a danger for the free world nations, and I include ourselves as No. 1, we better at least go this far in preparing for the future.

I said I was slow to move with my actual support for this project. Well, I have no doubt about it now, especially in view of this oil situation.

I do not want to frighten anyone. I just say, look in depth at the facts. Look in depth at the facts as to where we would be, should steps become necessary. What about those we are supposed to be protecting, where would they be? Where would they be should this area there be imperiled?

I am the one that moved to table the amendment here for additional military aid to Israel, that is, when the military authorization bill was up.

I certainly was not running out on whatever promise or obligation we have to Israel or anyone else in that area. But it seemed to me that there was a lack of preparedness out on this highway, where all the oil in the world is moving, in motion every day and every night, and we would be failing to anticipate possibilities and take a reasonable, small step for preparedness.

What is this island? What is Diego Garcia? They are talking about building up a port for a third ocean navy. Diego Garcia is a small island, 1,000 miles away from any continent, an island that has approximately 10 square miles of land—10 square miles. That is a totality of only 10 square miles, something like 6,500 to 6,700 acres. It is in a half new moon shape, and only 7 feet above the sea level—7 feet. How are you going to build a great port or a base there for the operation of a navy? Such things are just beyond possibility because of the physical limitations this little dot on the sea.

Some of the things that are said about the possibility of this installation are imaginary.

I say again, Mr. President, there is no doubt about us having a legitimate interest. Beyond that, there is an absolute necessity, for the time being, for us to keep these channels open for control of two-thirds of the world's supply of oil. As I have already said, one-half of the world's oil in transit at any given time is in ships on the Indian Ocean. We will hear debate later from an eyewitness as to what the Soviets are doing over there in Somalia. I do not come here to try to frighten anyone. These are facts of life. I do not go out and try to frighten anyone, or talk about things as I wish they were, or as they ought to be. We have to deal with facts as they are.

I know just a little about the attitudes of those nations around there. They are not in a position to be asking us to come there. I think I am on safe ground in saying that virtually every one of them would be very glad for us to have a little more fuel. I have not heard of any official protest, and I cannot find any protest—official protest. Somebody might have made a speech over there or voted for a resolution, but I mean an official protest about our coming in there, except perhaps by one of these small nations.

I believe that, as a practical matter, it just does not work out or pan out that these other places do not want us to do anything about the situation.

I do not think there is any doubt of what is safer for Israel, also Iran, Saudi Arabia, and others.

I do not think we have heard or will hear any meaningful complaints to influence the President or this Government, those complaints coming from those nations.

I overlooked saying that this island of Diego Garcia is uninhabited. I thought they called them atolls. That is the Pacific term, I am told. But on the side of the world where Diego Garcia is, they call that an island.

I do not see any grounds either—and I would not now favor—building any huge fort there. Of course, for a naval base they cannot and will not do anything without the consent and money from the Congress. The President of the United States cannot do it and the Navy cannot do it. Only the Congress can supply those funds.

We have gone on now for at least 2 years arguing about this matter and the supporting facts have become stronger and stronger and stronger and stronger. We are going to hear from one of the most alert Members of this body as to what the real facts are there at Berbera. This is not what is claimed to be the facts or any self-serving declarations or something of that kind, but the facts as he found them there with his own eyes and

ears and the impressions of his mind, assisted in this problem by a very versatile group of outstanding ability, the men who went with him.

We have been standing by. What about our capabilities? We have not done a thing. Except for 60,000 gallons of fuel and we are still depending upon fuel 3,500 miles away. This proposal would provide for 700,000 barrels of fuel, approximately, and about half of it would be for planes from the carriers, and the other half would be fuel oil—fuel oil for naval vessels.

As I understand, this Navy task force in the Indian Ocean now is oil burning. They are not nuclear ships. That is my point.

As I recall, we have only one operational carrier which is a nuclear powered carrier. We are, and will be for a long time, a Navy that requires this liquid fuel.

I am not for any all nuclear Navy. We never did agree on anything like that in conference. It was the Senate conferees that held this thing down so that ships would not be nuclear wherever the President of the United States would certify that a nuclear type would not serve the interests of the Nation at that particular time and for that purpose.

I will not dwell on this much, but the Soviet Union has been steadily increasing its basic capabilities in this area while we have made no increase. They have started constructing new facilities at Berbera, Somalia, which will significantly increase their ability to operate.

I wish this had not been the case. I can long for agreements as strongly as anyone else. I wish this had not been the case. I wish that international agreements could be worked out to limit naval deployments in the Indian Ocean. But as long as we are showing this weakness by not getting this facility here for the fuel, I think we are just straying that much farther and farther from getting any agreement. Those are realities of the matter. Some individual over there in the Soviet Union may say something to the contrary. They have said those things to me, years ago. But often it does not pan out.

I think we have waited long enough. I think we ought to move forward on this supply question, anyway. I have no doubt, if the Members of this body get all the facts in this case, that the judgment of a sizable majority will say that we had better move, at least to this extent.

One word further about some kind of an agreement. Our committee expressed the hope that an evaluation would include a thorough exploration of the possibility of achieving, with the Soviet Union, mutual military restraints, without jeopardizing U.S. interests in the area of the Indian Ocean.

I think the United States has done well as a whole, in its negotiations with the Soviet Union in recent years, largely as a result of fine efforts on the part of not only Mr. Kissinger, but also valuable Members of this body and the House of Representatives. I am advised now that the State Department did explore the possibility of negotiating mutual restraints in the Indian Ocean, and that the President then elected not to approach the Soviet Union before the Diego Garcia issue was decided. It is bound to have been the President who decided that, because that is the course taken. His recommendation is here. We had written it out into the law that this thing could not move until he had made this review and had certified it to us.

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

Mr. STENNIS. If the Senator will excuse me, I want to finish these points, and then I will yield to the Senator. I lean toward the idea of yielding, but I believe we are just cutting too much into whatever continuity of thought we have to offer; so, if the Senator from Iowa will excuse me, I will yield later. I think the he understands.

I can fully appreciate, Mr. President, the concern about this matter. I had some concern myself, I repeat for emphasis, when it started. There is nothing that I have ever followed any more thoroughly than I have tried to follow this issue here, this very question.

This resolution today resolves itself right down to the bare bones of supplying fuel—necessary fuel—within a reasonable time for any action that we might have to take. Do not say we will not have to take any. Who would ever have thought that our ship would be attacked over there on the other side of the world, in international waters, but near Cambodia and Thailand? This essential energy, upon which our economy is built and upon which, unfortunately, we are so dependent moves on the highroads, the travel lanes, the ship lines of the world moving through this area day and night, and this will continue for years to come.

The idea of our holding back just with a hope or a wait-and-see attitude, holding back the building of a new supply source for this energy, is something I just cannot abide.

I am no pessimist, I hope. But I have seen during all these years that we have had the benefit of the Azores, the benefits that came to our Navy and Air Force, our power, and our strength; and I see that now, of course, in the utmost jeopardy. We can no longer depend on it, really.

In the Indian Ocean area, we have only a little naval facility which is totally inadequate or incapable of giving any large degree of support—Bahrein, I believe it is pronounced—just a little place with room for the berthing of one ship, and no large ship. And then in Spain—I remember I was in Spain when the original agreement was signed about the bases. I read yesterday about the tremendous development of the Spanish economy in those intervening years. But everyone knows that our renegotiation for U.S. bases there is underway, and is proceeding with difficulty.

I have referred to the Philippines several times. That is where we have some fuel supplies. But President Marcos has publicly stated that he intends to take over those U.S. bases within 3 years, and convert them to a joint operation.

I do not think that is a threat. It is the way he feels about it now. Anyway, it means that we are not getting stronger there. There is something underneath that is uncertain. In Greece, we know the tremendous pressure there against the bases. In Turkey—where are we going from here?

One of the very best presentations I have ever heard on this floor was with reference to giving the President of the United States some continued leeway and negotiating room, some kind of a hand, with reference to the situation there in Turkey-Greece-Cyprus. And we have held up on that, I say respectfully, I think too much and too long.

Now, here is one place where we have a friendly free nation that has given us a lease over here in this vital area. Do not say that it is off over there where it does not matter. It does matter. These Arab diplomats who are interested in this. Their pictures are on the front page, not off on page 22. It is the very opposite of domination for us to be picking up the fuel capacity a little, and to be a little more alert and not so unfortunately unprepared, so far as time is concerned, in having to go 3,500 miles to get a simple little thing like fuel.

Mr. President, I yield briefly to the Senator from Iowa, if he wishes.

Several Senators addressed the Chair.

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

Mr. STENNIS. I will yield the floor, Mr. President, just as soon as the Senator from Iowa has had a chance to ask his question. I appreciate the fact that he has waited.

Mr. CULVER. I thank the distinguished chairman for his willingness to yield to me for the purpose of a question.

The question, Mr. President, is: Is the distinguished chairman supporting base expansion at Diego Garcia simply for the logistical fuel convenience that it provides?

Mr. STENNIS. Yes; that is the primary reason. There are two different kinds of fuel, of course, as the Senator knows. There is oil for the ships and fuel for the jets, to power the aircraft.

Mr. CULVER. But the support of the distinguished chairman is for that purpose, and he does not envision a more elaborate utilization of that facility or further development of that facility. Is that correct?

Mr. STENNIS. That is correct. It is presented on those facts, and those are the facts. I know there is speculation to the contrary, and the facts may change. But that is my primary purpose now.

Mr. CULVER. Is the distinguished chairman willing to make the legislative history clear at this point that, if the proposed construction is allowed, it is not intended to approve either further base development in the Indian Ocean area or the costly construction of a new Indian Ocean fleet?

Mr. STENNIS. That is certainly not my purpose now, to try to lay the groundwork for the items that the Senator mentioned, but I have learned by experience that it is better to wait until the facts

are in in future years before saying what we are going to do. It was sent up here, as I understand it, for us to use judgment based on the facts.

Mr. CULVER. The reason for the question is, as the distinguished chairman I am certain appreciates, to try to ascertain his own personal perception of what steps we are taking now and the extent to which he is determined to see, as was described by Secretary Schlesinger, an austere facility here.

Mr. STENNIS. That is right.

Mr. CULVER. If that is the current intent of the Senator, should the legislative history on this occasion make that clear?

Mr. STENNIS. There is no doubt about it, I say to the Senator from Iowa. I have tried to state it, and that is my purpose. But I speak for myself and for the present facts only.

Mr. CULVER. The thing that, of course, concerns me, I say to the Senator from Mississippi, is that he mentioned and made reference to Admiral Holloway's statements and also to statements of Secretary Schlesinger concerning the present intention for that base facility and any subsequent use concerning the growth to a three-ocean navy. It is true that Secretary of Defense Schlesinger testified on June 10 before our committee that it was:

> Not now our intention permanently to deploy ships into the Indian Ocean.

The operative words being "not now our intention to permanently deploy ships in the Indian Ocean."

Mr. President, however, in a March 1974 interview with Seapower magazine, the then Vice President of the United States, Mr. Ford, himself stated, and I quote:

> Now, I think also that we've got to actively explore the desirability of having an Indian Ocean fleet.

Of course, the concern that some of us have already expressed is that such a fleet will mean a cost estimated at 5 to 8 billion additional dollars, and annual maintenance and operation costs of an estimated $800 million for the three carriers, plus the additional planes and ships, and the support ships that would have to accompany such a development.

So these fears, I say to our distinguished chairman of the committee, with all due respect, I do not think can be cavalierly dismissed.

We have heard from military analysts, from independent sources, such as the Brookings Institution, we have heard from other naval officers on this point and we know that the Navy for many years has sought the opportunity to have a three-ocean naval presence and sought that base and other bases in the Indian Ocean area for that purpose.

Mr. STENNIS. Mr. President, if the Senator will yield, without being at fault, the Senator has gone far beyond the idea of asking questions. I yielded on my time only for a question with reasonable additions thereto.

Does the Senator want to use some of his own time?

The PRESIDING OFFICER. Who yields time?

Mr. THURMOND and Mr. CULVER addressed the Chair.

Mr. CULVER. Will the Senator yield for a question?

Mr. STENNIS. I yield for a question only on my time but within limit on that, too, Mr. President.

Mr. CULVER. I think it is useful to have a colloquy on these matters.

Mr. STENNIS. I am merely referring to the time, I say to the Senator.

Mr. MANSFIELD. How much time does the Senator desire?

Mr. CULVER. I just want to address a question to the distinguished chairman.

Mr. STENNIS. It will be on my time, if the Senator has just one question.

Mr. CULVER. Mr. President, the chairman has made reference in his statement to the report language of the Committee on Armed Services of a year ago, where it was stated in the committee, the committee that the Senator so ably chairs——

Mr. STENNIS. Mr. President, I hope the Senator will get on with his question. A complaint has been registered with me that I am yielding too much time.

Mr. CULVER. Mr. President, in view of the concern that repeatedly has been expressed by my distinguished chairman, I ask unanimous consent that the time it takes for me to pose my question to him, to express it properly, be attributed to me, the Senator from Iowa. I do not want to encroach upon his valuable time. His side has only 2½ hours, and I can realize the anxiety with which he is watching the clock.

Mr. STENNIS. No.

Mr. CULVER. Just put that aside. We have quibbled back and forth on who has time and who is using time. Put it on my time. I ask unanimous consent for that.

The PRESIDING OFFICER. The Senator from Iowa has no time.

Mr. MANSFIELD. Mr. President, I yield sufficient time for that purpose to the distinguished Senator from Iowa.

Mr. STENNIS. Mr. President, who has the floor?

Mr. CULVER. Who has the time?

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

Mr. STENNIS. Mr. President, I make this statement——

Mr. MANSFIELD. But the Senator yielded.

Mr. STENNIS. I understand that.

We all operate under the Senate rules, and other Senators have a right to time in these matters. I am willing to try to answer the questions of the Senator. I know the rules of the Senate. A Senator yields only for a question. If one goes over the line a little, that is all right.

So let me have the Senator's question, briefly put, please, and my answer will be brief. Then I want to yield the floor and let the debate proceed, under the rules of the Senate.

I yield to the Senator now, under those circumstances.

The PRESIDING OFFICER. The Senator from Iowa is recognized.

Mr. CULVER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CULVER. Am I being recognized in my own right?

Mr. STENNIS. Mr. President, I have not yielded the floor.

The PRESIDING OFFICER. The Senator from Iowa has no time.

Mr. MANSFIELD. Oh, yes; I yielded him such time as he may desire to pose his question.

The PRESIDING OFFICER. The Senator has as much time as he desires, yielded to him by the Senator from Montana. The Senator from Mississippi now has the floor and has yielded to the Senator from Iowa to pose a question.

Mr. STENNIS. I appreciate that ruling. I have not yielded the floor. I am trying to accommodate my friend.

Mr. MANSFIELD. This is not on my time, now.

The PRESIDING OFFICER. It is not on the time of the Senator from Montana. We are on the time of the Senator from Mississippi.

Mr. CULVER. Mr. President, the fear in this situation is that we might have a debate. I hope the greatest deliberative body in the world could risk a momentary debate.

My question to the chairman is this: The Senator properly stated that the Committee on Armed Services express its "hope" that "such" an evaluation would include a thorough explanation of the possibility of achieving with the Soviet Union mutual military restraint without jeopardizing U.S. interests in the area of the Indian Ocean."

The wisdom of that request was based on the fact that the United States is proceeding forward here without having exercised any diplomatic option, without having initiated any conversation with the Soviet Union since 1971.

Despite the wise statements by our committee, under the able leadership of the Senator from Mississippi, the administration replies that they have consciously decided not even to attempt negotiations with the Soviet Union. They have arrogantly disregarded the expressed recognition and request of the distinguished chairman's own committee. Assistant Secretary of State Robert McCloskey wrote me a letter in which he said:

> It was decided not to approach the Soviets at the present time.

I respectfully ask the Senator from Mississippi, as the able and distinguished chairman of this committee, whether or not, in his judgment, that inadequate, inept, pathetic response from our U.S. Department of State constitutes an adequate exploration with the Soviet Union about the prospects and the possibilities of mutual arms restraint in the Indian Ocean?

Mr. STENNIS. I think some effort has been made. I have evidence to believe that some effort has been made in that field. It is not a one-way street. Other nations in that part of the world have to be consulted, and have been, to an extent.

The best I can say now is that, in spite of that effort, the conclusion was that

it was better to go on with this modest improvement, as I have outlined.

I helped put this provision in the bill, that the President of the United States would have to certify what he thought. He has acted, and he has done the best he could. I think he had grounds for that act, I say to the Senator from Iowa.

Mr. President, I yield the floor. How much time did I consume? What time is charged to me?

The PRESIDING OFFICER. The Senator from Mississippi has 29 minutes remaining.

Mr. STENNIS. Twenty-nine minutes out of how much?

The PRESIDING OFFICER. Out of a total of 75 minutes.

Mr. MANSFIELD. Mr. President, I thought we had 2½ hours apiece.

The PRESIDING OFFICER. The Senator is correct. However, this morning, the 2½ hours belonging to the Senator from Mississippi was divided between Senator STENNIS and Senator THURMOND.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all the time, under the usual rule, be accorded to the distinguished chairman of the committee, and he can work out something with the Senator from South Carolina.

I withdraw the request.

Mr. President, I ask unanimous consent that when I am not in the Chamber, the time on this side be under the control of the distinguished assistant majority leader.

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

Mr. BARTLETT. Mr. President——

The PRESIDING OFFICER. Is the Senator from Oklahoma asking for recognition?

Mr. BARTLETT. Yes.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

Mr. HUMPHREY. Mr. President, will the Senator yield for a unanimous-consent request?

Mr. BARTLETT. I yield.

Mr. HUMPHREY. Mr. President, I appreciate the courtesy of the Senator from Oklahoma.

I ask unanimous consent that my legislative assistant, Sally Horn, have the privilege of the floor during the consideration of Senate Resolution 160.

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

Mr. BARTLETT. Mr. President, in connection with the dialog that took place between the distinguished chairman and the Senator from Iowa concerning whether or not the administration has been interested in evaluating the possibilities of mutual arms restraint in the Indian Ocean, I should like to read McCloskey, Assistance Secrtary for Con- a letter which I received from Robert J. gressional Relations of the Department of State, concerning this matter. It is dated July 17 of this year.

DEPARTMENT OF STATE,
Washington, D.C., July 17, 1975.

Hon. DEWEY F. BARTLETT,
U.S. Senate,
Washington, D.C.

DEAR SENATOR BARTLETT: With respect to the question of arms limitations in the Indian Ocean, which you and Under Secretary Sisco have been discussing telephonically, I hope the following information will be helpful to you.

Before certifying to Congress that the expansion of facilities on Diego Garcia was essential to the national interest, the Administration re-evaluated the military and foreign policy implications of the Diego Garcia proposal, including the matter of arms limitations talks with the Soviet Union. On the basis of that review, it was decided not to approach the Soviets at the present time.

A significant factor in this decision was the evident lack of Soviet interest in such talks. As you know, in 1971 we responded officially and favorably to a Soviet suggestion that we explore the possibilities of arms limitations in the Indian Ocean area. We have heard nothing from them since that time, despite several public iterations of our willingness to consider constructive suggestions. Moreover, we need to resolve the issues relating to our proper role in the Indian Ocean. Debate on this began in early 1974, centered around our expansion plan for Diego Garcia. From extensive experience in negotiations on arms control, we believe the chances for any useful talks with the Soviets would be improved were the Diego Garcia matter resolved in such a way as to demonstrate that the U.S. is determined, and has the means, to protect its security interests in the Indian Ocean. As the Secretary has indicated, we would be prepared in these circumstances to explore the possible methods of limitations, which we have been studying within the Government, bearing in mind the need to guard against an imbalance in the area which would adversely affect our security interests.

Our periodic deployments to the Indian Ocean—and our proposed limited expansion of facilities at Diego Garcia to support them more efficiently and effectively—do not, we believe, fuel an arms race in the area. We remain interested in constructive proposals for limitations, but an adequate level of U.S. presence in that important area is essential.

I can assure you that we take seriously the concerns expressed by several Senators, and we have read with interest accounts of their recent discussions in the USSR. As you know, we are pursuing improved relations with the Soviet Union on a broad front. Arms limitations talks with the USSR are a part of that process and, in each case, specific negotiations have been undertaken when we thought mutual interests, timing, and circumstances were most propitious. Experience has shown that this approach is best calculated to produce a successful outcome.

If I can be of further assistance on this subject, please do not hesitate to contact me.

Sincerely,
ROBERT J. MCCLOSKEY,
Assistant Secretary for Congressional Relations.

Mr. CULVER. Will the Senator yield?

Mr. BARTLETT. Yes, I yield to the Senator from Iowa on his time.

Mr. CULVER. I appreciate the Senator's yielding.

Mr. President, the proposed base expansion on Diego Garcia is an issue on which honorable individuals can have a sincere difference of opinion.

This does not concern me.

What does concern me is that some good Americans who saw the mistake of our Government's policies in Vietnam so prophetically and who fought so courageously to change those policies now seem inclined to tolerate this Diego Garcia expansion as just another minor item in a $100 billion defense budget.

I can well understand a strong pro or con position on this issue based on differing views as to the direction our foreign and defense policies should take in the years ahead.

What I cannot understand, in the light of our recent traumatic experience in Vietnam, is the failure to see the portent of this provocative step of military expansion in a vast area of the world which is comparatively stable and in which our interests are not significantly threatened.

It is true that the island of Diego Garcia is a flyspeck of coral atoll, five miles wide by 13 miles long, in the far reaches of the Indian Ocean, 1,000 miles southwest of India and about the same distance east of Africa. It is also true that most Americans do not know what Diego Garcia is or where it is or how it relates to such urgent, close-at-hand problems as unemployment and the rising cost of living.

But only a few years ago, the Tonkin Gulf was similarly unknown to most of us.

Now it is a household term identified with the fateful escalation of our military intervention in Southeast Asia.

The Tonkin Gulf incident, the Tonkin Gulf resolution and the Vietnam war are now history.

But we have an overriding responsibility to avoid making the same kind of mistake over again.

If we proceed with this expansion in the Indian Ocean at this time—without even trying the peaceful, less costly, no-risk alternatives—then we will indeed be simply replaying the first act of a scenario identical with that which took us into the quagmire of Vietnam.

We have time. We have alternatives. Let us at least try the less costly, peaceful options. If the options do not work, then we can proceed with the proposed base expansion. But, remembering Vietnam, let's take time to look before we leap.

We have, in effect, come to the first major test of our ability and determination to chart a new, more constructive direction in foreign and defense policy that does not rely exclusively on automatic military escalation and gunboat diplomacy.

In the post-Vietnam reassessment dialogue, one point that has been emphasized is the urgent need for closer integration of our foreign and defense policies. Our defense effort and our military spending should be geared to specifically identified foreign policy objectives. Too often, in the past, the Pentagon has gone out ahead, creating its own policies, leaving those responsible for our foreign policy to catch up. The proposed base expansion on Diego Garcia is a classic example of the Pentagon creating foreign policy.

The background of Diego Garcia is as follows:

For nearly 20 years, the Pentagon has pushed for a base expansion on this island which we have leased from the British.

Last year, the Senate turned down the appropriation for this project, specifying that the $20 million authorized for the project was not to be spent until the President certified that the base was in the national interest. The President has

gone through the formality of certifying this, but no one has made a convincing case that this expansion is needed.

This year, the Pentagon is featuring as the centerpiece for its selling of Diego Garcia to Congress the revelation that the Soviets have constructed some naval support facilities at Berbera in Somalia.

Obviously, we cannot regard any Soviet activity lightly. Recent eyewitness accounts by U.S. congressional delegations report the facilities include an airfield, petroleum storage tanks, barracks, a communications facility, and a building designed for storing and handling missiles.

The implication is that this Soviet activity ipso facto makes it necessary for us to counter with the expansion on Diego Garcia.

The Berbera matter has been spectacularly publicized amid conjecture as to exactly what is there and how major a facility it is that the Russians are building.

Lost in the superficial dramatics are the basic points that are really vital to the decision on Diego Garcia:

One, that the Soviet activity, even if the most exaggerated accounts of its extent are accepted, does not pose sufficient threat to our national interest to warrant the risk of opening up the superpower arms race in a vast new area of the world.

We must remember that the major new Soviet activities at Berbera came after the Pentagon proposal to go ahead with Diego Garcia expansion, and that Secretary Schlesinger has testified that we would want that base even if the Russians shut down their activities at Berbera. In the absence of negotiations and mutual limitations, the Soviets can be expected to increase their naval presence in the Indian Ocean, according to CIA predictions.

Two, that the Diego Garcia move might actually weaken, rather than strengthen our security position in the area by disturbing our present good relations with the littoral nations of the Indian Ocean, who, if they perceive us to be precipitating an arms race in the region, may deny us the access we now have to their ports and facilities.

Three, that there are feasibly, less provocative alternative actions that we can take to counter the Soviet activity and to preserve the strategic balance.

Finally, contrary to the impression many people are getting from this controvery, the present U.S. military position in the Indian Ocean is one of solid strength, not weakness, as compared to that of the Soviet Union, so haste for the go-ahead of the expansion on Diego Garcia is not in any sense imperative.

This means that we have time to consider and try out the no-risk options available to us as alternatives to military escalation.

Mr. President, I am not talking about permanently foreclosing the proposed base expansion. I am asking for time to try less costly, less dangerous initiatives that we have not given a chance, as yet. Admittedly, we have no way of knowing what the U.S.S.R.'s eventual plans are in Berbera, how important their facility may become and how it will be used. Given that uncertainty, we need to proceed with care and restraint aiming at the protection of our long-range interests and friendly relations with the other nations of the area. The conditioned reflex reversion to military buildup does not always generate strength in the long run.

I want no part of any move that will weaken the strategic position of the United States. I believe the peaceful moves I am proposing for the Indian Ocean will strengthen our overall security position, not weaken it, in the long range. In the short range, exercising these options simply does not risk that much.

Specifically, I have proposed these initiatives:

First, that the expansion of the Diego Garcia base be postponed until next year so that the alternatives can be explored.

Second, that the United States initiate negotiations at once with the Soviet Union for mutual arms restraint in this region.

Third, that the present restrictions on economic and technical aid to Somalia, restrictions imposed in 1971 because ships from other nations bearing the Somali "flag of convenience" were transporting cargoes to Cuba and North Vietnam, should be lifted. If the administration does not see fit to take this action, as it is in its power to do, Congress should proceed with appropriate legislation.

Fourth, that a policy be inaugurated of U.S. ship visits to Somalia leading toward generally improved political relationships. It is my hope, too, that agreement will be reached in the near future for U.S. naval vessels to visit Somalia ports. President Siad of Somalia offered to permit this, at the time he visited President Ford, last November.

Fifth, that basic economic aid and technical assistance programs be developed to further a new era of peaceful relations with Somalia.

Mr. President, Barry M. Blechman, a senior fellow at the Brookings Institution, summarizes in an article recently published in the Washington Post, the overriding reason against proceeding with the Diego Garcia expansion at this time.

"A U.S. base at Diego Garcia," he writes, "would constitute another step toward increased competition with the Soviet Union in the Indian Ocean, a region relatively remote from both superpowers. The fact that the U.S.S.R. already has taken a comparable step does not compel us to follow suit."

Mr. Blechman goes on to point out that increased United States-Soviet rivalry in the Indian Ocean would divert limited U.S. military resources from more pressing needs, such as the Mediterranean, would increase the risk of our getting involved in some future conflict in the region, and would impair relations with friendly nations in the area.

He writes:

> And finally, it means another step toward the establishment of a requirement in U.S. military planning for the maintenance of a permanent U.S. fleet in the region; a move that, in the absence of cuts in U.S. naval deployments elsewhere, could imply incremental defense expenditures on the order of $5 to $8 billion for ship and aircraft procurement and $800 million per year in operating costs.

In this reference, it is interesting to note that Secretary of Defense Schlesinger testified before the Armed Services Committee that—

> It is not now our intention permanently to deploy ships in the Indian Ocean.

However, in a March 1974 interview, Mr. Ford himself stated:

> Now I think also that we've got to actively explore the desirability of having an Indian Ocean fleet.

By contrast, Mr. Blechman concluded his article with this statement:

> The obvious, if remote, solution to the incipient superpower competition in the Indian Ocean is a formal treaty in which both the United States and the Soviet Union agree to limit their naval deployments there.

Mr. President, I think the distinguished Senator from Oklahoma (Mr. BARTLETT) has put his finger on the single most crucial issue in this entire debate this afternoon. That, simply stated, is why, oh why, is the U.S. Government afraid to initiate diplomatic discussions with the Soviet Union toward seeking mutual arms restraint in the Indian Ocean?

I was interested in the letter that the Senator received from Mr. MCCLOSKEY. He may also be interested in the origin of that letter. That letter was eventually written because the Senator from Iowa wrote to our Department of State on June 12. I wrote them, one, to accept the Somalian invitation to have our Ambassador go visit that Port of Berbera. I also wrote them and inquired why the U.S. Department of State has failed, since 1971, even seriously to raise the question of diplomatic negotiations toward achieving some sort of mutual arms restraint in the Indian Ocean.

Since 1971, we have had what some people call détente. It may or may not be what a lot of people hope and pray it may be, but the fact of the matter is the relationship between the United States and the Soviet Union has, in a very significant way, been altered since 1971.

We have been in SALT talks with the Soviet Union, affecting the most sensitive and strategic survival questions in our mutual relationship. We have had every other conceivable initiative across the whole range of our relationships—economic, political, social, and, this week, shaking hands in outer space.

The question is why, in view of that backdrop, has our Department of State refused to negotiate or even offer to negotiate with the Soviet Union mutual arms restraint in the Indian Ocean, particularly when we have all these scares about missile crises, about the Russians are coming, about all these other concerns?

I wrote them and I asked them a question. Does Senator BARTLETT know this? They never even responded to that part

of my letter. They answered the first part. They did not even answer that part about negotiations until several weeks later.

The fact of the matter is, the U.S. Government is not interested in negotiations on the Indian Ocean. The fact of the matter is that the Pentagon, once again, is the driving force in American foreign policy in the post-Vietnam period.

I was interested in hearing all this talk today about this being only a tiny atoll; it is 5 miles wide, 10 miles long; it is a rock. The distinguished chairman of the Committee on Armed Services said it is not even inhabited by anybody.

Let me tell you something, Mr. President: the Gulf of Tonkin did not have a lot of bodies floating in it. Nobody on this floor had heard about the Gulf of Tonkin before that war started, and nobody had heard about places like Khe Sanh, either, and I lost my best friend there. We are at the crossroads.

Have we learned the lessons of Vietnam? We are going to find out in a very significant way this afternoon. We came off the back of Vietnam. People wrung their hands and said, oh, America is going to hunker up in the hole, America is going to retreat to Fortress America, it is going to be a period of neoisolationism. Well, if the alternative to interventionism and acting as global policeman is neoisolationism, then I reject that alternative. There is a middle ground and today, we are going to find out.

Mr. President, the State Department finally answered my letter and said that they thought about negotiations with the Soviet Union, but they decided that, because there was a lack of interest, they were not even going to initiate an inquiry. And do you know why? Because the Department of Defense was leaning on them so hard.

We should give that Secretary of Defense Schlesinger double pay, because he is doing two men's jobs. He is Secretary of Defense and of State.

I came to the U.S. Congress 11 years ago, served on the House Foreign Affairs Committee for 10, under the naive assumption that the foreign policy of America was set by civilians, by Presidents, by the Department of State, and by the appropriate committees of Congress in the area of foreign affairs and foreign relations. One does not have to be around here long to know how fundamentally false that assumption is.

We have not even talked to the Russians about this question since 1971. All I say to this body is why? What are we afraid of? We are not weak in the Indian Ocean; we are powerful. Any time we dispatch an American carrier task force over to the Indian Ocean, it is like putting a 400-pound man in a washtub; there is not any water left. The fact of the matter is that the French fleet alone—the French fleet alone—equals the Soviet fleet today in the Indian Ocean. Four to 6 out of every 12 months since 1973, we have put American carrier task forces over there.

We put the U.S.S. *Enterprise* in there—with 36 attack airplanes carrying 7.5 tons of ammo under their wings, and 24 F-14 fighters. Do we have to fear interdiction of oil lines? Rubbish.

The fact of the matter is that the Soviet Navy has one diesel sub over there, one diesel sub in their fleet, and it is only equal to the French fleet. And the British have their own significant capability.

The Director of the CIA, Mr. Colby, has testified that interdiction of oil supplies is not going to come from Soviet subs. It is going to come at the wellhead—embargoes. That is where it is going to come from.

We have 29 countries in the littoral area states, 29 friendly nations in large part because right now, we can go into 36 ports in 18 countries for refueling over there. We refueled over there all during the 1973 oil embargo. But not one of those countries favors our expanding in Diego Garcia.

The Australian Prime Minister was here last January, and he said, "Do not go in there." But we are going arrogantly to disregard all the heartfelt opinion of mankind in that area and, in classic, cold war fashion, America is going to stick its big nose under the tent of an arms race.

We are on the slippery slope of military escalation. We are at the crossroads. It is a rock today, but it is going to be a benchmark tomorrow. Mark my words.

Why not look before we leap? If there is one lesson out of Vietnam—I am on my time, Mr. President. If there is one lesson out of Vietnam——

Mr. BARTLETT. Will the Senator yield for a second?

The only thing I want to straighten out, without interrupting his remarks, is to make sure this is on his time. I am not sure he has time.

Mr. CULVER. That is right; it is on my time, and I am assured I have ample time.

The PRESIDING OFFICER. The Senator has been given time by the distinguished majority leader. He is now on that time.

Mr. CULVER. We are at the crossroads. When people say, have we learned the lesson of Vietnam, we are going to find out today. They say, "What is that little tiny place? What is it called?" You are going to find out tomorrow.

The chairman talks about just a modest expansion. Well, we have independent military analysts who tell us that it is going to mean a three-ocean Navy, $5 to $8 billion, three carriers, all the support ships and airplanes that can go on them.

All I say, Mr. President, is that there is no Senator who will tolerate for one moment America being in an inferior status in a military position of vulnerability in the Indian Ocean or anywhere else.

The hard fact of the matter is that America is not weak today; it is strong. The only people talking about how weak America is are the Secretary of Defense, the Secretary of State, and the President of the United States, and I am sick and tired of that poor-mouthing.

We are bristling with power. When you put the U.S.S. *Enterprise* into the Indian Ocean, with all the accompanying ships afloat, and you put the A-6's, A-7's, and the F-14's on those decks, who cares if they have got all their Styx missiles out there.

Do you know why they have so many in Berbera? The Soviet missiles are so lousy in large part that their navy cannot have the operational sophistication and reliance that our fleet possesses. They are 20-nautical mile range, late 1950 vintage. To hear the Pentagon and hear some of the Members in the Chamber talk you would think they were intercontinental ballistic missiles with nuclear warheads poised and aimed on Honolulu. Hogwash. Hogwash.

Let us talk facts. All I am saying is this: yes, it is a modest request now. But I am saying before we make this modest request, before we approve it, let us insist in this age of détente, if détente means anything, that we at least initiate a serious overture to the Soviet Union to negotiate. Negotiate what? Mutual naval arms limitations agreement in the Indian Ocean; for example, a limitation on ship-days on both sides. You can verify that. It is enforceable.

What are the advantages in doing that?

Well, the advantages are clearly, first and foremost, that we avoid this costly, dangerous arms race. The chairman talks about the danger of confrontation there with the Soviet Union over the oil lines. That is far more sensitive than the strategic arms limitation talks going on right now. If it is that serious we ought to talk.

Now, second, what else does it do? It achieves the advantage of not flying in the face of the considered opinion of every ally we have got in the area. It is stupid to go ahead and plunge into this when all the countries in the region, including Australia, say, "Do not do it."

It is stupid when we could get resupplied, refueled over there all during the embargo. How many of those countries, Mr. President, that now make available to us some 36 ports, are going to close them down? If we go ahead with this base expansion, arrogantly disregarding the opinion of those countries, how many are going to be inflamed with anti-American judgments? That is a great and burning issue. The Indian Ocean may not mean much to us; Diego Garcia may be a flyspeck, an atoll, somewhere but, my friends, there are some 29 countries which live along the Indian Ocean, and who are we in the post-Vietnam period to start at once again arrogantly to disregard their judgment, their opinion, their sensitivities?

If the Soviet Union says, "Nyet, nyet, we do not want to talk," OK, OK, they do not want to talk. We will burn them up in the arms race. They cannot stay with us. They are not even with us today.

When we have to go ahead with Diego Garcia, Mr. President, we will be going forward, sir, with the burden the USSR. The onus, the blame, will be clear. It was America which made the good-faith effort; it was America which tried its best with diplomatic civility, enlightenment, compassion and concern to go forward to work out a rational relationship and understanding and resolution of the problems of the Indian Ocean.

Let the Soviets explain to world opinion, Mr. President, why they are not willing to enter into this mutual and humanitarian approach and response.

Now, Mr. President, every year since 1971, every single year, the General Assembly of the United Nations has come forth with a statement called the "zone of peace," begging the superpowers of the world who heretofore had remained out of the Indian Ocean to stay out. "Leave us alone. We do not want to be caught up in these big power politics. We do not want to be put in a situation where we are being muscled under through gunboat diplomacy. Respect our sovereignty. Respect our integrity. Play in your own sandboxes."

Always, they will concede, we have to have rights of navigation, freedom of the seas. That is what the law of the seas is all about, and we should insist to the end on that right.

But, Mr. President, every year since 1971 the General Assembly has said, "Keep the superpowers out." All the littoral area states have said, "Please stay out," including Australia. And yet we go forward and we go in.

Mr. President, it is said there are a few of these countries that will privately say that they want us to come in, they want Diego Garcia. Well, Mr. President, that has an awfully painful familiar ring to me, too. I remember as a new boy in the House Foreign Affairs Committee in 1965 going to Vietnam. I remember leaving Vietnam and going to Thailand, and I remember talking to officials in various parts of Southeast Asia, and they said, "You know, we are all for you but we cannot say a word about it publicly."

Let me just tell you something, Mr. President, the day you get politicians saying privately they are all for you and publicly going out into the town square and whipping them up against America so they can get elected, you are on pretty shaky ground. If there is one lesson of Vietnam, that clearly ought to be it.

Mr. President, we are right back into the bargaining chip game. That is what Secretary Kissinger is saying to us,

I want it for a bargaining chip.

Why invest hundreds of millions of dollars of the taxpayers' money, money from Dubuque, Iowa, into a theory when we can determine the genuine intentions of the Soviet Union in a matter of minutes?

One of the last big bargaining chips is that white elephant called an ABM that my people are still paying for.

No, Mr. President, if there ever was a time to negotiate, the time is now. I believe that we should talk before we build. I believe that we should build before we fight and, I believe, Mr. President, that we should fight to the death before we surrender. But you have got to get your orders straight. You have got to get it in the regular order, Mr. President, regular order. Talk before we build, build before we fight, and fight before we surrender. We have got the cart before the horse again. We have got the State Department running around with its tail between its legs trying to catch up with foreign policy as it is set by the Defense Department. That is what is happening.

Now, finally, Mr. President, let us make that serious effort. Some of us were in the Soviet Union—one of the cochairmen was the distinguished Senator from Minnesota (Mr. HUMPHREY)—and we explored in formal sessions with the Soviets the extent of their willingness seriously to discuss the question of mutual naval arms restraint in the Indian Ocean.

As we reported to our Secretary of State immediately upon our return—the following day—and as we worked closely with our own State Department escort officers on the trip, and as we reported in subsequent correspondence to the Secretary of State, we said that although the initial response of the Soviet Union was general and vague, we had subsequent reason to believe that the Soviet Union would respond positively to the initiation of a formal request to enter into negotiations and discussions over the question of mutual naval arms restraint in the Indian Ocean.

That is all we said. We gave them chapter and verse on what exact and specific evidence we had to substantiate that hope.

That was just a hope. It may be wrong. It does not take long to find out if it is wrong, or not, but we feel that the signal we had should not be disregarded; it should be explored.

What is lost in that no risk policy? No risk.

We can find out whether they want to be responsible and act in good faith, constructive and substantial. We can find out in a matter of a few months, and what is lost, Mr. President, to delay long enough to find out? Nothing is lost, I submit, and there is everything to gain—the prospects of the outside hope, remote though it may be, that we will not have to go to a three-ocean Navy; $5 to $8 billion more money to the taxpayers of America at a time this country is going bankrupt.

We are not going bankrupt as a result of ADC, we are going bankrupt because of this insane arms race and overkill.

We talk about national security interests, as the able Senator from Missouri so frequently has had the opportunity and the good sense to remind us, but we do not listen. When we talk about national security interests, we talk about a three-legged stool: Guns and tanks, arms which we have got so much of that they get in the way; and we talk about the strength and fundamental and basic health of an economy which is the engine and heartbeat of the whole effort; and we talk about the morale and the welfare of the people, their confidence in the political institutions and the intelligence of decisionmakers to allocate priorities in a compassionate humane, logical and rational way.

Mr. President, I have mentioned the three-legged stool; today it has one good leg and two that are about ready to fall off, and the only good one is the guns and tank leg.

So we have nothing to lose by making this serious approach to the Soviet Union. What do we have to gain? We might avoid an arms race. We may also salvage a few friends in that area in the critical continent of Africa and the subcontinent of India. We may also keep open some of those refueling opportunities that were open to us all during the 1973 embargo.

What we are talking about here on Diego Garcia—and we have already spent $63 million for a communications center, is about $37 million more to dredge the harbor, extend the runways, build some officer barracks, and so forth.

The Navy has wanted this thing since the late 1950's. They not only wanted Diego Garcia, but bases all over the Indian Ocean. The minute the British pulled out, they thought, hot dog, let us pick up those properties.

As the late Senator from Georgia, Mr. Russell, once said, make it easy for the Navy to go places and do things, and they will go places and do things. I do not blame them. I do not blame them for wanting every toy in the store. I blame us for having the stupidity to give them that and more.

I do not blame them. That is their job. They are professional military people. I do not think they are acting irresponsibly when they want places for convenience, but it is we who are supposed to represent the larger national interest. It is we who are supposed to have the maturity to give consideration in the calculus of America's best interests, whether or not in fact that national security interest largely defined, is best served by this particular narrow escalation of military power.

That is our job. That is not their job.

Now, we talk here about this Indian Ocean.

Right now the French are here in Reunion Island. They are equal to the Soviet fleet.

We are talking about 30 days in gas and oil for aviation, planes, and to fuel ships.

In view of the fact that the Senator from Mississippi made this argument, I would just like to address it.

When we send a task force, carrier task force of the U.S. Navy, into the Indian Ocean—we have been doing it on a regular basis ever since 1973—it is out there for about 6 months of the year. One of the reasons our Navy costs so much is because they properly have a mission to handle global responsibilities, to get out to sea and stay at sea.

The Soviet Navy is not so designed or constructed; it does not have a mission of comparable magnitude.

When we go out, we can stay at sea 30 days. The American taxpayers pay a lot of money to permit them the capability.

No other country in the world even has such powerful aircraft carriers. We have got 13 right now. The Soviets have a few with helicopters on them. So what?

We sail out the U.S.S. *Enterprise*, a nuclear aircraft carrier. It has got so much stuff on it, so much firepower, it can hardly float. It can hardly float.

We talk about a Styx missile, 20-mile range. It is ludicrous. The Styx missile, late 1950 vintage, has been given to 13

different countries by the Soviet Union already. Egypt has got them. India has them. Everybody has got them.

The incredible irony to me is that we are in one room, all excited about that. We have seen a few crates. So what? The missiles are coming. OK.

They do not have the patrol boats yet. They have got to have a patrol boat to put the missile on to shoot it 20 miles at sea. Big deal.

They are going to Somalia. Our own DOD, our own intelligence, admits they are going to the Somalians. All right, good luck. I hope they can keep them in repair. So what? They are nonnuclear, they are not going anywhere. We have got the A-6 and A-7 flying off that aircraft carrier. We have cruisers, destroyers, we have oilers—oilers—keep that in mind—oilers.

They are out there 30 days without the need for anything. Except it really is a good thing those nations have sandy shores because when you put the U.S. Navy in that little bathtub, they wash people up on the beach.

If they do not know it, we will need some new admirals.

We are not lacking firepower. We are lacking will and intelligence.

Now, they are out 30 days. If they run out of fuel and want to stay on, stay 30 days, what kind of global contingency are we trying to deal with?

Do we face a serious interdiction? Do we mean we have a problem with Soviets coming up, wanting to risk world war III over stopping that oil?

What do we think the French will do then, or the British, what do we think we are going to do then?

I will say that we will be closer to world war III then than with SALT talks. Why not have some talks if that is the risk? That is not even the risk.

The Soviet Navy now has one diesel submarine, one diesel submarine in the Indian Ocean. That is all they have got. Big deal. We have got nuclear Russian submarines off the coast of America. Why do we not close down and go pray? What difference does it make? One diesel sub. Is that what we are building this base in Diego Garcia for?

Let us give negotiations a try for a few months, put the ball in the Russians' court, put the burden on their back and say to the Soviet Union, "You talk peace all the time, you talk about détente all the time, put up or shut up."

Mr. President, it is disturbing that they are building at Berbera. It is rather primitive. The able and distinguished Senator from Oklahoma will give us a firsthand account. There has never been any doubt in terms of the character of those potential capabilities. We do know that the Somalian Government has extended naval visitation invitations formally to the U.S. Government. Let us take them up on it. Let that U.S. Navy fleet steam into Berbera. If we are talking about political perceptions of the littoral area States, let them take a look at the U.S.S. *Enterprise*, the nuclear carrier, and then compare any silly thing the Soviet fleet can finally float down there. Let them compare that, if we want to show the flag, if we want to muscle up for the boys when we go into port.

We have plenty of opportunities to do that.

I think, Mr. President, we should not only exhaust our diplomatic initiatives; we should exhaust our economic initiatives. Here is Somalia, one of the seven poorest countries in the world, with $70 per year per capita income. We cut them off from foreign aid. We cut them off in 1971. Do the Senators know why? Because those poor, pathetic people happened to have a permitted registry of foreign ships, under a contract negotiated with an earlier government, which made runs to Cuba and North Vietnam. We cut them off and let those people starve.

Somalia went to every country in the Western world. They went to America, to Great Britain, to Italy, and they said, "Give us some help." Nobody would help them. So they got a phone call one day and it was Mr. Khrushchev. He said, "Come to Moscow. We will help you." They have been providing economic and military assistance to them ever since.

But as Mr. BARTLETT can personally attest, they have 3 million people and one-half million of them are in danger of starving to death. They have 1 doctor for every 20,000 people. They want to have the American Navy come and visit; they want to make Berbera an international port. We are the ones who will force that nation into the Soviet bloc with our pigheadedness. We are the ones who will guarantee that. They are yearning for assistance from the West. They are yearning to get back in better shape with their Moslem brothers in the Middle East.

That is another point. We are pouring arms into Iran and Saudi Arabia to build up their own forces in the Persian Gulf. They are having a meeting, Mr. President, of the Persian Gulf States this fall. One of the matters at the top of the agenda is going to be a collective security agreement and a formal insistence that the superpowers get out of the Indian Ocean. We already know that. Yet we persist in the insane step of getting on this slippery slope just a little more.

Mr. President, all I am saying is just take 6 months off. Make a serious shot at negotiations. Say to the Soviets, "Put up or shut up. We are prepared to build this base." I will be the one leading the fight to get it built. I do not think we will need additional help, but I will be here leading the fight to get it built, if the Soviet Union is going to act irresponsibly, not respecting the mutual self-interest we share in having a naval arms limitation agreement for the Indian Ocean.

But, Mr. President, if we have learned anything out of Vietnam, I think it should be that we look before we leap, that we proceed with caution. We, as a matter of fact, have not even exercised the diplomatic option and we are called upon to respond in a cold war way which, Mr. President, in all respects I greatly fear will lead to the three-ocean Navy with all the additional cost of $5 to $8 billion on the hard-put American taxpayer, with all the additional risk of confrontation on the high seas, and the prospects and probability that there will soon follow an escalation into a more serious and potentially disastrous consequence for all mankind.

Finally, Mr. President, if we proceed in arrogant disregard of the opinion of all the littoral states including some of our finest, greatest, and most historic supporters in the region, then, Mr. President, I am afraid the answer is we have not learned much, if anything at all, from Vietnam. We are responding to the tragic misadventure and trauma of Vietnam in a way which shows we did not learn anything but are only hellbent in our madness to reassert our machismo in a reckless fashion which will not serve the long-term interests of America's true national security or the prospects of world peace.

Mr. BARTLETT. Mr. President, I would say to the distinguished Senator from Iowa that that was a lengthy question and it will take a little time to answer.

I would first like to say that the letter that I read, which stimulated the distinguished Senator from Iowa to expound at length on Diego Garcia and other matters, makes it very clear that the administration is interested and has been studying the matter of negotiations; that they are interested, certainly, and should be, in protecting the security interests of this Nation in the Indian Ocean and believe that that can best be done with a modest expansion of Diego Garcia.

The Secretary says:

> . . . [W]e would be prepared in these circumstances to explore the possible methods of limitations, which we have been studying within the Government, bearing in mind the need to guard against the imbalance in the area which would adversely affect our security interests.

The distinguished Senator from Iowa mentioned that foreign policy is dictated by the military in this country. I would like to bring to his attention that there have been several efforts already, discussions, hearings, and debate on this floor on the authorization bill for Diego Garcia and on the bill to provide appropriations. Then there has been the certification process by the President with the debate pending today and the resolution by the distinguished majority leader. So I think we can see that the Congress is playing a very large role in formulating the policy that we will be following in the future in the Indian Ocean.

The distinguished Senator mentioned that the Soviets have one attack submarine, a diesel submarine. His intelligence must be different from mine because the intelligence available to the committee points out that in addition to 1 attack submarine there are 4 major surface combatants, 2 amphibious ships, 2 mine sweepers, 6 logistics ships, and one intelligence collector, for a total of 16 currently dispatched in the Indian Ocean.

The distinguished Senator mentioned on several occasions the three-ocean navy. I think this figure of speech is a matter of semantics to some extent. I

think what he is really talking about is numbers of ships. It could very well be that the future requirements that this Nation envisions for its best interests in the Indian Ocean would require additional ships.

Certainly, all indications today are that Soviets are continuing to increase their number in this vital area of the world.

The distinguished Senator knows, and the majority leader who also mentioned this point knows, that expanding Diego Garcia does not, in itself, increase the number of ships that will be deployed on a deployment basis or permanently in the Indian Ocean.

Mr. President, the distinguished Senator from Iowa made a very impassioned plea that we permit just 6 months, just another extension of delay, in order to give us the opportunity for arms reduction negotiations with the Soviets.

I am very surprised that he makes this point so strongly, because delay in itself would force the United States to negotiate from weakness rather than from a position of parity or near parity. This delay that the Senator is recommending could possibly be looked upon by the little nations of the Indian Ocean as a sign of weakness, or even of lack of interest on the part of this country. That would certainly encourage the little nations to tie their stars to the Soviets rather than to the Western nations, and I think that this could be the reason that those countries are unwilling to speak out in public as they do in private to express just how they do feel about the presence of the United States in the Indian Ocean with an expansion of Diego Garcia.

What the Senator is suggesting is adding to the already 1 year of delay of the modest expansion of Diego Garcia, while the Soviets continue to expand their facilities, as they have in the past.

Such a delay is to the advantage of the Russians and to the disadvantage of this country. This delay would require the United States to unilaterally refrain from increasing its narrow capability in the Indian Ocean, the Senator says, for 6 months. He does not know how long the negotiations would take. It obviously would be much longer than that, but he wants us to refrain from increasing the military capability of this country in the Indian Ocean while the Soviets continue to expand their facilities for several years, at least.

I point out to the Senator that this would be another victory for the Soviets along with the Greece-Turkey controversy, which certainly has had some impetus from the Congress, and which of course is weakening the eastern end of NATO, like the opening of the Suez Canal, the expulsion of U.S. forces from Turkey, and the withdrawal of U.S. forces from Southeast Asia. Though balanced force limitation would increase stability in the region and reduce the danger of conflict, arms control in itself is not useful for security unless the capabilities of all parties are correspondingly diminished.

I would like to point out that agreement with the Soviets on mutual arms restraint would be a very lengthy process, and would require a lot of time. It would be a mistake to undertake an initiative with the Soviets while the Diego Garcia matter is still pending congressional approval. It could possibly leave the mistaken impression that we would be willing to sacrifice Diego Garcia in the event of an arms limitation agreement.

Any arms control agreement will require land-based aircraft for verification. Diego Garcia has already been invaluable for surveillance of Soviet activities.

Only after Diego Garcia construction is under way should we consider any arms control negotiations with the Soviets in the Indian Ocean area—at least this is my opinion—and only after we have developed a technically feasible arms control approach.

The United States cannot be placed in a position where dilatory Soviet negotiating procedures could deprive us of badly needed facilities on Diego Garcia, at a time when our vital and legitimate interests could soon be jeopardized, and I think this is what the Senator from Iowa is advocating.

Even if we were to assume the Soviets would act in good faith, the very difficult and technical negotiations would likely be protracted.

The President cannot accept any negotiation requiring either a link between Diego Garcia and arms control or a requirement that we proceed to talk to the Soviet Union on this question.

We are, of course, carefully studying the possibilities for arms control measures in the Indian Ocean, and will consider a Soviet approach on its merits should they approach us. There are many special difficulties in developing workable arms control measures for the Indian Ocean, and the United States is actively working to see if solutions can be found.

Multiple asymmetries between the naval needs and structures of the United States and the U.S.S.R. create very serious negotiation difficulties. The fact is that the United States and its Western European allies have an especially vital interest in assuring that sea lanes of communication to the Persian Gulf oil supply are kept open. The Soviets do not have an equal problem of communication, of keeping open sea lanes of communication, for their oil supplies.

Any agreement limiting United States and Soviet deployment must also take into account the large and growing military forces of a number of littoral states. Unconstrained, these forces might become a major source of instability in a generally unstable region.

When considering "nuclear free zones, zones of peace, and mutual withdrawal of naval forces" proposals, it is apparent that the Soviets do not have a realistic quid pro quo to offer. In any agreement which merely limits the forces deployed to a particular region, as Indian Ocean limitations would do, rather than the total inventories of both sides, as SALT does, for example, we must pay particular attention to the relative capabilities of each side to bring in forces from outside the region in the event the agreement breaks down. Soviet geographical advantages result from proximity of land-based aircraft and Black Sea naval forces—with the June 5 reopening of the Suez.

There are many technical difficulties such as measurement difficulties—ship days versus ships versus tonnage; questions about what kinds of forces are included; for example, submarines, minesweepers, auxiliaries, trawlers; questions about the role of land-based airpower in the naval balance; problems about treating forces outside the region versus forces in the Indian Ocean itself; problems arising from the existence of other forces in the region belonging to littoral states as well as other otuside powers.

So I think the distinguished Senator from Iowa should know that what he is suggesting is a very complicated series of negotiations that would take many years to culminate, and without any assurances of success.

Mr. President, I would like to comment at this point on the trip that we took to Somalia, Berbera, and Mogadiscio. This was authorized by the Committee on Appropriations and also the Armed Services Committee. There was a group of experts, so that the conclusions that I have reached in the recent report that was released last week are my own, but based on the expertise of many others and the observations of the entire team which spent 6 hours in Berbera.

First, the obvious conclusion to us, as we saw the situation at Berbera, was that the facilities have significant military potential, and second, that the Soviets control or at least have access to all facilities at Berbera.

The facilities at Berbera are still undergoing expansion, and the total scope of the effort planned cannot be accurately determined. However, I shall outline the capabilities of the observed and analyzed facilities.

I would comment on the statements made by the distinguished Senator from Iowa, as well as the distinguished majority leader, because in both instances they downgraded, in comparison, the facilities at Berbera which the Soviets control and have access to, compared to the planned modest expansion of facilities at Diego Garcia.

At the present time, the harbor at Berbera has depths of 50 to 60 feet, whereas at Diego Garcia, inside the atoll, it would be necessary to dredge in order to create a good harbor area for a task force of six ships.

Berbera at the present time has ample depth and ample space for a large task force, much larger than that contemplated at Diego Garcia. There is also adequate berthing space, material handling of equipment, storage space, and access roads to enable the port facility to serve a naval task force which it does do.

The communications facility is a long-range, high-powered facility capable of very long transmissions and receptions completely under the control of the Soviets.

Incidentally, just to show the interest of the Soviets in those transmission facilities, when we approached the gate from some 100 feet away the Somalian

guards drew their rifles on us in the lead car and then later on one particular individual who walked up to the gate to see if he could gain entry.

The same thing happened at the other facility, the receiver facility.

As to the missile handling and storage facility, the Senator from Iowa said that this is just a Styx missile facility. There have been Styx missile crates seen there, and there were some small dollies also seen which would be for handling missiles, probably bigger than the Styx. But there is a great capability there with a 25-ton crane and a capability to handle any of the missiles that the Soviet Navy would be using in surface to surface or any air to surface missiles that would be used by the Air Force. It is capable, according to the experts, of handling any missiles that the Soviet Union has for its Navy.

It is also apparent that the Somalians have no use for this facility. They do not now have even the ships to fire the Styx missile, although they say that they will have them soon. Their officers had no knowledge of and could not respond to routine questions, that were asked of them about the facility.

The airport facility, of course, is under construction at Berbera but will be in the neighborhood of 13,000 to 14,000 feet long. The planned airport at Diego Garcia is for 12,000 feet. Certainly they would be comparable when completed. However, the length of the one at Berbera, is under construction, whereas, the one at Diego Garcia is only planned as an extension of the current 8,000-foot runway.

A number of outbuildings are under construction, and it is impossible to tell just how they would be used, but there were other prefabricated structural members in a storage area that also were designated for additional buildings at the airport facility. There is much construction going on, including housing, a new water supply, and other buildings that they identified as a hospital, which obviously was not a hospital because of its very strong and unique construction.

So the Soviets are there in large numbers, estimated at 1,500, compared to an estimated 600 that would be at Diego Garcia if this expansion is approved.

The fuel storage facility at Berbera is being expanded from 40,000 to 170,000 barrels. I know that the distinguished majority leader was advised by his staff member that there are no bunkering facilities available at the present time at Berbera. We were advised of this by the Somalians. But it does not make any sense to accept this fact as the facts in the case and as the gospel truth because they also said that the expansion of the bunkering facilities is for the purpose of enabling the Berbera port facility to engage in trade and business with the opening of the Suez Canal with the commercial fleets. So if this is the case, they certainly are willing to use the bunkering facilities.

Also, the Soviet Navy does make a great use of oilers in bunkering their ships and have, on many occasions, had the oilers tied up in the harbor filling their ships as well as filling the storage facilities. The storage facilities will also provide gasoline jet fuel for the airport. There is a pipeline under construction from the POL facility to the airport and also to the significant missile facility.

So I think that the distinguished Senator from Montana and the distinguished Senator from Iowa are being misled if they are of the opinion that this is not a significant naval facility and air facility that the Russians control and to which they have access. I am advised that as a naval facility it exceeds any other facility to which the Soviets have access, including Cuba, outside of the Soviet Union.

Mr. PASTORE. Mr. President, may I ask the Senator a question?

Mr. BARTLETT. Yes, I will be glad to yield on the Senator's time.

Mr. PASTORE. I was wondering if the Senator is in opposition to the resolution?

Mr. BARTLETT. Would the Senator like to obtain time from the distinguished majority leader?

Mr. PASTORE. About what?

Mr. BARTLETT. I just asked if the Senator would like to obtain time.

Mr. PASTORE. I may be on the Senator's side for all I know. From whom am I going to ask for time? I am asking a question. If it is a matter of time, I will just sit down.

Mr. STENNIS. No.

Mr. THURMOND. I will grant the distinguished Senator time.

Mr. PASTORE. Now everyone wants to grant me time.

The question I ask is this: My mind is open on this. I have not made up my mind, but a lot of questions have been raised by the distinguished majority leader, the Senator from Iowa, my own colleague, and the distinguished Senator from Missouri.

Essentially, why do we have to be in the Indian Ocean? Will the Senator tell me the answer to that question? Why do we have to be there?

Mr. BARTLETT. I will be glad to.

Mr. STENNIS. I will answer.

Mr. PASTORE. I do not care who answers the question. I do not care. I want to make my mind up what the right thing is.

Mr. BARTLETT. I think the answer to that is a very long-winded answer.

Mr. PASTORE. Do not get winded or make it long.

Mr. BARTLETT. It requires an effort to evaluate the proper role of this Nation.

But certainly I think the area of the Indian Ocean is an unstable area and it butts right up to the Mideast. There is not only the oil supply routes that flow out of the Gulf of Suez and into the Indian Ocean, but also the production sites of oil in the Middle East.

Another reason for our interest is that the Navy by its very nature is a great ambassador for this country and has been on many occasions.

Mr. PASTORE. Is it to keep the sea lanes open?

Mr. BARTLETT. It is to keep the sea lanes open. It is a protective area. If the Senator would just let me, I will cover a few other points.

Mr. PASTORE. Yes.

Mr. BARTLETT. Certainly this facility is for contingency purposes. It is in support of our friends. We want to see the Indian Ocean remain a stable region and not dominated by one outside power.

I mention just a few things about the fact that naval power is ideal for balance. It is historically acceptable and tends to be flexible. It does not have the provocation of territorial military commitments. It is very valuable in times of disaster to our friends, and it provides local self-sufficiency in needs of defense. It is a visible sign of interest. It can deter harassment and blackmail. It can maintain existing rights and facilities that the United States has. It is a safe means of evacuating civilians, commands respect of our enemies, and so on.

Mr. PASTORE. May I interrupt the Senator for just a moment?

I am a member of the Subcommittee on Defense Appropriations. Frankly, when the military came before our committee—and this is an old chestnut, this matter of Diego Garcia; this is not something that just came up last week—I was quite impressed when they made their presentation. But since then many questions have been asked, and many reasonable people are a little confused about this—why very reasonable people should be on one side and very reasonable people should be on the other side.

I was told that this was strictly a refueling depot, an oil refueling depot. Is that correct?

Mr. BARTLETT. This is a depot for bunkering naval ships for providing additional fuel for aircraft, for surveillance by aircraft. It also would have a dredged outharbor area accommodating a six-ship task force, and it would have other facilities.

Mr. PASTORE. The Senator said this is a sensitive part of the world, and indeed it is. I think many other places are, also. But why are all the countries in the perimeter surrounding the Indian Ocean against our presence there? Why is that so, if we are there to keep peace?

Mr. BARTLETT. I think that one very good reason is that they are afraid of the Soviet presence; they are afraid to express themselves as they really feel. They wonder whether or not our delays are a matter of indecision or lack of interest or whether we really are committed to a presence there.

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

Mr. BARTLETT. Has the Senator finished?

I will yield to the Senator in a moment, but first I want to wind up my comments on Berbera.

The Berbera location is extremely valuable. As the Senator knows better than I, it is right on the trade routes going through the Suez and coming out of the Persian Gulf. It is also right across from Aden, where the Soviets have a very significant facility, with access to both naval and air facilities.

Another point I should like to make, which is an area that was mentioned by the Senator from Iowa, is that the Government of Somalia says that they would

like to improve relations with the United States. I believe that we very definitely should evaluate this; but as soon as we do—and I am sure we will—it is then going to be up to them to take some steps in the direction of friendly relations or parity relations with us, because they certainly have gone all out to permit the Soviets to have a very significant military facility or series of facilities in the Berbera area.

I recommend that we proceed with the proposed expansion of Diego Garcia. I believe that this expansion is justified, notwithstanding the existence of a significant Soviet military capability at Berbera. The results of this trip greatly reinforce the arguments in favor of this proposed expansion of Diego Garcia. I think the President is correct in certifying that it serves a great need to the United States in its overall interests in the Indian Ocean.

Mr. President, I hope my colleagues will defeat the Mansfield resolution, and we will show the people of this Nation that we do have a concern for the overall interests of the United States, wherever they exist.

I yield the floor.

Mr. STENNIS. Mr. President, will the Senator yield to me for a question, a genuine question?

Mr. BARTLETT. I yield.

Mr. STENNIS. The Senator went to Berbera. He viewed a missile installation there, as to the size and capability. Much has been said here about the Styx missile. With respect to the capacity and capability of the building that the Senator saw, for possible future use, was it large enough to take care of ship-to-ground missiles?

Mr. BARTLETT. The Senator is correct.

Mr. STENNIS. The Senator is versed in this field to a considerable degree. Was that his impression, based on the information he received then?

Mr. BARTLETT. This was my impression. Perhaps even more important, our missile expert said that this facility had much greater capability than that required of the Styx missile. In fact, he said that the Styx missile can be disassembled without any elaborate equipment. But this facility does have a 25-ton hoist. It has a clear span of 30 feet. It is a significant facility, capable of handling any missile the Soviet Navy has.

Mr. MANSFIELD. What is the range of the Styx?

Mr. STENNIS. It is a short range, in the neighborhood of 25 miles.

Mr. BARTLETT. The missile storage and handling capability is far beyond the Styx missile.

Mr. STENNIS. Is it large enough, in the Senator's opinion, to be used for submarine-launched missiles? I mean, to handle those missiles and care for them, keep them in shape, for use by submarines.

Mr. BARTLETT. Yes. It has the capability of handling submarine missiles.

Mr. STENNIS. Did the Senator raise that point there with his experts?

Mr. BARTLETT. I was given full assurance by our experts, on the trip and on return, that this facility has that capability.

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

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

Mr. SYMINGTON. What is the definition of "expert"? Who were the people involved?

Mr. BARTLETT. This gentleman is an Air Force major who was provided to us.

And who has adequate background in the area. He was briefed particularly on this base from aerial photographs prior to our leaving.

Mr. SYMINGTON. I thank the Senator.

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

Mr. BARTLETT. I yield. On whose time? I think my time is up.

The PRESIDING OFFICER. Who yields time?

Mr. MANSFIELD. How much time does the Senator want?

Mr. CULVER. How much time might be available?

Mr. MANSFIELD. We have 76 minutes available, to be divided among 6 Senators.

I yield 5 minutes to the Senator.

Mr. CULVER. I thank the distinguished majority leader.

I ask the Senator from Oklahoma whether, in the entire course of the testimony on this issue or as a result of any of the briefings he has had, he has been advised that the present missile capability or potential capability of the facility at Berbera, even if expanded, would result in a Soviet-controlled capability that would affect the tactical or strategic balance of the Indian Ocean region, given the current disposition of forces. Has the Senator been told that by any source?

Mr. BARTLETT. No, I have not been told that. Let me say that that does not mean it is not correct.

Mr. CULVER. It is my understanding, from all the testimony we have had, that in no way has it been implied by the Department of Defense or any other witness that, even given the worst case scenario of Soviet capability in Berbera, in the use of this facility, it is going to have that kind of potential impact.

As a matter of fact, the Soviet ship-to-ship missiles do not exceed a 40- or 50-mile range, anyway, as the chairman mentioned. The Soviets do have some submarines that carry four antiship cruise missiles of 250- to 500-mile range. The hooker is that these missiles require a plane near the target for final guidance. In short, there is no real offensive power there.

The French Navy already has the Exocet missile, with a 20-nautical-mile range, and that is in the French fleet, which equals the Soviet presence now.

The Senator from Rhode Island is properly concerned about the adequacy of American strength in the region vis-a-vis this proposed threat. Take the U.S.S. *Enterprise* alone, which has been steaming around over there this year. As a matter of fact, I say to the Senator from Rhode Island, ever since 1973 we have spent approximately 4 to 6 months a year over there with carrier task force groups. Take an American aircraft carrier, with all the firepower on it, and put it in, and as I mentioned earlier, it is like putting a 400-pound man in a washtub. There is no other power on Earth that can match our aircraft carriers. We have 13 of them.

What do we have on the U.S.S. *Enterprise*, for example? We talk about the Styx missile craze. That Styx missile has been given to 13 countries all over the globe. In one room in this place, we are talking about the fear of the Styx missile; we are holding hearings next door about the most sophisticated antimissile missile stuff going into the Middle East. By the droves, we are hawking that stuff.

Back to the U.S.S. *Enterprise*. The U.S.S. *Enterprise* alone carries 12 A-6 planes, each of which has a 750-mile radius and can deliver 7.5 tons of ordnance on each one of those planes off the *Enterprise* alone.

In addition, we have 24 A-7's on the *Enterprise*, with a 700-mile radius and a 7.5-ton capacity on each plane.

Mr. PASTORE. Will the Senator yield? I have asked some very simple questions, if I could only get them answered in the RECORD. The trouble here is that the time is being devoured by those who are for it and those who are against it, people who have made up their minds. There are a lot of people in the Senate who have not made up their minds. We would like to have the answers to the questions. We do not get them.

The question I should like to have answered is this: Do we have to be in the Indian Ocean at all?

Mr. CULVER. I think we have to be in the Indian Ocean to the extent that we, in our national interest, have to maintain a global presence. I think it is consistent with the law of the seas, with the right of access to all the oceans. How we are in the Indian Ocean and what form and shape that presence takes is what the debate today is all about.

Mr. PASTORE. I understand. Before we get off on another tangent, my question is, if we have to be in the Indian Ocean, what is wrong with having a fuel depot for the escort ships that have to protect the *Enterprise*, which is nuclear? What is wrong with it?

Mr. CULVER. First of all, the thing I think is wrong with it is that Diego Garcia constitutes a permanent U.S. presence in the Indian Ocean. It is a permanent base presence which, in my judgment, is clearly not necessary in terms of our security interests. It is a matter of intervention.

The PRESIDING OFFICER. The Senator's 5 minutes have expired.

Mr. MANSFIELD. I yield another minute.

Mr. CULVER. It is not essential to U.S. national security interests.

If we go ahead with that base, we essentially have two concerns. One is that we are going ahead with that base in arrogant disregard of the expressed and formal considered judgment of everyone of the 29 littoral area states, including Australia.

Also, every year since 1971, the U.N. General Assembly has urged a zone of peace for the region.

Finally, we are going ahead without even attempting the most feeble efforts at negotiating with the Soviet Union, on a bilateral basis, for a mutually agreeable naval arms agreement in the region.

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

Mr. MANSFIELD. I yield 1 additional minute. Then I shall have to parcel out the time to people who have been waiting.

Mr. PASTORE. It is not a matter of who has been waiting all day. The question is that the people who have been talking on the subject have made up their minds, one way or the other. There are a lot of people around here who have not made up their minds at all.

Mr. MANSFIELD. One minute to the Senator from Iowa.

Mr. CULVER. I say to Senator PASTORE that one other problem with going forward, in the judgment of some of us, is the very real danger that at the present time, where we have 36 ports, according to DOD, where the United States can refuel already in the littoral region, and where, in part, we were allowed to refuel even during the 1973 oil embargo itself, when we beefed up our presence in the Indian Ocean, we run the risk of many of those ports being closed down to us if we go ahead against their opinion.

Mr. MANSFIELD. Mr. President, I yield 10 minutes to the distinguished Senator from Vermont (Mr. LEAHY).

Mr. LEAHY. I thank the distinguished majority leader.

Mr. President, the proposed expansion of naval facilities on Diego Garcia not only signals a new escalation of the defense budget but carries with it in my estimation, far-reaching implications for our long-range foreign policy goals.

The $108 million required for the completion of the facility is relatively small when compared with major weapons systems and the overall military budget. However, it could well be but the opening wedge for the eventual expenditure of billions of dollars.

The fact is that the expansion of the base on Diego Garcia cannot be justified unless the Navy plans to station a carrier task force full-time in the region. This would give the Navy, which is scheduled to reduce from 15 to 12 carriers, the perfect excuse to keep 15 carriers. According to a Brookings Institution report, the eventual deployment of an aircraft carrier task force in the Indian Ocean would cost between $5 billion and $8 billion in new ship construction. In addition, taxpayers would be saddled for years to come with an annual increase in Navy operating costs of $800 million.

Therefore, I think that, from just a dollars-and-cents point of view, it is imperative that the expansion of these facilities be absolutely justified before we embark on such a course. No one doubts that the expansion will indeed add to the capability of the Navy to operate in the Indian Ocean.

But far too little consideration has been given to its impact on our foreign policy and to its tax implications. The tactical advantages of such a step cannot be considered in a void.

Do we really need this expanded base? Does the increased Soviet presence in the area require an immediate response of this magnitude? These questions cannot really be answered in the absence of any steps by our Government to avoid a naval arms race and a superpower confrontation in the Indian Ocean.

In its 1974 report on the military construction authorization bill, the Senate Armed Services Committee deferred funds for Diego Garcia until the administration could make a "full reevaluation" of the matter, in the hope that this would include a "thorough explanation of the possibility of achieving with the Soviet Union mutual military restraint without jeopardizing U.S. interests in the area of the Indian Ocean."

The conference report at that time merely called upon the President to advise the Congress that he had evaluated all military and foreign policy implications of the expansion and to advise the Congress in writing that the project is in the national interest.

We asked the President to certify to Congress whether it is necessary, and the administration, in what I thought was a rather arrogant attitude, in curt, two-sentence communication, advised Congress on May 12, 1975, that, yes, it is necessary. Somehow, Congress, which is supposed to have oversight responsibility in this area, is expected to jump at those two sentences and go ahead. The President offered no analysis of his evaluation and offered no explanation of how the expanded base will enhance our defense posture or further our foreign policy goals. There was no attempt whatever to bring Congress into the decision-making process on this issue in any meaningful way. Once again, the Congress is being asked to rubber stamp an administration proposal which can eventually have tremendous effect on the budget and which can signify a major shift in our foreign policy.

Mr. President, the fact is that no meaningful efforts have been made by the administration to extend détente to the Indian Ocean. We have not raised the issue of arms restraint in the Indian Ocean with the Soviet Union since 1971. It is not a case where diplomacy has failed; it has not even been tried. The Congress and the American people have yet to learn what our foreign policy is that requires a costly military buildup in a relatively unmilitarized area of the world.

We know that each year since 1971 the United Nations General Assembly has urged that the Indian Ocean be made a "zone of peace." We know that none of the 29 nations bordering on the Indian Ocean has given public support for the expansion of our Diego Garcia base. Quite to the contrary, India, the nearest major power to the island, opposes our building the base; and our closest allies in the area, Australia and New Zealand, have publicly expressed their opposition.

Why, then, the haste to proceed with this expansion? Will our national security be endangered if this matter is delayed a few months or a year until we have explored all diplomatic prospects?

Let us take a look at the map over there. It is the same kind of map that we have when the Pentagon comes before the Armed Services Committee and asks for anything new. If we look at that map and look at the red stars which indicate where the Soviets have military installations, it would appear that they totally surround the United States. The same maps give the appearance that the United States has extremely few bases. Mr. President, why not just give up? We have all those Soviet red stars around surrounding us, and a couple of little U.S. blue stars to indicate that the United States is somehow valiantly holding on.

Mr. President, it does not mention the fact that we now have over 3,000 military, naval, and air bases scattered throughout the world, and that does not include those in the United States. Of that number, 300 are classified as major installations. More than half a million American servicemen and servicewomen are stationed abroad including 60,000 afloat with our fleets in all the seas of the world. How much more do we need?

The maps certainly show a different picture than if the Pentagon provided maps showing where all our bases are and all our people are—land and air and sea—as compared to the Soviet Union. It would be an entirely different picture.

As the leader of the free world we have a responsibility to use our power to maintain peace and stability. But we do not have a mandate to act as the world's policeman with a military base on every block, so to speak.

No nation on the Indian Ocean littoral is threatened by aggression. For more than 30 years this area of the world has been relatively tranquil without benefit of huge superpower military bases. When Congress approved $5.4 million in 1970 for an austere naval communications facility on Diego Garcia, it was with the clear understanding from the administration that there were no plans for a larger base.

Why, then, the rush to build a multipurpose facility without a prior attempt to negotiate an arms free zone? Whose security is suddenly endangered? What changes have there been since 1971? Has the balance of power in the area changed to drastically as to warrant a headlong rush to commit billions of dollars without first pursuing all diplomatic routes available to us? Or did the administration purposely hold back its plans at the time of the initial expenditures.

Secretary of Defense Schlesinger has raised the specter of a new Soviet base at Berbera, Somalia, as a major reason for immediate action on our part in expanding the Diego Garcia base. While there is considerable evidence that the Soviets are building air and naval facilities at Berbera, there is no evidence to indicate that the strategic balance in the Indian Ocean is being upset by the present level of Soviet construction there. This construction will not make Berbera a major naval base.

From all reports, the facilities there are simply not extensive enough to permit the Soviet Navy to conduct major operations or maintain a continuous presence in the Indian Ocean. Perhaps a major base is planned. We do not know. But the present expansion at Berbera only marginally increases the capabilities of the Soviet Navy and is not indicative that a major base will be built.

The United States has, and will continue to have, the capability of deploying substantial naval forces in the Indian Ocean. We twice sent carrier task forces into the Indian Ocean in 1971, and have sent others on a regular basis since 1973. The administration has not presented any facts to Congress to indicate that the tactical naval balance or the overall strategic balance in the Indian Ocean which now favors the United States and our allies has been seriously affected by the Soviet construction at Berbera.

Mr. President, I grant that this construction signifies an increased Soviet interest in the Indian Ocean, and carries the disturbing possibility of future military expansion. However, I do not believe that this fact by itself is justification enough for our going forward at this time with military and naval expansion in the Indian Ocean.

Essentially, we have two options open to us. We can, as the administration and the Pentagon have requested, match the Russians ship for ship and base for base in another never-ending vicious cycle of escalation. Or, before taking that momentous step, we can seek negotiations with the Soviet Union on naval arms limitations in the Indian Ocean. We have nothing to lose and everything to gain by trying to maintain the peaceful status of that area of the world. If the Vietnam debacle taught us anything, it taught us the need for caution and restraint before committing our power.

On our recent trip to the Soviet Union as part of the Senate delegation to the U.S.-U.S.S.R. Parliamentary Conference, Senator CULVER, Senator GARY W. HART, and I discussed this situation with several Soviet officials. We received indications that their Government might be willing to negotiate a limitation of naval arms in the Indian Ocean. We relayed these impressions to the Secretary of State urging that he further explore the possibility of such negotiations.

To forgo diplomatic initiatives until after we are already on a path of costly competitive military escalation in the area might be to lose the opportunity which exists today for a real test of détente. In order to provide an opportunity for such negotiations, I strongly support the resolution of the distinguished majority leader, Senator MANSFIELD, to postpone for this year further expansion of the Diego Garcia facilities.

Mr. President, no one denies that the United States has vital interests in the Indian Ocean. However, those interests can best be served by our making every effort to make the area a "zone of peace." Should the attempt to do so fail, we always have the option of proceeding with the expansion at Diego Garcia and with whatever else might be necessary. But, it is not necessary at this time.

A lesser, but often repeated, rationale for this project is the argument that it is important to the United States and the industrialized free world to keep the sea lanes in the area open and unfettered and that, somehow, an expanded Diego Garcia base would enable us to do so.

The 7th Fleet was present in the Indian Ocean during the oil embargo in the fall of 1973, and failed to alter the course of events. As the proposed expansion on Diego Garcia would only increase the length of time the U.S. Navy could remain on station in the Indian Ocean, it is unclear to me how that expansion would give the Navy the ability to affect another Arab-initiated oil embargo, short of outright military action. I wonder, Mr. President, if that is what the administration is suggesting to us?

Unthinkable as that might be, it would be the height of naivete to think that such action could be limited to a minor conflict or even to the Indian Ocean, much less that Diego Garcia would play much of a role, if any, in its eventual outcome. However, if the administration feels that the expansion at Diego Garcia is necessary to increase our capability to fight a major war in the Indian Ocean, then the Congress should be told now that this is just the first step in what would have to be a long and costly road toward a creation of a three-ocean Navy. It should not be unreasonable to ask for honesty from the administration in discussion of its military policy.

Mr. President, to proceed at this time would run counter to our best national interests. It would be an admission to the world of the failure of our foreign policy to solve international problems without resort to flaunting our military might. It would trigger a serious escalation of the arms race. It would cost taxpayers billions of dollars and weaken our ability to deal with pressing domestic problems. It would show our complete disregard for the views of the nations in that area of the world.

In view of the risks and the potentially enormous costs, I strongly urge that the Diego Garcia expansion be delayed until the administration has shown a serious attempt to negotiate an arms limitation in the area. Let us show the world that with all our immense power we can act with caution and restraint. If such efforts are unsuccessful, and they may well be, then the responsibility for any subsequent events will rest squarely on the Soviet Union.

Mr. President, I grow very, very concerned that we are falling into a situation where what Congress does might well be ignored. We might as well simply let the Pentagon decide each year what it wants. Perhaps we are at a point where instead of having a military budget or a military debate we should simply put into law that on July 1 of each year the Pentagon can take two tanks and several large trucks to the Treasury building and just load up with whatever it wants, because it does not seem to make much sense what we do. We are still going to be faced with these kinds of charts which, I think, are terribly, terribly misleading and make no sense of what we are doing.

Mr. President, we are the leaders of the free world, and especially now, with the post-Vietnam era, this puts a far, far greater responsibility on us than we ever had. I do not think we are carrying out that responsibility by expanding militarily in the Indian Ocean without first trying to negotiate a peaceful zone in that huge area.

I thank the distinguished majority leader for yielding to me, and I yield back my time.

Mr. PELL addressed the Chair.

Mr. MANSFIELD. Mr. President, I yield to the Senator from Rhode Island and then, on his own time, I yield to the distinguished Senator from Virginia (Mr. WILLIAM L. SCOTT).

Mr. PELL. I thank the majority leader.

Mr. President, it is difficult to add much that is new to the debate concerning Diego Garcia. For over a decade, the advocates of an American naval presence in the Indian Ocean have favored the development of this small coral island; for just as long, many Members of Congress and other individuals have joined in efforts to oppose this proposed expansion of American commitment abroad. Nevertheless, with this vote on Senator MANSFIELD's Senate Resolution 160, the debate has arrived at a crucial turning point, thus requiring my making some additional comments.

Supporters of the efforts to expand the U.S. naval facilities on Diego Garcia emphasize certain factors. They correctly point out that American dependence upon oil resources in the Middle East and Persian Gulf is growing, while the dependence of our allies in Western Europe and Japan on these supplies is already great. In addition, it has been shown that the Soviet Union, facilitated by the opening of the Suez Canal and new privileges in Somalia's port of Berbera, has steadily increased its naval presence in the Indian Ocean. Asserting that an enlarged American naval presence is required to protect these vital economic interests and balance the Soviet naval activity, these individuals are advocating the expansion of naval facilities on Diego Garcia to improve the United States position in the area.

Where I find myself in disagreement with advocates of the Diego Garcia project is not so much with their observations as with their conclusions. While it is evident that the United States is and will be increasingly dependent upon imported sources of oil, it is not clear how an expanded naval presence in the Indian Ocean will serve to alleviate this problem.

Manipulation of oil supplies and prices has occurred at the wellhead by the local producers exercising their political and economic powers. The threat to the oil trade is not coming from the interdiction of tankers by the Soviet Union or anyone else; as a result, the solution to the oil problem lies not in the deployment of additional naval force, but rather in a sound program of domestic conservation coupled with the development of both

new sources of oil and alternative forms of energy.

Much space has been allotted by the media recently to the Soviet presence in the Indian Ocean, and specifically to their status in the Somali port of Berbera. The logic often expressed in that since the Soviets now have a facility in the area the United States must have one as well. But this line of thinking is oversimplified and tends to distort the situation. Not only does the United States already enjoy the use of facilities at Bahrein, Subic Bay, Philippines, and elsewhere around the region, but it is often forgotten that Somalia has offered the United States facilities similar to those provided the Soviet Union at Berbera.

In addition, it is necessary to consider the geographical proximity of the Indian Ocean to the Soviet Union. When one recalls the major importance of this ocean to the Soviet economy, a Soviet naval presence in the area—even one larger than the American presence—appears both understandable and justified. The Indian Ocean is to the Soviets what the Panama Canal and the Caribbean Sea are to the United States—the body of water through which ships move between the Atlantic and Pacific Oceans.

There are other factors which also contribute to the conclusion that it is not in the national interest to go ahead with the Diego Garcia proposal. While the cost of this particular project remains relatively modest, the estimated cost of a major Indian Ocean naval presence is staggering. Diego Garcia is but the wedge of a commitment that will lead to an expansion of our Navy from its present 12-carrier format to a 15-carrier format. According to an estimate provided by the Brookings Institution, the price tag attached to making the United States a 3-ocean navy will entail acquisition costs of $5 to $8 billion, and annual operating costs of $0.8 billion.

In addition, possible costs go beyond the realm of economics, as it is all too likely that the Indian Ocean will become the scene of yet another destabilizing arms race between the two great powers. The avoidance of such a competition would not only save the United States considerable money, and perhaps prevent a needless confrontation with the Soviet Union, but would also be welcomed by the littoral states of the region who have been virtually unanimous in voicing opposition to the growing presence of outside parties.

In its vote today, the Senate is considering more than the immediate prospect of expanding the facility on the Island of Diego Garcia. Also being determined is the course of American foreign policy in a part of the world where the United States has traditionally maintained a low profile without having sacrificed any vital interests. Future decisions regarding the American presence in this area will inevitably be based upon the "commitment" established by going ahead with this proposal. Rather than approving Diego Garcia and initiating a new and potentially major commitment in the Indian Ocean at this time, the United States would do far better to postpone any such decision and instead seek an agreement with the Soviet Union limiting the deployment of military force in the area while the opportunity still exists.

Today's vote bears added significance as well. Not only will the Senate's decision affect the future course of American foreign policy in the Indian Ocean, but it will provide a general indication of the future direction of American foreign policy after the experience in Indochina. For too long the United States has been indiscriminate in its commitments, while at the same time overemphasizing the military dimension of foreign policy. The United States cannot afford simply to react to alleged Soviet intentions, nor can it continue to base its foreign policy on the premise that expanded military commitment provides the best means of safeguarding national interests. By supporting the Mansfield amendment, and opposing the Diego Garcia expansion, the Senate will demonstrate that it has learned from past errors and is prepared to direct American foreign policy on a more sensible course in the future.

Mr. KENNEDY. I ask unanimous consent that Mr. Robert Hunter be permitted the privilege of the floor during the present debate.

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

The Senator from Virginia is recognized.

Mr. WILLIAM L. SCOTT. Mr. President, I ask unanimous consent that Kathryn Newman, a member of my staff, be granted the privilege of the floor.

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

Mr. WILLIAM L. SCOTT. Mr. President, I yield myself 15 minutes.

Mr. President, I have listened to the discussion between various members of the Armed Services Committee and the other Senators, and particularly, the report given by my friend and colleague from Oklahoma (Mr. BARTLETT) with regard to his trip to Somalia.

There is no doubt in my mind that the Soviet Union is using, or intends to use, Somalia as a base of operations, and I know this area includes the path that will be taken by tankers which will be bringing oil from the Middle East to oil consuming nations throughout the world. The Chairman of the Joint Chiefs of Staff, General Brown, in testimony before the Senate Armed Services Committee has said that 75 percent of Western Europe's oil requirements and 85 percent of Japan's requirements must be imported from the Middle East. Yet we have tentatively agreed to construct facilities on British islands at our expense with joint decisions in case of any controversy regarding our use of the base. I also understand that France has territory within this area and a sizable naval force which may even exceed the Russian presence. Mainland Australia and a number of Australian Islands are in the general area.

It seems odd to me that only a few weeks ago Britain announced that it planned to quit using the South African naval base at Simonstown, just 30 miles from Capetown. I am told this is the best equipped base between the Persian Gulf and Norfolk, Va., in the United States. It also seems odd that we have not used this base since 1967. Yet, we plan to spend approximately $38 million as the initial cost of the Diego Garcia base.

Experience teaches us, moreover, that once we start a project of this nature, there is a tendency to expand its usage, its capabilities, and its cost and, I continue to be concerned about the United States bearing a disproportionate share of the responsibilities and costs within the free world.

It is my understanding that we have docking privileges in the Persian Gulf at Bahrain and although it has limited facilities, a command flagship is homeported there, as well as destroyers at this base. More importantly, however, is that vessels going to and from Europe or the American continent would move around the Cape of Good Hope past the naval facility in South Africa. I know, Mr. President, that we do not approve of the racial policies of South Africa, and I have no brief at all for any apartheid program separating races within a given nation from one another, but we attempt to have détente or to carry on friendly relations with the Soviet Union, with Red China, with other nations within the free world. Now, the activities of the Soviet Union are the cause for consideration of the establishment of a base in the Indian Ocean. We do not approve of either the internal policies of the Soviet Union or its efforts at world domination. Therefore, it seems that for us to fail to use an available base at Simonstown is inconsistent with our efforts to establish the best possible relations with the Soviet Union, and other Communist nations, regardless of what they do.

It is interesting to note here that, according to the Library of Congress, the base at Simonstown is not segregated and discrimination would not be shown American naval personnel should they enter the base.

It is said that we plan on normalizing relations with Cuba, we have been reading about that in the last few days. Yet, an Associated Press story yesterday indicated Fidel Castro said that the Portuguese revolutionary movement can rely on the firmest support from Cuba; that they are brothers in the struggle against capitalism and fascism. We appear willing to seek normal relations with the Communist world regardless of its actions but seem unwilling to use existing facilities of a friendly nation because of its internal policies. This looks like cutting off our nose to spite our face, to me.

Mr. President, I regret having to take a position different from the administration, different from a majority of my colleagues, but believe that this Diego Garcia matter is another indication that the United States is going it alone in an area of apparent importance to Western Europe, Japan, Australia and other oil consuming nations. We have a major naval base in the Philippines, use of a docking facility in the Persian Gulf, we have a friendly nation with a major base in South Africa, as well as a nuclear task force with ships that can operate up to 13 years without refueling now in use or

under construction. When other nations are more dependent on Middle East oil than we are, why should they not provide bases for use by the free world?

There has been much talk of the interdependence of the free world nations and the fact that the United States can no longer be the policeman of the entire world and, yet, once again we apparently are going it alone in this matter without the aid of other free world nations. The United Kingdom, Australia and France have islands in the Indian Ocean and presumably their oil lifelines along with those of other free world nations could be cut by Soviet naval action in the Indian Ocean. It might well be an act of war, but it could happen. If the Soviet naval threat in this area has increased as suggested, why is it that the United States alone must react to this threat? Are the European nations only willing to face a Communist threat in Europe while we face it anywhere it appears in the free world. Why is not Australia interested enough to provide any necessary base on one of its islands in the area?

We have an opportunity today to indicate to other nations that we will no longer be the solitary policeman for the free world. We have been at war or on the brink of war almost constantly for a generation. We have also thrown our economic resources around the world as if they were inexhaustible.

Sharing our resources with almost every other nation, even those well able to care for themselves, may have caused nations able to help themselves and others to assume that the United States would take care of their needs and may have discouraged those nations from assuming their reasonable share of responsibility. It could have the same affect on our military allies. In my opinion, we need to establish a new understanding, a new relationship, a relationship which says, "We will help, if you will do what you can. We will work with you but will not provide either military or economic assistance unless you are doing your best to help yourselves and cooperating with other nations of the free world." It is time to for us to think first about the welfare of our own country and then cooperate with others when it is in our national interest and they are willing to do their fair share to maintain peace and security within the family of nations.

Mr. President, these are some of the reasons why I intend to support the resolution of the distinguished majority leader. I know pressure has been put on all of us but I would hope that Senators will carefully consider this matter on a nonpartisan basis and vote in the best interests of the Nation.

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

The PRESIDING OFFICER. Who yields time?

Mr. MANSFIELD. I yield 10 minutes to the distinguished Senator from Missouri, and then I would expect the other side to yield some of its time.

The PRESIDING OFFICER. The Senator from Missouri is recognized.

Mr. SYMINGTON. Thank you, Mr. President.

Now that the Mansfield resolution, Senate Resolution 160, which would deny funds for the further expansion of the U.S. naval facility at Diego Garcia, is before the Senate for a final congressional determination of the issue, I would make the following brief observations.

May I say before doing so, this is where I came in on the ABM. We had the charts, we had the same people arguing for it, and we ended up by passing on a tie vote of 50 to 50 the amendment to cut it out. Since that time it has been scrapped, but not before it cost the American taxpayer over $10 billion.

I commend the able Senator from Iowa for his presentation on this matter. As he talked I could remember the talks that were made on that particular subject which was so costly to all our taxpayers.

The premise of my position has to do with the importance, the equal importance, of a sound economy and a sound dollar as part of our national security.

By its own admission, Mr. President, the administration has made no serious effort to initiate discussions with the Soviet Union on the possibility of mutual arms restraint in the Indian Ocean.

Last year, the Committee on Armed Services noted that the serious defense and foreign policy questions related to the administration's request for expanding the facility at Diego Garcia required further consideration, and urged the administration to make "a thorough exploration of the possibility of achieving with the Soviet Union mutual military restraint without jeopardizing U.S. intersts in the Indian Ocean."

This year, at the Armed Services Committee hearing on Diego Garcia on June 10, the administration representative was asked whether any effort had been made to initiate with the Soviet Union a discourse on the possibility of mutual arms restraint. His answer was, "No."

Such lack of initiative would appear absolutely inexcusable. We can always build up militarily in the Indian Ocean, but the opportunity for negotiation, as we continue on the road downward from the standpoint of our monetary and fiscal problems, should not be bypassed.

The nations in the Indian Ocean region have repeatedly urged adoption of the concept that this ocean should be the one ocean that could be called a zone of peace, and several resolutions to that effect have been passed in the United Nations.

Yet the administration has opposed the establishment of such a peace zone in the Indian Ocean on grounds that it would restrict "freedom of the seas."

Mr. President, may we have order? I have listened to other Senators and I would ask that we have order when I am speaking.

The PRESIDING OFFICER (Mr. WILLIAM L. SCOTT). The Senator is entitled to be heard. The Senators will please take their seats and cease conversation.

The Senator has asked for order. Let the Chair try to obtain it.

The Senator may proceed.

Mr. SYMINGTON. I thank the Chair for his consideration.

Many of you no doubt heard the Prime Minister of Australia on Meet the Press, one of our most noted media programs, when he stated that not only did Australia oppose this development, but that there was not a single country on the Indian Ocean that supported it. I would have hoped that would have had some influence on the Armed Services Committee and its distinguished chairman, especially as they did nothing whatever to follow the advice that the Senate Armed Services Committee report recommended be done from the standpoint of negotiation a year ago.

President Ford himself stated in his letter to the Congress on May 23, 1975, justifying the Diego Garcia expansion, noted that the project:

> Has been criticized by a number of regional states which favor the concept of a special legal regime limiting the presence of the great powers in the Indian Ocean, as expressed in the several Indian Ocean Zone of Peace resolutions adopted by the United Nations General Assembly.

The administration has opposed the establishment of such a peace zone in the Indian Ocean on grounds that it would restrict "freedom of the seas."

In the same letter, the President observed that U.S. policy has been to oppose such measures because they "would constitute an unacceptable departure from customary international law concerning freedom of navigation on the high seas."

Now, Mr. President, that really takes a lot of semantic interpretation to understand why. We have built submarines that are costing $1,800,000 apiece, submarines that go 6,000 miles. We can have retrofitted Poseidon submarines that can also go 6,000 miles.

It is a growing mystery to me why we have to extend all of our resources all over the world and at the same time have these tremendous ranges for our other weapons.

This interpretation of American interest in freedom of the seas as precluding negotiations to achieve a "zone of peace," or arms restraint, in the Indian Ocean is difficult indeed to understand. It seems almost unconscionable that our Nation would pass up the opportunity to try to prevent further naval competition in a faraway ocean under this pretext.

It is true that the Soviet Union has gradually expanded its presence in the Indian Ocean, but this presence is very limited and provides no real military threat of any kind whatever to the United States and allied forces in the area which, collectively, possess greater strength than the Soviets and have access to a larger number of ports.

When it first came up some 8 years ago, the discussion had to do with the importance of having this base in order to get our people out of Ethiopia, especially Eritrea.

Now, because of the development of the energy problem, the argument has

shifted to the importance of protecting oil in that part of the world.

Actually, in this connection, the French alone have more combatant ships permanently deployed in the Indian Ocean than either the Soviet Union or the United States. They also possess more port facilities.

And when the United States brings a carrier task force into the area, the scales of power in the Indian Ocean tip heavily in favor of the United States.

The administration has cited the development of a Soviet base at Berbera as a major reason for expanding our facility at Diego Garcia. But even with a new base at Berbera the Soviet position in the Indian Ocean is still modest; and in the absence of a significant new Soviet threat in this Ocean, it would be not only a waste of money, but also a possible provocation for the United States to expand its presence at Diego Garcia.

Mr. President, the longer I listen to some of these discussions going on, the more convinced I am that there are people who would not object to a direct confrontation with the Soviet Union. May I say I hope, based on my limited experience—I have been bombed a good many times—that that never happens, because this time it would not mean the loss of a few blocks in a city, but could well mean the end of civilization as we know it.

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

Mr. SYMINGTON. I ask for 4 more minutes.

Mr. MANSFIELD. I yield the Senator 3 additional minutes.

Mr. SYMINGTON. In this regard, consider CIA Director Colby's testimony in 1974 that:

> Should the United States make a substantial increase in its naval presence in the Indian Ocean, a Soviet buildup, faster and larger . . . would be likely.

It would appear that the prudent course for us to follow at this time, therefore, would be to enter into negotiations with the Soviet Union and other powers involved in the Indian Ocean to prevent what could turn out to be a costly naval arms race.

Considering that the administration has thus far not taken this initiative, passage of the Mansfield resolution, S. 160, disapproving the Diego Garcia expansion, might well help achieve such negotiations and would certainly save the taxpayers of America billions of dollars in the long run at no expense to security.

In summary, Mr. President, to all Senators who desire to work for peace and a sound economy, I would respectfully urge them to vote for the Mansfield resolution.

Mr. President, I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. THURMOND. Mr. President, I yield the distinguished Senator from Texas 5 minutes, if he is ready to speak.

Mr. TOWER. Mr. President, inherent in the arguments of those who support the Mansfield amendment is the suggestion that if we will simply negotiate from a position of weakness, we will be more likely to achieve agreement with the Soviet Union on a standdown of our respective presence in the Indian Ocean.

I know of no time in history when we have been able to negotiate successfully with the great powers from a position of weakness.

It seems to also be the suggestion that the United States may be in the role of provocateur, that by being in the Indian Ocean, we will accelerate the state of Soviet preparedness and capability in that area. Again, there is nothing in history to suggest that this is a valid contention.

They also suggest that the French have a sizable naval force in the Indian Ocean. Well, the French are to be commended for recognizing that they have a selfish interest in that area. When have we known, in recent years, the French to do anything for purely altruistic reasons? They do so because of perceptions of their national interest there. Whether those perceptions are right or wrong—and we can criticize French perceptions in terms of their withdrawal from the NATO command structure—Mr. President, I do not think that we can rely on the French—and I mean this without disparagement to our good friends, our oldest allies, the French. I do not think we could rely on the French to look after the American national interests in that area.

For 188 years that area of the world was policed by the British. The British historically, in maintenance of the "egg-and-spoon" doctrine, in their efforts to control czarist Russia, did indeed act in effect as the world's policemen. They did so, not because of any visionary concept about some British moral obligation to the rest of the world, but because they followed the precept that trade follows the flag.

Mr. President, the British are withdrawing from that area of the world because they simply do not have the economic strength to maintain the kind of military establishment necessary to allow them to assume even a fraction of the scope of worldwide responsibility that they assumed so ably for so many years.

It is incumbent on us to recognize our national interest. Most of the oil that courses from the Persian Gulf area to the Western World comes down through the Indian Ocean, indeed, comes through the Mozambique Channel and around the cape. That is another thing that we had better be aware of: the fact that Mozambique, as it is freed by the Marxist regime in Portugal, will itself assume a Marxist configuration, and we can assume that American influence will be a nullity in that country and that Soviet influence will be dominant.

There are maps there. Senators can look at the Mozambique Channel and see that that is the vital passage through which 70 percent of the oil to come from the Persian Gulf area flows in its journey around the cape and thence to the west.

Mr. President, it is naive for us to assume that if we will just be good guys, the Soviets will reduce something. We are talking about the same Soviets that established the Berlin blockade shortly after World War II; the same Soviets that, while we were demobilizing our Armed Forces, were remobilizing rehabilitating their own; the same Soviets that swallowed up Eastern Europe in contravention to solemn agreements and pledges of free elections. We are talking about the same Soviets that established the Berlin Wall. We are talking about a Soviet Union that maintains a first-strike capability. We are talking about a Soviet Union that maintains a clandestine infrastructure in practically every country in the world, in efforts to subvert those countries politically. We are talking about a Soviet Union——

The PRESIDING OFFICER. The Senator's 5 minutes have expired.

Mr. THURMOND. I yield the Senator 5 more minutes.

Mr. TOWER. The fact of the matter is that while they maintain these infrastructures, we do not. We do not have aggressive designs on the rest of the world. We seek only to maintain a climate in this world in which people can aspire to self-determination and have some reasonable hope of realizing that aspiration. There has been no more aggressive and virulent imperialism in the history of the world than Soviet imperialism.

We are naive, if we think they are any more afraid of or concerned with a preemptive attack by the United States. My God. We could have fought a preemptive war against them when they established the Berlin blockade, in the first place, and wiped them off the face of the earth. Even later, during the period of the Korean war, when plainly they were supporting the aggressors, we could have fought a preemptive war and wiped them off the face of the earth. But we did not.

Do not tell me that they have some fear that the United States now, in a period when we are barely militarily in parity with them, is going to mount some major military offensive against them. They are no more concerned about that than they are concerned about the resurgence of German militarism or the resurgence of British colonialism. I am afraid détente has made us a little euphoric.

I support détente. I think that we should maintain a climate in which we can communicate with each other as rational people and try to identify common interests consistent with our respective national perceptions of such.

But we had better understand that, during the course of this period of détente, they continually improve upon their military capability and we carp and crab over the expenditure of money here in the Congress of the United States, about any expansion of our expenditure. We try to keep it at current levels. They keep going up, in terms of their percentage of their budget and their gross national product, and in terms of real ruble value, of what they spend their money for. They continue to improve their military capability.

What kind of fools are we? If we assume that, if we will just do nothing, perhaps they will negotiate with us and

make the Indian Ocean a great neutral sea, a sea of peace.

We worry about the views of the littoral nations. Since when are the Soviets ever worried about the views of other countries? Since when have they been concerned about the image they project among other nations of the world?

There are those who think that, if we will simply unilaterally disarm the rest of the world, that will bring great moral pressure to bear on the Soviet Union to do the same. What dangerous baloney that is.

Since when have the Soviets ever responded to moral pressure?

The only thing that they understand is strength, and the only way we can negotiate with them is from a position of strength.

We intend to spend only a few million dollars to upgrade this facility that is already there. If it is such a provocation, then let us move everything we have in there out right now. It is there. We simply want to make it more useful.

The fact of the matter is there are going to be periodic American naval deployments into the Indian Ocean.

We are damn fools if we do not deploy in there periodically. From the economic standpoint alone, we would be pennywise and pound-foolish if we did not enhance that facility there which will make it less expensive and less risky to achieve American naval deployments in that area.

No one is going to look out after the vital interests of the United States and no one can be counted on to, except the United States.

With the British retreating steadily from what remains of their global responsibilities or their global presence, it becomes incumbent upon us to look to the protection of our own national interests in that area.

I think that what we propose to do here and what the administration proposes to do, which the Mansfield amendment will wipe out, is minimal. We can do no less.

Let us make no mistake. If we do less, we are ill-serving the national interest of the United States.

Oh, Congress has been so anxious over the past couple of years to assert itself in the field of foreign policy, a field that has traditionally been left to the executive branch, with the acquiescence, the advice, and consent of the Senate. Oh, it has delegated away all our power in the domestic field. We do not seem to be too anxious to retrieve that. We delegated all that away to massive bureaucracy.

I wish we would concentrate more on trying to retrieve lost legislative power in that area than the vital area of foreign policy, because the Senate cannot negotiate on a day-to-day basis, and the Senate cannot formulate and implement foreign policy in a fast-changing world on a flexible basis.

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

Mr. TOWER. Mr. President, will the Senator yield me 3 minutes?

Mr. THURMOND. Three minutes.

The PRESIDING OFFICER. Who yields time?

Mr. THURMOND. I yield 3 minutes.

The PRESIDING OFFICER. The Senator from South Carolina yields 3 minutes.

Mr. TOWER. Therefore, Mr. President, I think it is incumbent upon us, particularly in the light of what has happened over the past few weeks, to do this minimal job of enhancing our capability in Diego Garcia.

Look what has happened to us. We have been thrown out of Southeast Asia. We have ourselves, in Congress, grasped to our breast the coordinate power to formulate and implement foreign policy with the executive branch, the responsibility for throwing Turkey out of NATO. Oh, that was really in the national interest. Oh, what a great moral thing we did.

What we did was to appease an ethnic movement in this country that did not even perceive the interests of Greece properly in this instance.

So we have denied ourselves a vital intelligence-gathering capability in Turkey, denied ourselves the capability of verifying Soviet strategic capability and intentions, mainly contrary to the national interests, in order to play up domestic political emotions.

That is the most shallow politics imagined.

We can see what is happening in the southern littoral of NATO.

If we fail here to enhance our capability in the Indian Ocean, we are serving notice on the world that the withdrawal of the United States will be progressive and that ultimately we will withdraw our defense perimeters to our own shores, and, Heaven help us, when we do that and ignore a concept established in the Elizabethian period that, when confronted by powerful adversaries or a potential adversary, it is incumbent on you to maintain your defense perimeter as far from your own shores as possible and as close to that potential possible adversary's shores.

Mr. President, it is vitally incumbent on the Senate to reject the Mansfield resolution.

Mr. THURMOND addressed the chair.

The PRESIDING OFFICER. The Senator from South Carolina is recognized.

Mr. THURMOND. Mr. President, I rise in opposition to Senate Resolution 160 which would disapprove the expenditure of $31.9 million proposed by the Department of Defense for construction of facilities at Diego Garcia. I contend this is only a modest and reasonable improvement to existing facilities which will allow our Navy to operate more efficiently in the Indian Ocean.

For several years now we have been observing the growth of Soviet naval power in the Indian Ocean. When this process began nearly 8 years ago, with a small squadron of Soviet ships moving into the area, it was easy to minimize its importance. These ships spent most of their time at anchorages in international waters and were not very active except for occasional port visits. In the last few years, the level of Soviet activity has increased, and the construction of significant support facilities at the port of Berbera in Somalia has cast a new light on their intentions.

Mr. President, in 1972 and 1973, the Soviet permanent naval presence in the northwest Indian Ocean averaged more than a dozen ships in the area on any given day. In 1974, following the Arab-Israel War, their permanent presence jumped to an average of more than 19 ships, including eight combatants such as missile-armed ships and submarines.

According to Mr. Colby, the Director of the Central Intelligence Agency, who testified on this matter on July 11, 1974:

> By mid-1973, the typical Soviet Indian Ocean force included five surface warships, one gun-armed cruiser or missile equipped ship, two destroyers or destroyer escorts, a mine sweeper and an amphibious ship. There was also usually a diesel submarine and six auxiliary support ships, one of which was a merchant tanker.

He further stated in his testimony that:

> Today there are six surface combatants, one submarine, nine mine sweepers, and 11 support ships in the Indian Ocean, not substantially different from that typical showing, except for the increase in mine sweepers.

In addition, he said:

> Recently, a Soviet intelligence collection ship has been deployed to the Indian Ocean for the first time since the Indian-Pakistan war, and is apparently monitoring developments in the Persian Gulf area.

That level is being maintained thus far this year.

The U.S. Navy has also increased its presence in this vital area where more than half the world's oil imports are in transit every day, but our permanent presence of two destroyers and a converted landing ship is much less than the permanent Soviet presence. It is necessary for this small permanent U.S. force to be reinforced with major naval units from time to time in order to demonstrate that the United States will not sit idly back while the balance of power shifts in the Soviet favor.

Mr. President, the most recent increases in the Soviet presence have occurred since they began using the facilities which they built for the Somali at Berbera. Over the past year, their development of these facilities has exceeded anything the Somali could use, judging from aerial photography presented at committee hearings on June 10 and judging from the report made by Senator BARTLETT after his visit to Somalia. This installation is beginning to emerge as a significant support facility for the Soviets. The Soviets have constructed barracks and imported a barracks ship which together could accommodate 1,500 personnel; they have expanded the fuel storage capacity; they have installed a high frequency communications station, which, by the way, Senator BARTLETT was not allowed to visit; they are constructing an airfield which will have the longest runway in the entire Indian Ocean area; and they have nearly completed a missile storage and handling facility which will give the U.S.S.R. the capability of storing and assembling missiles to arm their ships, submarines, and aircraft in the area. I might add this particular facility is far more than is required to handle the Styx missile.

These facilities are more extensive

than anything we have seen in any of the other nations which have relied on the Soviets for military support—including those nations which have repaid the Soviets by giving them access to support facilities. And the location of Berbera, dominating the entrance to the Red Sea and the only sea route to the Suez Canal, speaks for itself. Its location also provides easy access to the Arabian Sea, which is the crossroads of the tanker traffic from the Persian Gulf. Recently, during a worldwide naval demonstration by the Soviet Union, their Indian Ocean forces focused their exercise activity in this critical area of the northern Arabian Sea with missile ships and submarines.

Mr. President, I believe the United States must retain the capability to counterbalance this buildup of Soviet force. Only with that capability can we pursue the several reasonable and legitimate American policy objectives relating to the Indian Ocean:

First, to signal the Soviets of our intention to extend American power to the Indian Ocean, if necessary.

Second, to assure our friends of continued American support.

Third, to deter threats to shipping and assure a continued flow of oil to the United States, Western Europe, and Japan.

Fourth, to remain a stabilizing influence in the nations of the Indian Ocean littoral.

I would like to emphasize that more than a quarter of all U.S. oil imports originate in the Persian Gulf. Those energy supplies should not have to reach us courtesy of the Soviet Navy.

Many will insist that American objectives in the Indian Ocean can be achieved in other ways and that the expansion of Diego Garcia is but one step in a permanently increased military presence which could even end in involvement in distant hostilities. To those who feel this way I say the best assurance of peace is unmistakable readiness to protect it. But the argument deserves more specific examination.

There is, for instance, the so-called zone of peace proposal. This proposal, heard in the U.N. and elsewhere, would bar great power intrusion into the Indian Ocean. Not only is this proposal visionary, but it is contrary to the historic and important principle of freedom of the seas. American naval presence in the Indian Ocean is not, after all, to prepare for war. It is to emphasize our commitment to peaceful use of international waters by all nations. That is why we were satisfied to keep only a very small, token presence in the Indian Ocean until the Soviets began their naval expansion there. But for the already expanded Soviet naval presence and our rightful commitment to freedom of the seas, I would scarcely be advocating the improvement of Diego Garcia, except as a refueling situation.

Mr. President, another alternative which some have advanced is to seek agreement with the Soviet Union each to limit its permanent naval presence in the Indian Ocean. Even if I believed the Soviets would observe an agreement, I point to the testimony of record that the United States has already sought such an agreement, without success. It was the Soviets who, in 1971, failed to follow up on negotiations aimed at preventing an Indian Ocean arms race. The position of our Government has consistently been one of willingness to consider any constructive position or suggestion on this matter.

Mr. President, the first contact by the Soviet Union with the United States on Diego Garcia was in March 1971, when Ambassador Dobrynin suggested to Secretary Rogers the possibility of a joint declaration of mutual restraint in the Indian Ocean. What happened after that?

In July of 1971, Mr. Beam, our Ambassador at the time, advised Secretary Gromyko of our interest and asked for further clarification. No further clarification has been received. So agreement with the Soviets has also been proved to be a false option.

We are left then with the necessity to be prepared to protect our national interests with the U.S. Navy. It is certainly my expectation that a credible readiness to deploy in the Indian Ocean will be sufficient. If it is not, the Navy will be ready. In either case, we will be glad we have the support facility at Diego Garcia. Thus, we are advocating merely an expansion of Diego Garcia sufficient to support a modest deployment should that deployment become necessary. Diego Garcia will not be a combatant base as a result of this expansion, nor will our deployments in the Indian Ocean necessarily increase. Instead, our readiness and capabilities will be increased. That, in turn, enhances our credibility in that part of the world. It shows that we can act if we choose to act.

The expansion program which has been proposed includes lengthening of the runway, addition of fuel storage for ships and aircraft, construction of a pier, and development of the harbor and shore facilities to provide sufficient support for a normal carrier task group to operate for a month without having to rely on any nation in the area and without relying on a chain of tankers stretching as much as 4,000 miles or even more to the nearest U.S. base in the Philippines. We are talking about more than just tankers. We need an airfield where our planes can land and be serviced while keeping track of military activities in the region. This is particularly important at a time when our access to airbases in Thailand and elsewhere is increasingly in doubt.

With the Suez Canal open once again and the lines of communication for the Soviet Navy shortened by some 9,000 miles, and with U.S. national interests increasingly at stake, we cannot afford to base our own security on the dubious hope—and it is just a dubious hope—that if we just ignore the Soviets, they will go away or that someone else will make them go away. It is always more enlightening to watch what the Soviets do rather than listening to what they say, and their naval expansion in the Indian Ocean indicates that they intend a meaningful naval presence there.

Since I do not believe that we should count on Soviet good will in an area of great importance to our own economic survival, I strongly support the proposed expansion of the facilities at Diego Garcia. In my view, it represents an inexpensive insurance policy in support of our immediate and long-term interests. The only real alternative is wishful thinking, and that often turns out to be more expensive in the end.

Mr. President, the requested modest expansion of facilities is in our best interests and I, therefore, urge that Senate Resolution 160 be defeated.

Mr. President, I want to say that, after all, I do think we have to consider the position of the President of the United States, the Department of Defense, and others who are supposed to be better informed on this than anyone else. What is the position of President Ford on this matter?

In a letter written May 23, 1975, to the Senate by Mr. Max L. Friedersdorf, assistant to the President, Mr. Friedersdorf indicates, the President of the United States, Gerald Ford, supports the construction of U.S. facilities on Diego Garcia as being essential—he did not say desirable, he said it is essential—to the national interest of the United States. That is the position of the President of the United States.

Now, what does Dr. Schlesinger, the Secretary of Defense, who is charged with keeping this country prepared and keeping this country free, say? He says:

> Our concern is first with the stability of the nations of that area. We would not want them to be overshadowed by the naval presence of the Soviet Union. Second, we are concerned with the very critical dependence of the entire industrialized world on the oil shipments coming out of the Persian Gulf—some 75 percent of Western Europe's requirements comes from the Middle East, and some 85 percent of Japan's requirements. A threat against the security of these lines of communication could be of catastrophic significance for the United States and its allies. That is our primary concern.

Mr. President, he goes on and tells the other advantages. I shall not take time right at this very moment to elaborate upon it. I want to say that I think we have to consider, too, the position of the Joint Chiefs of Staff. What is their position on this matter? General Brown is Chairman of the Joint Chiefs of Staff. Let us see what he says about it. He is the top military man of the United States. He says:

> The first point I would like to make, Mr. Chairman, is that the Indian Ocean is obviously of tremendous strategic importance. Not only are the lines of communication across the sea that carry oil from the Persian Gulf, as the Secretary mentioned, both around Africa and through the Straits of Malacca to Japan important but also the minerals that move from the coast of Africa to the United States. Also to be remembered are the air routes that cross the Indian Ocean. Diego Garcia would serve to help with those lines of communication in support of any air or sea movements that the United States might wish to make into the Indian Ocean.

So, Mr. President, he has brought out the point that we not only need it from

the standpoint of oil, but we need it from the standpoint of minerials.

The second point is that we have important interests in the area in addition to the materials that I mentioned. First, we have friends in the area who look to us for some support, principally Iran and Pakistan with whom we participate in the CENTO organization.

And the third point, in summary, is we seek to demonstrate our interest in the area and our concern that it not be dominated by any single outside power.

After all, the Soviets are an outside power, too.

Diego Garcia will be a modest facility, far less in extent than the Secretary has indicated the Soviets have developed and are developing at Berbera.

It was not intended that we would have any military forces deployed or stationed at Diego Garcia. It is intended only that the support facility be manned by those personnel needed to operate the support activity, communications, servicing of aircraft and ships; in total, about 600 personnel.

Mr. President, that is the statement of General Brown, the Chairman of the Joint Chiefs of Staff.

Mr. President, our Committee on Armed Services considered this matter carefully. By a big majority, we have recommended that we go forward with this program. The committee's position on this matter is given in the report on page 13. I shall not take time to go over that, but I ask unanimous consent that that be printed in the RECORD at this point in my remarks.

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

COMMITTEE POSITION

The Committee agreed that the United States should have the capability to maintain a naval presence in the Indian Ocean and that construction of facilities at Diego Garcia would most appropriately provide such a capability. Thus the Committee felt that construction of facilities at Diego Garcia was in the U.S. national interest and should begin immediately.

In reaching this conclusion, the Committee emphasized that the United States has vital national interests in the Indian Ocean and must be prepared to counter the growing Soviet presence in the Indian Ocean. Construction of the proposed facilities in the Indian Ocean would contribute to both the protection of U.S. interests and the maintenance of stability.

1. The U.S. has vital interests in the Indian Ocean area

The United States and the other industrialized nations of the world depend heavily on the Indian Ocean sea lanes that lead from the vast natural resources of Africa, India and the Middle East. This reliance can be most readily illustrated by a few facts concerning oil. More than two-thirds of the known reserves of crude oil in the world are found in the Middle East and Africa. Today, approximately twenty percent of the crude oil that the United States imports comes from the Middle East; Europe is seventy-five percent dependent on Middle East oil and Japan eighty-five percent dependent. The oil embargo in the Fall of 1973 provided a warning of the consequences that would result from a loss of imported crude oil. At any time, fifty percent of the sea borne oil is in transit on the Indian Ocean sea lanes. The United States and the remainder of the industrialized free world cannot afford to let any nation restrict those Indian Ocean sea lanes.

2. Soviet presence in the Indian Ocean has steadily grown

The Soviet presence in the Indian Ocean has gradually increased by one or two ships per year in the past few years. They now maintain a force of 15–20 ships of which half can be classified as combatants. The United States maintains a small task-force on station in the Indian Ocean about one-third of the year and in addition has three ships stationed permanently at Bahrain.

Very recently the Soviet Union has greatly increased its capability to operate in the Indian Ocean. First, the Suez Canal has been reopened, and second, the Soviet Union is nearing the completion of a naval support facility at Berbera, Somalia, that includes a major runway, housing for 1,500 personnel and a missile storage and repair facility. The expansion at Diego Garcia would provide the United States a comparable capability to sustain naval operations in the Indian Ocean area, and the Committee is convinced that it is necessary to counter the increased Soviet capability and to maintain the balance of power in the Indian Ocean.

3. The construction of modest logistical facilities at Diego Garcia is a prudent action.

The U.S. facilities at Diego Garcia are strictly support in nature. The Navy has indicated that no further construction of facilities at Diego Garcia beyond those presently requested will be necessary.

The expanded fuel storage requested for Diego Garcia will increase U.S. operating flexibility in the Indian Ocean by providing contingency support for U.S. naval force operating in the area. In the absence of Diego Garcia the nearest independent U.S. fuel supply is now 4,000 miles away at Subic Bay in the Philippines.

The relatively limited expansion of facilities at Diego Garcia will be very low political and military profile by virtue of Diego Garcia's location, lack of indigenous population, and its British sovereignty. At the same time it will strengthen our signal to the rest of the world that we do have vested interests in the area of the Indian Ocean and are prepared to protect those interests.

It has been argued that the expansion of facilities at Diego Garcia will lead to an arms race in the Indian Ocean; the Committee does not agree. The proposed logistical facilities at Diego Garcia provide merely an improved capability for U.S. deployments in the Indian Ocean. The deployments themselves will depend on developments in the area, particularly the level of Soviet naval activity. Moreover, past experience indicated that Soviet expansion in the Indian Ocean will proceed regardless of U.S. restraint. During the last year when the United States suspended all construction of facilities at Diego Garcia, the Soviet Union substantially expanded their "presence" at Berbera.

The Committee is sympathetic to the concept of a zone of peace in the Indian Ocean. However, the Committee does not believe that a zone of peace can be achieved through unilateral U.S. restraint.

Mr. THURMOND. I shall just mention the three main points that the committee brought out. First, that the United States has vital interests in the Indian Ocean area.

Second, the Soviet presence in the Indian Ocean has steadily grown.

Third, the construction of modest logistical facilities at Diego Garcia is a prudent action.

That is the position of the Senate Committee on Armed Services, which went into this question in great detail. I have quoted to the Senators, too, the opinion of Mr. Colby of the CIA. So, Mr. President, we have the top people in the executive branch of the Government, the President, the Chairman of the Joint Chiefs of Staff, the Secretary of Defense, all of whom feel that it is in the best interests of the United States that we go forward with this.

Mr. CULVER. Will the Senator yield?

Mr. THURMOND. I shall not yield at this time. When I have finished, I shall yield to the distinguished Senator from Iowa on his time if he wishes me to.

Mr. President, in addition to that, there is some question here as to whether or not Somalia is building these facilities over there or the Soviets were building facilities in Somalia, in Berbera. Every Senator here who wanted to go had an opportunity to go over there. The Senate Committee on Armed Services sent the distinguished Senator from Oklahoma (Mr. BARTLETT) there. I am not going to take time to go into all of his conclusions, but here are a few of the points he brought out: No. 1, the Soviets control—listen to this—the Soviets control Somalia, or at least have access to all facilities at Berbera.

Another point: the facilities at Berbera are still undergoing expansion and the total scope of the effort planned cannot be accurately determined.

Then he goes into detail and tells about the port facility, the communications facility, the missile handling and storage facility, the airport facility, the fuel storage facility, and other facilities that are being built there by the Soviets.

Here is a man who sits right in the Senate who went over there and saw this with his own eyes, after Somalia had denied there was any such thing there, after the Soviets have denied it. He went there and he saw these facilities.

Furthermore, Mr. BARTLETT said, "The Soviets are currently in Berbera in substantial numbers." Not only the facility being built, but the Soviets themselves are there, he says, in substantial numbers.

It is impossible to make an accurate estimate, but a range of 500 to 1,500 represents a consensus of team opinion based on observations and the capability of the available housing.

That is the statement of Senator BARTLETT, who went there.

Another point:

The Berbera location is very advantageous from a strategic point of view. The Berbera facilities, combined with the Aden facilities, could control the confluence of the sea-lanes from the Suez Canal and the Red Sea into the Persian Gulf and the Indian Ocean.

Then, Mr. President, Senator BARTLETT ends up with this position:

The position of the Department of Defense with regard to the significance of Berbera is valid. The team's conclusions do support the Berbera argument which favors the expansion planned for Diego Garcia. In order for the United States—

There has been talk here about negotiating. The distinguished Senator from Iowa and some others, maybe, said, why not negotiate first? Listen to what Senator BARTLETT says:

In order for the United States to negotiate with the Soviet Union from a position of relative parity regarding mutual restraint in the Indian Ocean, the Diego Garcia expansion is essential and should be approved—

When? Afterwards? No. Now, he says—

should be approved prior to initiating any negotiations.

In other words, if we go forward with Diego Garcia, then we have something to offer the Soviets. Now we have nothing to offer. We are not going to get a mutual agreement unless we have something we can trade with the Soviets.

Then when they trade with you they generally do not keep their agreements. But they certainly are not even going to offer to trade unless you have got something to trade. Senator BARTLETT has brought this out in very fine style.

Then Senator BARTLETT made this statement:

This trip greatly reinforces the arguments in favor of the proposed expansion of Diego Garcia.

Mr. President, I brought out here that the executive branch, the military, the CIA, the Senate Armed Services Committee all favor this construction.

There has been something said here that I want to answer about the great military disparagement and how wrong we are in what we are spending, and all of that. I just want to say that the big spending about which there has been a lot said here today, that we are going to bust this Government with big spending, I agree with that. But who is doing the big spending? It is not the Defense Department. It is the domestic programs rather than defense.

I want to give some figures right here to go in the RECORD on that point. Defense spending is rising less, much less, than other spending.

Let us consider the figures. Total Federal spending is estimated at $360 billion for fiscal year 1976 under the budget resolution. That is an increase of $53 billion from fiscal year 1975.

Let us consider where that increase is. Defense spending rises by $5 billion or 6 percent. Nondefense spending rises by $48 billion or 21 percent. Now, during this next year, where is the big spending? Is it in defense or is it in nondefense? I say it is nondefense. It is absolutely false when people say that it is the Defense Department that is causing this big spending.

I want to say, Mr. President, that nondefense spending is rising nine times as much, $48 billion versus $5 billion, as defense spending and three times as fast, 21 percent versus 6 percent.

The simple facts leave no room for the allegation that defense spending is rising while the other spending is being cut back.

Now, Mr. President, that is 1 year. I want to take the last 20 years. Some people say,

Well, previous years caused this.

Previous years spending by the Defense Department did not cause it. For the past 20 years, 1956 to 1976, defense spending is up $51 billion or 128 percent. Everything is up, of course, due to inflation.

What did nondefense do? Nondefense spending is up $246 billion or 800 percent. I want those figures to be known. Defense spending is up $51 billion compared with $246 billion or 128 percent for defense and 800 for nondefense.

Mr. President, I will not take more time at the present. I just wanted to bring out those figures to show that people who are making statements here to try to prejudice the public against the Defense Department are not only inaccurate in what they are saying but they are doing a great injustice to this country. If it were not for the Defense Department, the man in uniform, we would have no way to protect ourselves. I applaud the man in uniform, I am proud of him. He fights to defend us. He brought us our freedom and he maintains our freedom.

Mr. STENNIS. Mr. President, I am happy to yield 10 minutes to the Senator from Washington.

Mr. JACKSON. Mr. President, the issue before the Senate is whether the United States ought to proceed with plans to develop a naval base and support facility on the coral atoll of Diego Garcia in the Indian Ocean. The issue is not, nor, in my judgment, has it ever been whether such action on our part would result in a contest between ourselves and the Soviets for naval supremacy in the Indian Ocean. The increasing importance of the Indian Ocean and Persian Gulf area must be clear to everyone who has learned the lesson of the 1973 oil embargo: For the foreseeable future it is vital to our national interests and security that we be in a position to assure a continuing flow of oil from the Persian Gulf. This in turn requires that communications by sea must be secure, both for ourselves and our allies. And there can be no such security for the United States without the ability to project our naval forces into the Persian Gulf and Indian Ocean should it become necessary to protect vital shipping lanes and to assist our friends and allies. Apart from oil, it is important to our foreign policy that the United States should be in a position to provide timely assistance to our friends in the area in the event that their security and our interests are threatened.

It seems to me far too narrow to conceive of our strategic position in the Indian Ocean area solely in terms of what the Soviet Union chooses to do there—although we should be concerned at the Soviet buildup and it would be wise to take steps to counter it. Apart from the question of Soviet naval facilities in such places as Somalia—facilities that have turned out on inspection to be as they were described by the Secretary of Defense—there is the overriding geographical fact: The Soviets are able to operate, from land and sea in the Indian Ocean area in a way that we, 5,000 miles away, are not. Thus the actual current extent of Soviet Indian Ocean deployments, disturbing as it is, is only one factor in a complex geopolitical situation.

It is a situation in which we are at an inherent disadvantage with respect to the Soviets; and it is a situation marked by the sort of instability that cries out for every effort to keep all of our options open. We face in the Indian Ocean a set of problems that would continue to exist even if the Soviet Union were not able to bring its influence to bear in such places as the Persian Gulf and the littoral states. In this sense an agreement between the United States and the Soviet Union respecting naval deployments in the Indian Ocean would not obviate our naval interests there.

Clearly, however, an agreement between the United States and the Soviet Union to limit naval deployments in the Indian Ocean would be of value to both countries and perhaps to the cause of world peace. For this reason an effort should have been made to raise this issue with the Soviets. I am sorry to say that the administration failed to make such an effort, and it did so despite a clear congressional requirement that it do so. The administration's indifference to the sentiments of the Congress on this matter is yet another example of the one-man-show quality from which our foreign policy has suffered. It is difficult to take seriously the administration's call for a bipartisan foreign policy in the face of the obvious contempt with which it has treated the views of the Congress in this matter—and in many others.

Because it is my judgment that a support facility at Diego Garcia is important to our security and would remain important even in the context of an agreement with the Soviets limiting deployments in the Indian Ocean area, I shall vote against the pending resolution. But I must say that I do so with grave reservations about the administration's handling of this whole matter. I simply cannot vote to punish this country and our allies because the administration has behaved badly and short-sightedly in failing to comply with the desire of the Congress for an American-Soviet discussion of security in the Indian Ocean. It is my hope that the administration will initiate such discussions, and that it will not regard today's vote as relieving it of that responsibility.

Mr. President, I urge my colleagues to find some means other than a vote for the pending resolution to make it plain to the administration that cooperation in matters of foreign policy must become a two-way street.

Mr. President, I yield the remainder of my time to the distinguished Senator from Mississippi.

The PRESIDING OFFICER (Mr. LAXALT). The Senator from Mississippi.

Mr. STENNIS. Mr. President, I yield such time as I may use for myself.

Mr. President, I commend the Senator from Washington very highly for pointing out here with force and clarity that the real question we are down to now in this subject that has had all the legislative attention one could have, that is, whether or not we think, on balance, there should be a beefing up of facilities at Diego Garcia. That is the issue here, the only issue.

I am in sympathy with his thought that negotiations are always in order and ought to be pressed.

I would talk further about this, but

this issue has come the legislative journey, all the way, and it is not subject to an amendment or anything of that kind. It has nothing to do with the size of our fleet. We already have a presence there and the question is whether or not we are going to properly supply it, that is all.

I think the overwhelming facts are as he said. We have got to stand one ground, and we are going to supply our Navy.

Mr. JACKSON. Will the Senator yield?

Mr. STENNIS. I yield to the Senator.

Mr. JACKSON. The chairman of the committee will recall that I was the one, of course, who raised the issue of negotiations with the Russians.

Mr. STENNIS. Correctly.

Mr. JACKSON. As a specific condition of the approval of the initial work at Diego Garcia. Subsequently, that was modified and it was contained in report language, and that is why, Mr. President, I regret that the administration did not take seriously our request and I think that every effort should be made to limit naval forces in the area.

As I pointed out in my remarks, however, this does not prevent the building of this facility, so that we will have that option available to us, even if we agree to limit naval forces. That is the key point.

If we are going to have an option available to limit forces, and I think and I would hope we could reach an agreement to lessen tensions in that area, to limit naval forces on both sides, we need to proceed at least this far, Mr. President, on the facility at Diego Garcia.

If we do not go forward, we do not have anything to negotiate, nothing to limit, and I think that is the point where there is so much confusion in the debate and the discussion.

Mr. CULVER. Will the Senator yield?

Mr. STENNIS. Mr. President, I will yield in time.

Mr. JACKSON. Could I yield to the Senator?

Mr. STENNIS. I want to make a point, too. I have not been on the floor 2 hours.

Mr. President, someone has said that if we go ahead with this relatively small matter, we will be to blame for the consequences. We will be to blame for all the evil consequences that somebody else is making up.

There will be blame attached to us, as I see it, but we will be to blame for not taking a reasonable precaution. We must look forward with a basic step of preparation here for the fleet that we already have and are going to have in this ocean.

I am not going to take more than a few minutes.

So I emphasize, Mr. President, and a great deal has been said about the littoral nations, I have here a memorandum that gives a report about the littoral nations, and this is from responsible sources. This is from the administration.

They say:

The official position taken by many of the same countries who publicly express a desire to keep the Indian Ocean free of major powers is quite different. A State Department survey taken May of this year indicated that of the 29 countries polled, 9 supported the U.S. planned expansion, 7 opposed, and the remaining nations took no position at all. That result should be expected. Nations of the free world do not want to lose out to communism by default. Every nation will express desires for peace, but peace depends on a balance of power and the Soviet Union is fast becoming a dominant power in the Indian Ocean.

So, Mr. President, I think that again has been totally refuted here by this actual report of a survey taken as late as May of this year.

Mr. President, I have other matters here in the way of documents, but for the time being I am going to yield the floor.

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

The PRESIDING OFFICER. The Senator has 22 minutes remaining on his time.

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

The PRESIDING OFFICER. Who yields time?

Mr. TAFT. Mr. President, I believe that I have 30 minutes on the bill.

The PRESIDING OFFICER. Under the order.

Mr. TAFT. Under the order.

I yield myself 15 minutes out of that time.

Mr. President, I intend to vote against the resolution of disapproval and thereby support the planned construction on Diego Garcia. I give my support both conditionally and reluctantly, and I wish to make both my condition and my reluctance clear.

The condition under which I support the construction of a logistics facility on Diego Garcia is that it is clearly understood that this is all I am supporting. I support no implication that the construction of this facility constitutes a U.S. commitment to become the main counterbalancing power against Soviet influence in the Persian Gulf and the Indian Ocean. I support no understanding on the part of anyone, at home or abroad, that we have taken on any new commitments or enlarged any existing commitments by the construction of this base. I have no intention, under the present circumstances in the Indian Ocean, of supporting anything beyond a "gas pump" for what ships we should happen to have, on an off-and-on basis, in that area.

I do support the base as a logistics convenience for the Navy. The distance between the Indian Ocean and our nearest bases, at Yokusuka and Subic Bay, is so great that it is highly inefficient to supply our ships from those bases, by tanker.

Indeed, let me point out, during the recent crisis in the Middle East, there were orders all over the world, which I trust we have now taken care of by other legislative action, by the OPEC countries not to sell to any of our ships anywhere in the world, no matter where those ships might happen to be, whether they were going to the Indian Ocean or not going to the Indian Ocean, those orders were standing orders and they were complied with even by American oil companies.

As I say, this is a situation we could not tolerate and it was a situation that did exist in the recent Middle East crisis and points out, I think, the benefit for at least having a logistics facility, even though I have expressed the other reservations that I have expressed.

The Diego Garcia facility will, seen as a logistics facility and nothing more, be a cost-effective investment.

Even with the condition that it is nothing more than a logistics facility, I give my support reluctantly, because I believe the whole question of the proper U.S. role in the Indian Ocean and Persian Gulf has not been thought through clearly. There are two possible approaches which apparently have not been attempted. They are interconnected, as will be developed.

The first is to negotiate a naval deployment limitation agreement with the Soviets and other powers for the area in question.

I would like to point out that other powers are vital to such negotiations. We cannot simply be talking with the Russians about it. Otherwise, another nation coming into the area with considerable force—and there are other forces operating in the area today—could upset, I believe, the balance of any agreement that we arrived at with the Soviets.

It is, of course, impossible to say that we could obtain such an agreement. It is possible the Soviets do not want to agree to limit their presence in this area. However, how can we know until we try? And we are advised that we have not tried. We have not made any formal approach to the Soviet Union on this question.

The administration has given some indication that it intends to explore such a possibility, and perhaps it sees a commitment to the facility on Diego Garcia as a possible bargaining chip in negotiations with the Soviets. On the other hand, perhaps it is the feeling that after developing Diego, the climate for such an agreement might improve. I do not know whether it will be useful for such bargaining or not, but I do hope that negotiations are pursued, whichever way this vote turns out. It would be to the advantage of the United States, the Soviet Union, the states which border on the Indian Ocean, and world peace, if major power naval deployment limitation agreement could be achieved.

There is, however, another approach to understanding the situation in the Indian Ocean and developing an appropriate U.S. policy for that area. This approach—the approach of recognizing that the Indian Ocean is an appropriate area for European and perhaps Japanese—not American leadership—should be adopted even if we are not able to achieve an arms limitation agreement with the Soviets.

I know that the Japanese do not have forces with which to undertake such a responsibility at this time, and we do not see in the near future, at least, the likelihood that such forces will be developed.

But anyhow, I think they have such a vital interest in it from an economic point of view—over 85 percent of their oil coming from this area, as I understand it—that they should be included in a discussion of such a matter.

As I noted in my "Additional Views" in the committee report on this resolution:

The only significant reason for any nonlittoral power to be interested in the Persian Gulf or the Indian Ocean is because of the oil imported from that area. In fact, however, the United States imports comparatively little oil from the Persian Gulf States. In 1974, only 8% of the petroleum products consumed by the United States came from Persian Gulf States. While it would be highly inconvenient if the United States were deprived of the imports from that area, it would not be catastrophic.

As the Department of Defense noted in response to a question of mine, "It is true that the European nations are more dependent on Persian Gulf oil than is the United States" in 1972, the Common Market imported 62 percent of its total consumption from the Persian Gulf—again, compared to 8 percent for the United States in 1974. It therefore follows that the Persian Gulf and the Indian Ocean are fundamentally European, not American, areas of concern.

The European nations, led by France, recognize this fact very clearly, not merely by what they say but even more by what they do.

Since 1970, French naval ship-days in the Indian Ocean have consistently been in excess of Soviet ship-days; that continued to be the case for the first half of 1975.

I point that out, that that was true even before the Suez Canal was opened.

The French forces at times include an aircraft carrier, a type of ship the Soviets do not yet possess. If British forces deployed in the area are added to the French, their total ship-days outnumber the Soviets heavily.

The Europeans are fully capable, militarily, of balancing the growing Soviet power in the Indian Ocean. France possesses a large, modern, and powerful navy. The French today have two aircraft carriers, two cruisers, 22 destroyers, 52 antisubmarine frigates and corvettes, and 19 attack submarines. French plans call for the construction, by 1985, of two nuclear-powered aircraft carriers, two nuclear-powered helicopter carriers, 30 frigates and corvettes, and 20 attack submarines, some of which will be nuclear powered.

If you ask what are the French going to do with such ships as nuclear powered carriers or nuclear powered helicopters, very clearly they are going to use them in such areas as the Indian Ocean where the ships' planes are vitally important to their economy because of the terrific dependence they have upon the Middle East oil coming from that area.

Great Britain also possesses a large fleet, consisting of an aircraft carrier, 12 cruisers, 61 frigates, and 29 attack submarines, 7 of which are nuclear powered. Other European nations possess smaller but also modern and useful navies.

The opening of the Suez Canal is as great a help to the Europeans, in terms of deploying ships into the Indian Ocean, as it is to the Soviets. The French are currently rebasing both of their aircraft carriers from Brest, in the Atlantic, to Toulon, in the Mediterranean.

The Europeans also possess an extensive network of naval bases in the Persian Gulf and the Indian Ocean. The French have bases at Diego Suarez, Djibouti, Reunion Island, and in the Comoro Islands. Britain has bases at Gan Island and on Mauritius.

I would also point out that the Union of South Africa has a considerable navy and has obviously its home base, major port facilities, on the Indian Ocean.

I believe that we should recognize that Europe has a far greater interest in the Persian Gulf and the Indian Ocean than does the United States, and that the European nations have the military capability to defend that interest. Accordingly, we should engage in negotiation with European nations and encourage and welcome European leadership in this area, with particular emphasis on France.

Not only is it a matter of the economic burden that is involved, and it is a considerable one, but I think all of us recognize that in the NATO situation in Europe, while our forces at the present time, unfortunately, seem to be vital there to maintain the balance, in all fairness there should be a taking up of some of that burden over the years by these nations which are no longer struggling, poor nations recovering from a postwar crisis, but are now very strong and self-sufficient nations with economies in a number of cases that are, in their size, proportionately equal in their health and vigor to our own.

We should be fully willing to cooperate with European leadership, recognizing that our interest would be best served by being a "junior partner" to the Europeans in this area. If we move unilaterally to assume the leadership role we discourage our allies and invite charges of imperialistic expansion from the littoral powers. This does not mean we should not indicate our willingness to participate in balancing Soviet influence in this area, not by taking on that burden unilaterally, but by contributing periodically to joint naval squadron in the Indian Ocean. Such a squadron could, for example, be based alternately on French, British, and American aircraft carriers. I have inquired if the United States has explored the possibility of such a joint squadron. The Department of Defense replied that we have not done so.

As a practical matter, however, I believe we have been cooperating very closely in our cooperation with the British forces and the French forces already in the area. Formalizing and establishing the responsibility for it in those nations it seems to me would be a very easy thing to do, something that would be welcomed, I believe, by our allies, and something which I believe we ought to pursue.

Our policy, in summation, should be to recognize and encourage European leadership in the Persian Gulf and the Indian Ocean.

We should not take it upon ourselves to be the main Western power in the area.

I would point out that there are small nations and many of these developing nations around the Indian Ocean area as a matter of their own domestic policy, and their foreign policy is connected with domestic policy, which feel it is a great feather in their cap to twist what used to be the lion's tail but now is Uncle Sam's tail.

I think having us as the principal power in an Indian Ocean task force, rather than contributing to the peace of the area and trying to calm down and stabilize the area so that we can assure that the shipping which must necessarily go through the Indian Ocean will be able to proceed without interruption, will take U.S. leadership in preventing the littoral powers from perceiving this to be a cause celebre, which they will seek to make a good deal out of, just as recent events in India which have led to efforts to persuade the Indian people that somehow the United States is trying to do them in, I think, will obviously lead to this kind of reaction on the part of the Indians.

I do think we need logistic space, as I said earlier, but it should be only that, not a basis on which to build our dominance in the Indian Ocean area.

We should recognize that this, too, would require some change in our basic thinking, which has often resisted European, and particularly French, attempts to provide leadership in transatlantic affairs. But this is a clear case where Europe has both the most vital interest at stake and the military capability to defend that interest. We do ourselves no service by attempting to take this burden upon our own shoulders, alone.

I noted with interest a report to the Washington Post datelined Paris, July 24, an article by Bernard Kaplan entitled "Saudi's Visit Seen Widening France's Role," which comments on the recent visit to France by Crown Prince Fahd as widening France's role in the area.

The article reads:

> French and Saudi officials here imply that Fahd's discussion with President Valery Giscard d'Estaing dealt with expanding France's political role in the Middle East, specifically through the creation of a "privileged" relationship with Saudi Arabia.
>
> According to sources, the crown prince, who left for London today, conducted himself throughout his talks here not only as the effective political leader of his own country but as spokesman for a number of other Arab governments including Qatar and the United Arab Emirates.
>
> Timed to coincide with the visit was confirmation that the Saudi government has offered more than $1 billion to finance French industrial projects, including a nuclear power station, in Saudia Arabia and possibly other Arab nations. Fahd's visit also produced an announcement that a Franco-Saudi Arabian Intergovernmental Commission will begin meeting on a twice-yearly basis in October to develop "economic, financial, industrial, agricultural and cultural relations."

I note that it does not say, however, national defense relations, though I believe it should do so.

I believe we should welcome rather than be discouraged by such developments as this. It points out, I think, the matters the Senate should have judged in considering this matter. I hope not only that the Senate will give consideration to them, but that those in the executive department, both in the State Deparment, the Defense Department, and the White House will take note of these factors and not allow just a sort of growing-like-Topsy attitude in the Diego

Garcia matter to lead us into the trap of considering that we are or should be the principal naval power in the area, just because the Soviets appear to be increasing their presence in the area, which they would probably do regardless of what we do. The question should be what is best for the future of the United States in this area.

The PRESIDING OFFICER. Who yields time?

Mr. MANSFIELD. Mr. President, how stands the time?

The PRESIDING OFFICER. The Senator from Montana has 31 minutes, the Senator from Mississippi 22 minutes, the Senator from Virginia 17 minutes, and the Senator from Ohio 15 minutes.

Who yields time?

Mr. MANSFIELD. Mr. President, with the permission of the distinguished chairman of the committee and the distinguished Senator from Ohio, and hopefully the distinguished Senator from Virginia (Mr. WILLIAM L. SCOTT), I suggest the absence of a quorum, with the time to be taken equally out of all four sides.

The PRESIDING OFFICER. Is there objection?

Mr. STENNIS. Mr. President, reserving the right to object, and I want to cooperate with the Senator, I really have control of only half of half the time, equal to a total of one-fourth, and some others that I think may want some time are out. Let us see if we cannot put a cap on that some way.

Mr. MANSFIELD. On my time.

Mr. STENNIS. I am willing to yield some of that, I might say, Mr. President.

Mr. MANSFIELD. Mr. President, I make the proposal that the time for the quorum call not exceed 4 minutes. That takes a minute apiece out of the time.

Mr. TAFT. Mr. President, I am sure that the Senator from South Carolina would be agreeable to that, and I am authorized to speak for him.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded, and that I may yield the assistant majority leader and the Senator from Virginia not to exceed 30 seconds each.

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

TIME LIMITATION AGREEMENT—SENATE RESOLUTION 54

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that at such time as it is called up and made the pending question before the Senate, there be a time limitation on Senate Resolution 54, a resolution continuing and authorizing additional expenditures by the Select Committee on Nutrition and Human Needs, of 1 hour, to be equally divided between the Senator from Nevada (Mr. CANNON) and the Senator from South Dakota (Mr. MCGOVERN); a time limitation on any amendment thereto of 30 minutes; and a time limitation on any debatable motion, appeal, or point of order if submitted to the Senate of 20 minutes; and that the agreement as to the division and control of time be in the usual form.

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

The text of the unanimous-consent agreement is as follows:

Ordered, That, during the consideration of S. Res. 54 (Order No. 313), a resolution continuing and authorizing additional expenditures by the Select Committee on Nutrition and Human Needs, debate on any amendment shall be limited to 30 minutes, to be equally divided and controlled by the mover of such and the manager of the resolution, and debate on any debatable motion, appeal, or point of order which is submitted or on which the Chair entertains debate shall be limited to 20 minutes, to be equally divided and controlled by the mover of such and the manager of the resolution: *Provided*, That in the event the manager of the resolution is in favor of any such amendment, debatable motion, appeal, or point of order, the time in opposition thereto shall be controlled by the Minority Leader or his designee.

Ordered further, That on the question of agreeing to the said resolution, debate shall be limited to 1 hour, to be equally divided and controlled by the Senator from Nevada (Mr. CANNON) and the Senator from South Dakota (Mr. MCGOVERN): *Provided*, That the said Senators, or either of them, may, from the time under their control on agreeing to the said resolution, allot additional time to any Senator during the consideration of any amendment, debatable motion, appeal, or point of order.

The PRESIDING OFFICER. Who yields time?

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum under the same stipulations, and this will be included in the 4 minutes.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. MANSFIELD. Mr. President, I yield 5 minutes to the distinguished Senator from Colorado (Mr. GARY W. HART).

The PRESIDING OFFICER. The Chair recognizes the Senator from Colorado.

Mr. GARY W. HART. Mr. President, I thank the Senator from Montana, the distinguished majority leader.

Mr. President, I wish to comment on a couple of items that occurred in the debate this afternoon with regard to the resolution regarding Diego Garcia.

First of all, I call the attention of our colleagues to the intelligence estimates regarding our position in the Indian Ocean and call particular attention to the fact that we spend a great deal of money each year to assess intelligence; therefore, I think the estimates that the intelligence community provides to us, particularly those that are unclassified, deserve a great deal of attention in this body.

In testimony before the Committee on Armed Services on July 11, 1974, the Director of the Central Intelligence Agency, Mr. Colby, said as follows:

. . . the normal composition of the Soviet force there—

Being the Indian Ocean.

—particularly the lack of a significant submarine capability—suggests that interdiction of Western commerce, particularly oil shipments from the Persian Gulf, has not been a major objective.

The implication is, of course, the major objective of the Soviet Union.

I also call our colleagues' attention to a letter directed to the chairman of the Committee on Armed Services, the distinguished Senator from Mississippi (Mr. STENNIS) from Mr. Colby. The letter is dated July 21, 1975. In that letter Mr. Colby says as follows:

The Soviets recognize the importance to the West of Persian Gulf oil, but the normal composition their Indian Ocean force suggests, that interdiction of Western commerce has not been a major objective.

Thus, repeating his remarks of a year earlier.

He also says as follows:

The level of Soviet naval activity—

Which we have heard so much about here today—

in the area has grown slowly but steadily since 1968, and this pattern is expected to continue.

What is that activity?

The Colby letter says:

The regular force usually consists of six surface combat units, a diesel-powered submarine and about seven support ships—

Which I understand some testimony before our committee to be minesweepers and so forth.

This routine presence is occasionally augmented by other units—for example, ships being transferred from the western fleets to the Pacific.

That is the Soviet presence as of July 21, 1975.

Mr. Colby continues:

Increases in the U.S. presence could result in a somewhat more rapid buildup in the Soviet forces. The Soviets have clearly shown a sensitivity to U.S. activity, and this will be *one* of the factors in their determination of Indian Ocean requirements.

Then, I conclude from Mr. Colby's letter to the chairman of the committee:

The Soviets probably would not be particularly bothered by the mere fact of a modest U.S. base on Diego Garcia, for example, but would be inclined to accelerate the development of their Indian Ocean contingent if we maintain sizable forces in the area.

The suggestion is clear from Mr. Colby's testimony before the committee in 1974, repeated as of this month, 1975, that the Soviets will respond to whatever the United States does in this area.

I also call the attention of the Senate to testimony given our committee——

The PRESIDING OFFICER. I am sorry, but the time of the Senator has expired.

Mr. GARY W. HART. Mr. President, will the Senator yield?

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

Mr. GARY W. HART. General Brown testified before our committee that the base at Berbera will support and sustain naval combat operations; whereas, the facilities that we hope to put on Diego Garcia are far removed from that. His suggestion is that the Berbera base, on which the Soviets are developing, will rival the Subic operation. I suggest to our colleagues that that is utter nonsense. The Berbera base is a harbor 1 mile long and 2 miles wide, 30 to 60 feet deep. It will not even begin to house the kind of fleet that the Subic Bay area contains—room for 160 ships, 9 piers, 5 of which are a thousand feet long. I think the suggestion by the Chairman of the Joint Chiefs in this regard is misleading and does not serve the efforts of the Senate of the United States to reach a rational decision on this issue.

The question before the Senate today is whether we are going to negotiate or even attempt to reach some sort of agreement with the Soviet Union on reducing naval presence mutually in this area. I have yet to hear a remark or a comment or a rejection of that argument.

When we were seeking appropriations, any time a question was raised about what the Defense Department wanted, somebody from the Defense Department—the Secretary of Defense or someone else—was on the phone, and somebody was here on the floor of the Senate, saying, "I have just spoken to the Secretary of Defense, and this is what their position is."

Mr. CULVER. Mr. President, may we have order? The Senator is making a very important statement on the merits, and I think he should be listened to.

The PRESIDING OFFICER (Mr. STONE). The Senator's time has expired.

The Senate will be in order.

Mr. STENNIS. Mr. President, I yield the Senator 1 minute.

The PRESIDING OFFICER. The Senator is recognized for 1 additional minute.

Mr. GARY W. HART. I thank the Senator.

The point is that I have yet to hear any opponent of this resolution who has spoken to the Secretary of Defense or the Secretary of State today state why it is not in our best interest to sit down and discuss this matter with the Soviets.

With the Senator from Iowa and the Senator from Vermont, I happen to be one of those who raised this issue in negotiations and discussions with deputies from the Supreme Soviet, and at that time they were not willing to state their position. However, later they told us that they very much wanted to sit down with this Government to determine whether we could mutually limit naval presence in this area. I have yet to hear anybody in the debate today suggest why the Secretary of State or the Secretary of Defense is unwilling to do that.

I thank the Senator from Mississippi.

The PRESIDING OFFICER. Who yields time?

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

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

Mr. MANSFIELD. I yield 3 minutes to the Senator from Utah.

Mr. MOSS. Mr. President, I support the resolution introduced by my good friend from Montana, the majority leader. Ostensibly, the issue is whether we should expand our naval and air facilities at Diego Garcia, a small atoll in the middle of the Indian Ocean. But I believe that Diego Garcia stands for more than that.

Certainly, the nations in that area of the world see Diego Garcia as signifying more.

The Prime Minister of Australia said on "Meet the Press"—

> . . . there is no nation around the Indian Ocean which welcomes the buildup on this uninhabited British group of islands.

When asked if he would like to see the United States withdraw entirely from the Indian Ocean, regardless of what the Russians do, he replied:

> No; certainly not. Russia and America are the world's great naval powers—they can sail wherever they choose—that's clear. But we don't want a proliferation of armaments in the Indian Ocean which up till now has been freest of all the world's oceans, of this American-Soviet confrontation.

Not a single one of the 32 nations in that area of the world has supported U.S. plans to beef up Diego Garcia. Some, including allies, have openly opposed it.

If those nations that surround the Indian Ocean, including our allies, are not disturbed by the Russian presence there, then why should we be?

I thought we had learned that we cannot police the whole world, especially where we are not invited.

The Department of Defense contends that Australia's Government for political reasons is publicly denouncing Diego Garcia but in private is urging us to expand the base.

I must say, if the stance against Diego Garcia is a charade, the Australian Government is taking great pains to perform it well.

The Australian Embassy sent me a stack of speeches that the Australian Prime Minister made all over the world in which he urged our Government not to expand Diego Garcia. In the Prime Minister's report to Parliament, in press conferences in Bonn, in The Hague, in Colombo, in Washington, D.C., at the United Nations, in Hansard, and in press releases from the Department of Foreign Affairs, the stance has been consistently against expansion of Diego Garcia.

I think that it is important to note that we can send powerful fleets into the Indian Ocean to respond to crises whether Diego Garcia is improved or not. In the past 18 months we have sent five carrier task forces and two groups of major combat surface ships to the Indian Ocean. In the past year we have had such an augmented presence in the Indian Ocean for one-third of the year. Diego Garcia would merely make deployment in the Indian Ocean more convenient for our Navy and Air Force.

Furthermore, according to William Colby of the CIA, who presented testimony on this subject last year, the Soviets will probably avoid any large navy buildup in the Indian Ocean because such a fleet could be too easily bottled up if the Suez Canal were closed.

Some will say it is not much money—only about $30 million—at stake here. I think that is $30 million of the taxpayers' dollars that can be saved. And I do not believe for a moment that we can approve expansion of the harbor, runway, and fuel facilities and not expect eventually to hear appropriation requests for new Navy ships to use Diego Garcia.

To me Diego Garcia is a weathercock issue. Should we expand our military presence in the Indian Ocean at no small cost to our people when the nations there including many friendly nations clearly don't desire this expansion and apparently consider it harmful to their interests? The more basic question is, do we still intend to be the policeman of the world?

I urge my colleagues to support Senate Resolution 160.

Mr. MANSFIELD. Mr. President, I yield 3 minutes to the distinguished Senator from Massachusetts (Mr. KENNEDY), and then the remainder of the time, the full 9 minutes, to the distinguished Senator from Iowa (Mr. CULVER)—but after a while.

Mr. KENNEDY. I thank the Senator.

Mr. President, the Senate today is again being asked to decide whether or not to proceed with expansion of our military facilities on the Indian Ocean island of Diego Garcia. This is not the first time we have considered this matter: The administration first requested funds for these facilities in fiscal year 1970, and the Congress rejected this request. In the following year, Congress approved a "limited communications facility." A renewed request for a fleet support facility was made for fiscal year 1974, and rejected by Congress. The request was repeated for fiscal year 1975. At that time, we stipulated the procedure we are following today. But we have no illusions that this is the end of the debate. Certainly this will not be the last time the Senate will debate the future military role of the United States in the Indian Ocean.

The amount of money involved in this project this year may be relatively small in terms of total appropriations for U.S. defense needs; $32 million is less than half the cost of a B-1 bomber, or the cost of two F-14s, and it is only a tiny fraction of the cost of a nuclear aircraft carrier. In fact, the Navy argues that, for the capabilities that this money will buy, it is an irresistible bargain.

So far, Congress has consistently acted with studied caution in deciding whether to proceed with Diego Garcia. We have known all along that something more substantial is involved—that larger questions of principle and policy are at stake in this decision. At heart, this debate is not about whether we should extend the runway at Diego Garcia another few thousand feet, or dredge the harbor to accommodate larger ships, or put up some barracks to house several hundred military personnel. This debate is about the role the United States will play in the coming years in the Indian Ocean and in the nations that line its shores. It concerns whether the United States will push ahead and build a three ocean Navy—a decision involving billions of

dollars—a decision which the Brookings Institution estimates could require an additional $800 million per year in operating costs and $5 to $8 billion in new ship construction. It is about our view of the world of the late 1970's and 1980's and America's position in that world.

It is about whether the achievements and prospects of détente will be limited primarily to strategic nuclear policy, or will apply to other areas of vital importance in East-West relations.

Are we content to let the Defense Department dictate the evolution of American foreign policy in the Indian Ocean, based on its definition of military convenience and perceived strategic requirements? Are we going to begin another era of over-extended military commitments out of step with our overall political and economic objectives in the decades to come? Or are we going to recognize a most valuable lesson of the last decade: the need to put political objectives and interests first; to think through problems before acting; and to exhaust diplomacy before once again reaching for the instruments of war?

Symbolically, a decision to proceed with construction on Diego Garcia means that the United States has more or less given up hope of getting an arms control agreement with the Soviet Union.

In this case, however, we are giving up before having really started. Last month the administration testified before the Armed Services Committee that there has not been a diplomatic approach to the Soviet Union on the question of the Indian Ocean since 1971. Yet it has been largely since 1971 that the significant events have taken place which are shaping the Pentagon's perceptions of our strategic needs in that area. The State Department, in a letter from Ambassador McCloskey to our distinguished colleague from Iowa (Mr. CULVER), suggested that the chances for negotiations on mutual limitations of military forces in the Indian Ocean would be improved if we first expand the facility on Diego Garcia.

But this sounds to me like just a tired playback of the old "bargaining chip" argument. "Continue to build up," so the argument goes, "in order to convince the other side of our determination, and to give them incentives to negotiate downward again." But as we have seen in the past, particularly in our strategic arms negotiations, it becomes increasingly difficult to de-escalate a competitive situation. The upward spiralling competition builds a momentum that fulfills its own predictions, and justifies mutual suspicions. Bargaining chips have simply failed to live up to what has been promised for them.

In part, the President has justified the U.S. need for Diego Garcia in terms of maintaining "stability and peace in the area." But the states of the region—the 29 littoral nations surrounding the Indian Ocean—apparently think otherwise. The administration itself made a survey of the littoral nations and, in reporting the results, grudgingly acknowledged that not one state in the region has expressed support for the project; indeed many have strong objections. Even Australia, a strong American ally, has consistently and publicly voiced its disapproval of taking actions which will lead to the establishment of a major naval arms race in that region. The United Nations, with the support of the littoral states, has every year since 1971, passed resolutions declaring a desire to make the Indian Ocean a "zone of peace," and has appointed an ad hoc committee to implement this resolution. Yet for the relatively minor tactical advantages of "greater maneuverability and flexibility" in the Indian Ocean, we are apparently prepared to ignore the policy objectives of the littoral states, themselves; imperiously dismiss loud protests from many Indian Ocean states; and explain to them that we are taking this action for their own good.

Mr. President, I have no illusions about the reality of increased Soviet naval presence in recent years, in many areas including the Indian Ocean. The Soviet Union seems determined to extend the global reach of its Navy. It has indeed upgraded its facilities at Berbera, Somalia. But let us keep a sense of proportion about the Soviet naval presence in the Indian Ocean. Despite the flurry of statistics flowing out of the Pentagon, it is a relatively small and limited force, which presents no major threat to the American, British or French forces deployed there. The French alone have a greater number of combatant ships permanently deployed in the Indian Ocean, as well as a greater number of port facilities, than any other power. And the combined American, British and French forces in the region are clearly superior to Soviet forces. What is important to remember is that in moving to escalate the American presence in the area, we are inviting a strong Soviet response.

Mr. Colby, the Director of the CIA, testified less than a year ago that if the United States significantly increased its presence in the area, the Soviet Union would likely buildup its forces faster than would be the case otherwise.

Mr. President, last Friday, the Senate Foreign Relations Committee, without objection, adopted an amendment which I introduced with my distinguished colleagues Senators CRANSTON and PELL, to the Omnibus Foreign Relations Authorization bill. This amendment would put the Senate firmly on record in urging the President to begin a diplomatic initiative with the Soviet Union, and seek negotiations for mutual limitations of military forces in the Indian Ocean. We are at the crucial turning point on this issue. I am convinced that not enough has been done to explore diplomatic possibilities. In the post-Vietnam era, our policy for new and questionable military commitments in remote regions of the world should be one of extreme caution and prudence.

Mr. President, I was in the Chamber earlier this afternoon and heard, as many of my colleagues did, the very comprehensive, rational, and intelligent presentation of the distinguished Senator from Iowa in his handling of the points that are at difference during this debate. There are just two very small but important points I wish to make, which I think help substantiate his splendid argument.

First, on Friday the Committee on Foreign Relations unanimously adopted a resolution urging the President of the United States to make a best effort to achieve negotiations with the Soviet Union, and report back to Congress, on the whole question of limiting arms in the Indian Ocean. So we have a very clear expression by the full membership of the Committee on Foreign Relations, indicating that we want to talk with the Russians, rather than take what I think would be an unfortunate step in the escalation of the arms race.

Second, the Committee on Armed Services, in its report on page 4, last year urge the administration to move ahead into discussions with their Soviet counterparts, to find whether we can reach some limitation in the arms race, with respect to the Indian Ocean.

Finally, the President of the United States is on his way to Helsinki to have talks with Mr. Brezhnev relating to the European security conference and other matters. We have our own negotiators in Geneva to consider the complex issues at the SALT talks. We have our people in Vienna to consider the issues at the MBFR talks.

We have recognized these as areas in which we are prepared to negotiate with the Soviet Union, in an effort to improve not only our security but also the security of people all over the world. Today's resolution is an attempt to recognize that here is an additional area in which we should first bring the best efforts of the United States to try to reach some kind of negotiated solution. Those of us who support the resolution of the distinguished Senator from Montana wish to identify ourselves with his efforts and those of the distinguished Senator from Iowa.

Why are we not prepared to talk about arms limitation in the Indian Ocean, but are prepared to do it at SALT? The Committee on Foreign Relations and the Committee on Armed Services have recognized the importance of such talks in terms of the peace and security of our country and of the world, let alone the extraordinary escalation not only of the arms race but also of the continued outpouring of American taxpayers' funds, which will do very little to increase our security or the cause of peace.

For these reasons, I hope that the position of the majority leader and the Senator from Iowa will be upheld.

I yield back the remainder of my time.

The PRESIDING OFFICER. Who yields time?

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

The PRESIDING OFFICER. The Senator has 19 minutes remaining.

Mr. STENNIS. I yield myself 5 minutes.

Mr. President, I do not like to repeat, but the membership in attendance varies from time to time.

This is an extremely serious matter. The argument is made that we should let the other forces in the area take care of any situation that might develop for us.

We appreciate our allies; but they have not always been able to come to our rescue in situations such as this.

Mention has been made of the British force. No one knows how long they will be there or what their plans are to stay. Certainly, if this whole area means anything to us, we had better depend on ourselves, to the extent of having a supply of fuel. That is what this is a matter of, fuel for any planes that we might have involved or any oil-burning vessels that we might have involved.

This matter has been gone over with the utmost completeness. This is no idle matter about the President making the request for these funds. He came in as a new President. My position last year, in the conference, was that we should have his judgment on this. He has given it to us here in a very positive and explicit way. I shall not read it now, but I shall later, or I shall show it to anybody. It is in the RECORD.

Let me read briefly from something he had before him from the Department of Defense, concurred in by the Department of State and concurred in by the Arms Control and Disarmament Agency. I quote this communication to the President, and I am taking the liberty of citing this.

It is significant that the Soviets have failed to combine their criticism of United States plans for Diego Garcia with any proposal for a mutual force reduction, despite the obvious appeal for propaganda purposes, nor is there evidence to suggest that they would be prepared to dismantle their own facilities in Somalia in response to any change of United States policy regarding Diego Garcia.

This is dated sometime in May of this year. Since then we have had eyewitness proof, by Senator BARTLETT, as well as others, of that amazing, large, missile facility they are building there, while we are doing nothing but talk.

As a result, we are not optimistic about the prospects for an effective arms control agreement with the USSR under present circumstances in the Indian Ocean, and we are concerned that a delay in construction of facilities at Diego Garcia during prolonged negotiations could result in an actual or apparent asymmetry in the support available to our respective forces in potential crisis situations. We have on several occasions—most recently to the British Government—expressed our willingness to consider constructive——

The PRESIDING OFFICER. The 5 minutes of the Senator is up.

Mr. STENNIS. I yield myself 1 more minute.

To consider constructive proposals for mutual arms restraint in the Indian Ocean, but we believe that proposals for limitations of force presence would be hindered rather than helped by linking them explicitly to the separate issue of support facilities. This matter is discussed in greater detail in the interagency response to NSSM 199, "Indian Ocean Strategy."

For years, since the start of these arms limitation talks, we have, over and over, appropriated money for more missiles, more armaments, everything of that kind, on the belief that to show a weakness would lessen our negotiating chances. So this is just another case.

I yield to the Senator from Arkansas.

Mr. McCLELLAN. Mr. President, I thank the Senator for yielding.

I am concerned about one aspect of this. I have not yet determined definitely that I shall support appropriations for this item. I am concerned that the action proposed here today is tantamount to repealing all existing authorizations for this improvement. Am I correct?

Mr. STENNIS. The Senator's concern is well placed. If the position of those opposed to Diego Garcia prevails here today that kills all the prior authorizations, it kills the prior partial appropriation, and it kills any current authorizations that are in progress now and any prospective appropriations, because there would be no authorization for any more money.

The PRESIDING OFFICER. The Senator's time is up.

Mr. STENNIS. I yield myself 1 minute.

Mr. McCLELLAN. Then we have made some appropriations and we have made some improvement on this island.

Mr. STENNIS. There has been some improvement, dredging and so forth. Some of this money I am referring to has been appropriated but not spent.

Mr. McCLELLAN. Do we have improvements on this island now?

Mr. STENNIS. Oh, yes.

Mr. McCLELLAN. This is an expansion or an addition to those facilities, improvement of what we already have?

Mr. STENNIS. That is what the argument is about.

Mr. McCLELLAN. This action would repeal all authority for that expansion?

Mr. STENNIS. Yes.

Mr. McCLELLAN. This has been authorized subject to the President's certification.

Mr. STENNIS. Yes.

Mr. McCLELLAN. He has so certified. Now we would retreat from the authorization that we made and the President's certification of the need for it.

Mr. STENNIS. Absolutely. That is exactly what the resolution will do, if it prevails.

The House, I am just told, has just voted down the proposal to strike down money that is in their current military construction bill, or the military construction appropriation.

Mr. McCLELLAN. What I want to say to the distinguished Senator from Mississippi is whether we make this appropriation or not is something that as yet, we can decide. But I think we are signalling today a retreat and I do not think that is very definitely in the interest of our country. We can signal this retreat. We can do this and it signals a retreat, because somebody is afraid that maybe we are going to provoke another aspect of an arms race.

Well, Mr. President, I think we should remember that what action Russia takes, she takes and does not announce it to the world, as we do. We have to find it out by other means. We have discovered the expansion she is making in this area.

I am not ready to vote for an appropriation today, but I do not want to vote to repeal this authorization and the President's certification of the need for it.

Mr. FORD. Will the Senator from Mississippi yield for a question?

Mr. STENNIS. Yes, I will.

May I yield for a request already in? I yield to the Senator from New Jersey 2 minutes.

Mr. CASE. Mr. President, I thank the Senator from Mississippi. I shall be surprised if I have to take very much longer than a minute to state my position.

The Senator from Rhode Island (Mr. PELL), the other day offered, in the Committee on Foreign Relations, and the committee approved, an amendment to the State Department authorization bill stating that it was the sense of the committee—and if adopted as law—that this bill will provide that it is essential to the President that this country make an exploration, with the countries bordering on the Indian Ocean, of the possibility of an arms agreement in that whole area, the ocean and the littoral, of naval and air and all military installations. It seems to me, Mr. President, that that is the way this matter ought to be left, and that we should not, on a unilateral basis now, on this bill, reject the possibliity of an agreement based upon bilateral and multilateral concessions and agreements on the part of all the parties at interest. Therefore, as much as I regret to disagree with the majority leader on any matter of importance, I feel that it is up to us not to prejudice the possibility of a broad agreement which could come from the action that I have referred to.

Mr. STENNIS. I thank the Senator very much.

Mr. President, I yield myself 1 minute to answer a question.

Mr. FORD. The Senator from Mississippi made a statement a few minutes ago that the House had just voted down the funds for Diego Garcia. Did I understand the Senator correctly?

Mr. STENNIS. That is what I was told, that on a voice vote, they refused to strike out the funds that are in a bill over there for Diego Garcia. I think that was a new military construction bill, I say to the Senator, for fiscal 1976. That is my information.

Mr. FORD. Can the Senator tell me what percentage of funds is spent by the United States so far as NATO is concerned? What is the amount of money in percentages that are carried by this country?

Mr. STENNIS. By their country, you can estimate those amounts in various different ways, I will say to the Senator from Kentucky. There is no way to approach it unless you lay down the ground rules.

The PRESIDING OFFICER. Does the Senator yield time?

Mr. STENNIS. I yield a half-minute to myself. In other words, do you charge all the long-range bombers part to NATO and part to us? How much of the fleet do you charge?

Mr. FORD. It is true that the United States carries the biggest burdens.

Mr. STENNIS. Yes; we carry a considerable part of those. We have been trying to reduce the amount.

Mr. FORD. Is it not true the French and the British have an overwhelming presence in the Indian Ocean; that they

are the foremost military operation there, and that they could be the front runner for a change instead of our carrying the load?

Mr. STENNIS. I think we have the greatest——

The PRESIDING OFFICER. Does the Senator yield additional time?

Mr. STENNIS. I am sorry, I am about out. How much time do I have?

The PRESIDING OFFICER. Who yields time?

Mr. MANSFIELD. Mr. President, the Senator from Mississippi and I find ourselves in a difficult position because of the time which is more than we have, allotted to the Senators from Ohio and Virginia.

Mr. President, will the Senator yield some of his time?

Mr. TAFT. Mr. President, I would be happy to yield some time. I would like to make a few remarks before I do. It seems to me we have missed the point here to a great extent.

The PRESIDING OFFICER. The Senator from Ohio is recognized.

Mr. TAFT. I yield myself 5 minutes.

I do not want to have the Senator or the administration fail to consider the point I made. I feel strongly that this facility should go ahead. I do not want to see the U.S. Navy, if it is in that part of the world—I think parts of it at least are going to be in that part of the world—cut off without any oil, as it was at the time of the Middle East crisis, and I think we have to go ahead with this improvement to assure it does not happen again.

At the same time, I think negotiations should be engaged in, but not bilateral negotiations. This is the thing, I think, that ought to be said, and said clearly. We have been talking all afternoon about negotiating with the Russians, without talking about negotiating with anybody else. The French have more ship-days alone, not counting the British days, in the Indian Ocean, not considering what the Russians are doing. They have a navy building two nuclear carriers, two nuclear helicopter carriers, and are obviously planning to undertake responsibility at this time.

To have the United States take the lead in this picture, I think, is a great mistake. I think it is provocative to the littoral states in a way it would not be if we got our allies to go along.

What I believe, and believe strongly, is we ought to bring into this negotiation our allies.

The distinguished Senator from Iowa said none of the allies are going ahead with their development. That is a lot of nonsense. A lot of the littoral countries, if anybody is going ahead with further activity in the area, obviously they are.

Some of the other nations, however, Great Britain, has made the treaty with us certainly which gives us the right to go ahead with the developments that are planned here. The French certainly have not expressed any opposition to it. While there has been, perhaps, official opposition in the Arab fraternity by Iran, there have been private assurances, as I understand, that there is certainly no opposition and certainly no——

The PRESIDING OFFICER. The Senate is not in order, and the galleries are not in order. The Chair requests no conversation except by the Senator who is recognized in the Chamber.

The Senator from Ohio.

Mr. TAFT. Mr. President, I just want to get that point through that these are multilateral negotiations that are called for. We ought to call for a conference with the nations that are concerned with the supply of oil coming through this part of the world.

In my opinion, we also ought to try to include the littoral nations in it, at least have their opinions on it, before we get into such negotiations.

I think it is true, I think there is something to be said for the argument, that the Soviets, having gone ahead with Berbera, that if we go ahead and develop this facility to a degree that is planned now—and it is a limited development, it is not a major naval base in any sense of the word, it is basically a logistics facility with support for that logistics facility—we will be in a better position not only to negotiate with the Soviets but to negotiate with the other nations of the world, and to negotiate with the littoral powers.

I do not believe we ought to run away from the situation. At the same time, I feel very strongly we should not get ourselves into the position of becoming a dominant force in the area and, thereby, invite the opposition of the littoral powers which is more likely, in my opinion, to disturb the peace of that particular area than it is to help bring it about and keep it in a state in which it should be.

What I do not want to see, however, is the U.S. Navy out there operating on its own or in connection with our other purposes without any source of fuel for its oil supply to its ships. I do not want us to be out there in a sea of oil without any oil, and I think that is the basic question we have to decide on here.

As to the future, I hope there will be some understanding on the part of the administration, the State Department and the Defense Department, and members of the legislative branch as to what the realities are in this area. The fact is that we should not take the lead, and others should, but we should participate in it and help others as much as we can in a lesser, a minor-like, role rather than a leading role.

Mr. President, I would be willing now to yield time to the distinguished Senator from Mississippi or the distinguished Senator from Montana.

Mr. MANSFIELD. How much time will the Senator yield?

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

The PRESIDING OFFICER. The Senator has 7 minutes remaining.

Mr. TAFT. Mr. President, I would be glad to yield 3 minutes to the distinguished Senator from Montana.

Mr. MANSFIELD. Mr. President, I yield 3 minutes to the distinguished Senator from Connecticut (Mr. RIBICOFF) and 2 minutes to the distinguished Senator from Minnesota (Mr. HUMPHREY).

Will the Senator withhold for a minute?

Mr. WILLIAM L. SCOTT. Mr. President, if no one has any objection, I believe I have 17 minutes left, and I would like to——

The PRESIDING OFFICER. The Senator has 15 minutes remaining.

Mr. WILLIAM L. SCOTT. Fifteen minutes.

Mr. President, I have no further remarks to make, and I will yield 5 minutes to the discretion of the distinguished majority leader, 5 minutes to the chairman of the committee, Mr. STENNIS, and 5 minutes to Senator THURMOND.

Mr. MANSFIELD. I thank the distinguished Senator. I yield 3 minutes to the distinguished Senator from Connecticut (Mr. RIBICOFF).

Mr. RIBICOFF. I thank the distinguished majority leader.

Mr. President, I have been dismayed with the innuendoes and the attacks that have been made on three distinguished Members of this body, the Senator from Iowa (Mr. CULVER), the Senator from Colorado (Mr. GARY W. HART), and the Senator from Vermont (Mr. LEAHY).

I was a member of a group of 14 Senators who visited the Soviet Union over the Fourth of July, and I could never be more proud of Members of the U.S. Senate than the 14. But I pay a special tribute to Senators CULVER, GARY HART, and LEAHY.

It has been indicated or said that these three men were pawns of the Soviet parliamentarians. It has also been said they were negotiating on behalf of the United States.

At no time were these men pawns of the Soviet parliamentarians, and at no time did they attempt to negotiate for the United States of America.

When we sat there for 17 hours and really in debate and confrontation with the Soviet parliamentarians, I was filled with pride when the Senator from Iowa presented the position of the United States on the whole problems of SALT, and the problems of disarmament. This was a strong U.S. Senator talking. This was a U.S. Senator who knew his subject. This was a U.S. Senator who loved and was proud of his country.

To think that those in the executive branch, because he took a position contrary to the results they wanted and desired, through their own means sent those innuendoes out through the press and their statements, I, for one—and I think every Member of this body—should be proud of JOHN CULVER, GARY HART, and PATRICK LEAHY.

Mr. MANSFIELD. Mr. President, following up what the distinguished Senator said, it has come to my attention that there was a leakage of cables which got into the hands of certain people outside the government, which came to the attention of at least one of the Senators concerned. He did not mention it except in passing.

I thought it was outrageous that there are leaks in the executive branch of this government to be used for the purpose

of scarifying and attacking a Senator of the United States. I think every Senator in this body, regardless of his political philosophy, is entitled to the same kind of consideration as any other Senator, and I resent the idea of the fact that these leaks were made and that this Senator was faced with them, and that he had to take them in stride and make the best of allegations which were not true.

Mr. RIBICOFF. As all of us know, those who seek to besmirch or change a position have their own ways——

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

Mr. MANSFIELD. One more minute.

Mr. RIBICOFF [continuing]. Of casting doubts on a man's integrity or his bona fides.

I watched with dismay because they were contrary to what I know. I was there and it became very obvious what was attempted. They were trying to change in a close position a vote on the floor of the U.S. Senate, and what better way could this be done, by putting a dirty stick against a distinguished Senator. I can assure my colleagues that JOHN CULVER never gave anything away that belonged to the people of the United States of America, or the U.S. position. He was ably assisted at all times by GARY HART and PATRICK LEAHY.

I love these three men and I think they are great U.S. Senators and we do not have the executive branch using their sneaky methods to try to smear a U.S. Senator.

Mr. MANSFIELD. One more minute, Mr. President.

May I say on my own time that today, we have the Secretary of Defense calling up various Members of the Senate, we have the White House liaison out in force, we have the State Department liaison out in force.

What they are trying to do is tell us how we should vote.

What did the people mean when they elected all of us to the Senate? To exercise our own judgment to vote according to our conscience or to be told how to vote by a Secretary of Defense, minions of the Secretary of State, or people at the White House?

I hope that the Senate is aware of this intensive, high barrage campaign which has been conducted against this bill at the present time.

I yield 2 minutes to the Senator from Minnesota.

Mr. JAVITS. Would the Senator let me join in this colloquy?

Mr. MANSFIELD. Yes.

Mr. JAVITS. I shall probably go the other way in this matter from Senator CULVER, and other Senators mentioned, but I, too, was in Moscow in these negotiations.

I do not know anything about the incidents which are being described, but I would like to join Senator RIBICOFF, with whom I sat side by side, in testifying to my pride as an American and U.S. Senator in the magnificent performance of these three Senators led by JOHN CULVER, whom we unanimously, without regard to party, named as chief spokesman on these delicate military matters, just as we considered others, Senator RIBICOFF and myself, in other respects in these very critical discussions in Moscow. It is a duty I feel as a U.S. Senator.

Senator CULVER and his colleagues are fine, upstanding men of whom we can be very proud as Senators of the United States and to carry the flag of our country with the greatest skill, intelligence, and pride.

Mr. MANSFIELD. Mr. President, I yield 3 minutes to the Senator from Minnesota.

Mr. HUMPHREY. Mr. President, I shall not take much time to express my great admiration for the Senator from Iowa, the Senator from Colorado and the Senator from Vermont, the names mentioned here.

I, too, was present, as this body knows, and I can assure that any comment as to any softness on the part of these Senators relating to the Soviet Union is sheer nonsense and it ought to be dismissed as such.

But that is not the issue here. We know our Senators, we know their sincerity just as we know the sincerity of people who have a different point of view here, and we can dismiss that quickly. Any charge of lack of sincerity can be dismissed.

The central issue is, Is this base necessary now? That is the issue.

It is my judgment, Mr. President, that what this Senate ought to be doing is to lay down an order, which I gather the parliamentary situation will not permit, that would say in substance.

That notwithstanding any other provision of law, no funds heretofore authorized for the construction of any military facility on the Island of Diego Garcia may be obligated for such purpose—

(1) prior to September 1, 1976, unless the President determines and notifies the Congress in writing that the Soviet Union has, after the date of enactment of this Act, continued to construct and substantially expand military facilities in Somalia, the Indian Ocean, and the Persian Gulf area.

(2) after September 1, 1976, unless the President is unsuccessful in negotiating an agreement with the Soviet Union by September 1, 1976, to limit the military presence of both the Soviet Union and the United States in the Indian Ocean area.

I had intended to offer such an amendment. This would not have done away with the authorization, it would have kept the authorization as it is.

But it is my judgment, Mr. President, that the evidence is clear and unequivocal that despite the direction of the Congress of the United States and at least the Senate of the United States, the executive branch has not sought to negotiate some kind of limitation of arms control within the Indian Ocean area. It is not as if tomorrow morning we did not start construction, that our security was going to be threatened. To the contrary, our security is here.

I would hope we would keep in mind the necessity of limiting this arms race wherever we can under mutual agreement.

The PRESIDING OFFICER. Who yields time?

Mr. MANSFIELD. Mr. President, how lies the time?

The PRESIDING OFFICER. The Senator has 14 minutes; the Senator from Mississippi has 11 minutes; the Senator from South Carolina has 5 minutes, and the Senator from Ohio has 3 minutes.

Mr. MANSFIELD. Mr. President, I yield myself 3 minutes.

The PRESIDING OFFICER. The Senator from Montana is recognized.

Mr. MANSFIELD. Mr. President, what we are considering is a new and drastic venture into the area of South Asia. This is not simply an issue of $13 million or $14 million today, or $175 million—according to the Navy figures—or even the additional $8 billion that is necessary for a three-ocean navy. But what I am concentrating on is the fact that what we are seeing in my opinion, the creation of a three-ocean navy.

Why in Diego Garcia of all places?

We do not own it, I am not sure we have lease rights, but it is close to the oil of the Middle East. It does create a means by which we can push out into a new area and it does mean we are flexing our muscles.

What have we learned from Vietnam? Where is the reassessment in our foreign policy? What does the future portend for us? Have we not learned anything after three decades in Southeast Asia? Was our mistake there simply a matter of tactics? Or was it something more profound? Did we not learn that America should have no design on maintaining a modern-day empire by replacing the autonomy of individual nations?

And the 30 nations around the perimeter of the Indian Ocean have indicated they do not want us disturbing the zone of peace.

Did we not learn that we cannot and should not attempt to make the nations of the world in our own image and in our own likeness?

I hope, Mr. President, that all these facts will be kept in mind because this is a most serious move we are contemplating and I would express the hope that the Senate in its wisdom would step back before it is too late, because if we go so far, it is too late to drop back.

Remember what we did in South Vietnam. A few hundred advisers, first, I believe a telegraph company, then a few hundred more, then a few thousand, and what was the price?

Fifty-five thousand American dead, 303,000 American wounded, 150 billion American dollars spent, and we will be paying for that into the first half of the next century to the tune—at 1972 prices—to the tune of $435 billion.

Think about it.

We are not in the Indian Ocean to any extent. Look at that map, look at that space. Remember how the nations feel around the perimeter of the Indian Ocean.

All I can say, to use an old railroad phrase, is stop, look, and listen.

The PRESIDING OFFICER. Who yields time?

Mr. STENNIS. Mr. President——

Mr. HRUSKA. Mr. President——

The PRESIDING OFFICER. The Senator from Nebraska will be recognized on whose time?

Mr. HRUSKA. The Senator from South Carolina.

The PRESIDING OFFICER. The Senator from South Carolina has 5 minutes.

Mr. HRUSKA. I do not want to take up his time. He may have some use for that time other than my engaging in remarks. I will withhold my remarks at this time.

Mr. STENNIS. Mr. President, perhaps I should proceed.

I will be partly repeating.

I am not going to let anyone outdo me in complimenting our valued Members that we are so proud of, those who went to Russia and other countries. They are fine, intelligent Members of this body, Messrs. CULVER, LEAHY, and HART. I am proud of them. I have not heard anything to the contrary, so if anyone said anything on this side of the Atlantic Ocean or the other side of the Atlantic Ocean, I join in the resentment expressed by fellow Senators as well as fellow committee members.

Mr. President, let us not go astray on other matters.

I would like to have the chance to have the attention of the Senators.

The PRESIDING OFFICER. Will the Senators please take their seats?

Mr. STENNIS. Thank you, Mr. President.

This matter came up in 1972, Mr. President, and for my part I did not have a chance to get into it enough to be satisfied about it. In 1973 I was not here. I do not know to what extent it was considered. But in calendar year 1974 I voted as a member of the committee because the leader, the Senator from Montana, wanted a chance to get this matter out on the floor in a special way. I understood the committee position was to give him a chance to do it, but something happened that they did not bring it up that way. I voted for the position of the committee to give this a special consideration.

We went to conference. The Senator from Missouri worked hard on this thing. I held out over and over, and we got this into the law. That is why it is up here today.

Let us not say it has not had consideration; that we have not been through it. Certainly, the legislative branch of this Government has been through this thing over and over and over, and has acted already to the extent of authorizing about half the money and appropriating that money, subject to this amendment I have been talking about which required it to come back here.

If this resolution against Diego Garcia is favorably approved by this body, that goes back and kills the prior authorization and kills the appropriation, something that we have already done and have brought here for a special consideration on the merits.

No one has been asleep about it in the Legislative Branch of the Government.

A great deal has been said about other matters, but what has been said about what preparation we have been making in this Indian Ocean. This issue comes alive again on this oil question, it comes alive again on the opening of the Suez Canal? What have we done about it? Not a single blessed thing except talk, talk, talk. And we are still talking.

What have the Soviets done? In addition to talking, they have gone there and built a missile facility. You cannot call it a lot of hogwash when there is a missile facility there with a 25-ton crane, as I understood the Senator from Oklahoma, large enough to take care of the loading, unloading and handling of missiles fired from submarines under the surface, missiles fired from ship to shore, from ship to ship—all kinds of missiles. That is what they have been doing while we have been talking. We have been thorough, so let us not say now we do not have the facts. We have virtually all the facts.

Now some bring up, "Well, let the French protect us" or, "Let the British protect us," if we have interests there. I believe the American people have interests there and they do not want us to stand around waiting to see what the French or the British will do. They want us to be ready.

It is not a question of how much we are going to put out there in the way of naval vessels. Is this just a question of supplies, the vital necessities of life, the food for the men? No, this relates to the fuel for any planes we might see fit to have there and also the oil, the oil that is necessary for these naval vessels. We have only one nuclear carrier at sea now. So we are getting down to the vitals of this matter. We are backing off for what? There are no more facts to be had.

I made the point in conference that the new President of the United States should be brought into this thing. I said let us write it in that he must certify. He had before him the evidence by Mr. Schlesinger and Mr. Kissinger. I know Mr. Schlesinger joined in it as he told me so.

I want to say another thing. Nobody has called me and told me what to do, what to say, or what not to do. I do what little I can as a Senator with the aid of capable men. I answer the telephone calls. But we will never have an important bill without some interest shown by other branches of the Government. They should show some interest.

Let me read this paragraph from a document made available to the President:

> It is significant that the Soviets have failed to combine their criticism of U.S. plans for Diego Garcia with any proposal for a mutual force reduction, despite the obvious appeal for propaganda purposes, nor is there evidence to suggest that they would be prepared to dismantle their own facilities in Somalia in response to any change of U.S. policy regarding Diego Garcia.

Instead, they are building. They are on the move.

> As a result, we are not optimistic about the prospects for an effective arms control agreement with the USSR under present circumstances in the Indian Ocean, and we are concerned that a delay in construction of facilities at Diego Garcia during prolonged negotiations could result in an actual or apparent asymmetry in the support available to our respective forces in potential crisis situations. We have on several occasions—most recently to the British Government—expressed our willingness to consider constructive proposals for mutual arms restraint in the Indian Ocean, but we believe that proposals for limitations of force presence would be hindered rather than helped, by linking them explicitly to the separate issue of support facilities.

Well, I had a hope when we had the first arms limitation talks that that might mean a new situation. But all the evidence was to the contrary, Mr. President, and from then until now we have not held back on our missiles, our Minuteman III, we have not held back the Trident, we have not held back all the other things that go to make up what we think is our necessary strength to back up a foreign policy.

So, after all, to make this little change over there——

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

Mr. STENNIS. One minute more.

The PRESIDING OFFICER. All the time of the Senator from Mississippi has expired.

Mr. CULVER. Mr. President, I am glad to yield 1 minute of my time to the Senator from Mississippi.

Mr. STENNIS. Do I have no time left?

Mr. MANSFIELD. Mr. President, I am glad to yield the Senator I minute.

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

Mr. STENNIS. The majority leader yields me 1 minute. I yield it to the Senator from Washington.

Mr. JACKSON. Mr. President, I shall be very brief. I just wish to state that after the vote on this matter, regardless of the outcome, I am prepared to introduce a resolution—I believe a number of my colleagues may join in it; we have not had an opportunity to circulate it—directing the President of the United States to open discussions with the Soviet Union with a view to putting forward U.S. proposals for limitations in the Indian Ocean and Persian Gulf area affecting naval deployments, facilities, and land-based airpower.

The PRESIDING OFFICER. The Senator's minute has expired.

Mr. JACKSON. Could I have 30 seconds?

Mr. TAFT. Mr. President, I am glad to yield the distinguished chairman 3 minutes.

Mr. STENNIS. The Senator yields me 3 minutes. I yield the Senator from Washington 1 minute of my 3.

Mr. JACKSON. I will not take quite all that.

Mr. President, I regret, as I stated earlier in my statement, and I think those supporting the resolution have a very strong point on this question, that the administration has failed to carry out the directive of the committee in connection with the military construction bill; but I would hope that we would proceed, however, in the meantime, with the work on this base. What we all want to limit is not simply bases; it is the totality of air, sea, and naval forces in the area.

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

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

Mr. JACKSON. I would hope that would be done.

Mr. MANSFIELD. Mr. President, I yield 2 minutes to the Senator from Missouri (Mr. SYMINGTON).

Mr. SYMINGTON. Mr. President, first let me commend the able Senator from Connecticut on the remarks he made with respect to Senators CULVER, CLARK, and LEAHY. Having served longer than anyone else except the chairman of the Committee on the Senate Armed Services Committee, I would say these three able men have created a new and pleasant atmosphere on that committee when it comes to any real objective analysis of various military requests.

Let me repeat what I said an hour or so ago because my name was recently mentioned.

Last year, the Committee on Armed Services noted that the serious defense and foreign policy questions related to the administration's request for expanding the facility at Diego Garcia required further consideration, and urged the administration to make "a thorough exploration of the possibility of achieving with the Soviet Union mutual military restraint without jeopardizing United States interests in the Indian Ocean."

This year, at the Armed Services Committee hearing on Diego Garcia on June 10, the administration representative was asked whether any effort had been made to initiate with the Soviet Union a discourse on the possibility of mutual arms restraint. His answer was, "No."

The PRESIDING OFFICER. Who yields time?

The Senator from South Carolina has 5 minutes remaining, the Senator from Mississippi has 2 minutes remaining. The Senator from Montana has 7 minutes remaining.

SEVERAL SENATORS: Vote! Vote!

The PRESIDING OFFICER. If no one yields time——

Mr. THURMOND. Mr. President, if the other side is ready to yield back its remaining time, I am ready to yield back mine.

Mr. MANSFIELD. Mr. President, I yield 7 minutes to the distinguished Senator from Iowa (Mr. CULVER), and I hope he uses them all.

Mr. CULVER. Mr. President, I thank the majority leader for yielding me this time, and at the outset I would like also to thank Senator RIBICOFF and the others who have made reference to our trip to the Soviet Union, when the Soviet leaders did express their interest in mutual arms limitation and restraint in the Indian Ocean.

While the initial discussions were vague on that subject, as we reported to Secretary of State Kissinger, we did have subsequent reason to believe that the Soviets would be willing to sit down and discuss the subject. We reported these facts very carefully, and I think very accurately, to the Secretary of State, and I also mentioned them to the President himself, when I had the opportunity to participate in a meeting with him following our visit, that we had explored this subject with the Soviets.

Mr. President, no one knows whether or not the Soviets will respond formally and officially on a constructive, positive basis to this overture, if we ever make one. No one knows because it has never been tried. There has been no effort by the U.S. Government since 1971 to even formally raise this issue with the Soviet Union.

I listened with interest when the distinguished Senator from Washington spoke of his own initiative in the Armed Services Committee report of a year ago, where the committee expressly directed the administration to explore with the Soviet Union all possible means of achieving a bilateral mutual arms restraint agreement.

They did this at a time that they were considering the Diego Garcia request and, as Senator JACKSON says, they viewed that as an essential prerequisite to acting favorably on the subsequent authorization and appropriations for Diego Garcia, because they wisely perceived that we are at the crossroads when it comes to which direction we go with Diego Garcia. We are about to make a decision which is going, in significant part, to determine whether America moves toward a three-ocean Navy, at an estimated cost of $5 billion to $8 billion for three new carriers, all the associated aircraft, and the necessary support capabilities in the Indian Ocean.

We are at the crossroads of determining whether America, in the wake of Vietnam, is going to say once again that we are insensitive and indifferent when it comes to respecting the heartfelt opinions of other nations in the world; that we have come off of Vietnam, not in a neo-isolationist mood, but with an obsession to regain our lost machismo, so we do not touch the defense budget, and we pick the first occasion we can to build a new permanent base 10,000 miles from here.

For years I sat in this Congress and listened to people say, "What are we doing 10,000 miles from home? Why can't we just get out of there?"

We no sooner get out of there until we see the first big push to go back.

Diego Garcia? Who has ever heard of Diego Garcia? Whoever heard of the Gulf of Tonkin? Who ever heard of Khe Sanh? Those became bloody, tragic words to America.

I am under no illusion about the necessity for the American power and flag to be prominently positioned in the Indian Ocean.

I say to my fellow Members of the U.S. Senate, we are now prominently positioned in the U.S. naval forces in the Indian Ocean.

With all due respect to the distinguished chairman, since 1971, we have not been talking, we have not even raised this question with the Soviet Union; and since 1973, rather than talk, talk, talk, we have been deploying, deploying, and deploying.

Nearly 6 months out of the last year we have had a carrier task force steaming around the Indian Ocean. The Soviet Navy does not even have an aircraft carrier.

I get so sick and tired of everyone poor-mouthing our military.

I believe in our military. I voted to give them sufficient strength.

We have power. We do not have to apologize to anyone in the Indian Ocean or elsewhere.

The facts of the matter, as so ably articulated by the distinguished Senator from Ohio a few moments ago, are simply these:

The French naval fleet is equal to or exceeds the Soviet Navy tonight in the Indian Ocean. When we put the U.S. carrier *Enterprise* in there with all those 60 airplanes, with 7.5 tons of ordnance under the wings of each plane, it is like putting a 400-pound man in a little bathtub. It overwhelms everyone else there.

Mr. President, the Senator from Ohio has pointed out that the French Navy in the Indian Ocean is equal to or bigger than the Soviet Navy now. When we add the British, we have an advantage without even having the U.S.S. *Enterprise* come by, and it comes by all the time, and if we need to we can send it by more and more.

Our ships can stay 30 days at sea. That is why we have been spending billions, billions, and billions of dollars, American taxpayers' money, so they do not have to run into every port, nook, and cranny, and refuel like that pathetic Soviet Navy does.

We have a different navy. It can stay 30 days at sea. Guess what? If it wants to refuel for 30 more days, which is all we say we want Diego Garcia for, there are two ways we can get it. We can bring two oil tankers along with us to give us all the aviation and ship fuel we need. Of course, the nuclear aircraft carriers do not need any refueling.

Tonight, according to the Department of Defense, we can go into 36 ports in some 18 countries that will now refuel us. We did that during the 1973 embargo. We were refueled at a number of these ports. How many of these ports are going to close down in view of the fact that——

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

Mr. CULVER. Mr. President, will the chairman yield me 2 additional minutes?

Mr. MANSFIELD. How many more minutes do we have left?

There is no time remaining.

Mr. CULVER. Mr. President, will someone yield me an additional minute?

Mr. WILLIAM L. SCOTT. I do not have any time remaining.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Senator may proceed for 2 additional minutes.

Mr. MANSFIELD. Mr. President, I will do that.

Mr. President, I ask unanimous consent that there be an additional time period of 4 minutes, to be equally divided between the manager of the bill and the Senator from Iowa (Mr. CULVER).

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Iowa has 2 additional minutes.

Mr. CULVER. Mr. President, the question before us now is how many of those 36 ports are going to close down to us.

Every year since 1971, the United Nations General Assembly has urged this to be a zone of peace, to keep the two major super powers out. None of the 29 littoral states have publicly officially gone on record in support of this U.S. development in Diego Garcia. Most publicly oppose this base expansion. Ad-

mittedly, some have gone privately and whispered in the corridors and said:

Listen, don't listen to my public speeches to my people. We are all for it.

There have been a few who have apparently said that.

Is that not one other painful lesson that I had hoped we had learned from Vietnam? Is that not one other painful lesson?

So, Mr. President, when they talk about the French and they disparage their capability, who doubts that the French are going to look out for their own strategic interest? What do they have the navy for?

They have known, Mr. President, for a lot longer than the U.S. Senate how critically important that lifeline is to them, and that is why they are there. Make no mistake about that.

But they are certainly going to be sympathetic and supportive of any significant opposition to Soviet moves in those areas.

Finally, Mr. President, this is all we are really saying here. When the distinguished Senator from Washington says we want the administration to look at this, that we want those in the administration to explore all these diplomatic opportunities, the fact of the matter is they have not. They have not done one single thing, and they want another bargaining chip. That is all they want—one more bargaining chip.

I want to tell the Senators here is one U.S. Senator who refuses to impose upon the back of the taxpayers of his State one more foolish bargaining chip theory when in a matter of a few months we can determine the good faith interest of the Soviet Union in negotiations, and if they prove to be unresponsive then we can go ahead with Diego Garcia and all the nations of the area will know that we made a good faith effort at restraint.

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

Mr. CULVER. If there is an unwilling response, then there is ample opportunity to do what we must do in America's interest.

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

Mr. HUGH SCOTT. Mr. President, will the Senator yield me 30 seconds?

Mr. THURMOND. Mr. President, I yield to the distinguished Senator from Pennsylvania.

Mr. HUGH SCOTT. Mr. President, the only justification for the expansion of the support facilities on Diego Garcia is that this project will protect the legitimate security interests of the United States. This is the basic issue. We are a major world power. There is no way we can renounce the responsibilities that go with that position. If we do not look after our own interests, no one is going to do it for us. And it is this fundamental reality of international politics which is missing from any of the arguments being advanced in favor of Senate Resolution 160. I believe the establishment of reliable support facilities in the third largest ocean of the world and in an area where U.S. interests are growing rapidly is both reasonable and prudent. What are the arguments raised against this measure?

First, we are told that this project will jeopardize our good relations with the nations of that area. What nations are we talking about? There are indeed a small number of states in the Indian Ocean which are extremely vocal in their opposition to a U.S. presence. The leader of this faction is—and has always been—the government of Mrs. Gandhi in India. Mrs. Gandhi has never hesitated to offer us advice on almost any subject, but there is some question about her qualifications to preach to others in view of the events which are being reported in India today.

Against this faction at one end of the spectrum, there is another group of Indian Ocean states which recognizes the value of a U.S. presence to counterbalance the growing Soviet naval expansion. In an ideal world, these nations would prefer to see no major power presence in the area—and I think we can all agree that would be desirable. But this is not an ideal world, and nations must still be concerned about their security. Pakistan, Iran, and Singapore have indicated publicly their belief that a U.S. presence in the Indian Ocean contributes to the security and stability of the area, and other nations have made the same point privately.

However, the large majority of nations in the area have never found it necessary to comment on the subject at all, beyond the annual ritual of voting for the Indian Ocean Peace Zone in the U.N. General Assembly. If one goes beyond the voting record and examines the regional reaction to the recent revelation of Soviet construction activities in Somalia, the inevitable conclusion would be that U.S. relations with most of the states in the Indian Ocean would not be jeopardized by the maintenance of an effective U.S. presence.

We are told that construction on Diego Garcia will lead to a Soviet military reaction and a possible arms race. In making this argument, it is conveniently forgotten that the planning and construction of a major missile support facility by the Soviet Union was already underway in Somalia before the United States ever began its policy of periodic naval deployments to the area. That construction is now largely complete, and the largest airfield in Africa is being built next door to it, while we are here debating whether to spend $37 million for the modest expansion of support facilities on Diego Garcia. The only Soviet response to the documented evidence of their activities in the area has been either to claim that it was merely a desert mirage or to insist that it was a very large meat packing plant. In the concern for our own interests, are we going to accept the word of Tass or the first hand report of those Members of Congress who undertook a grueling trip to see for themselves?

We are told that this proposed construction is only the beginning of the expenses, that we will have to spend billions more in establishing a new fleet for that area. In contrast, we have the public statements of the Secretary of Defense and the President of the United States that these very limited fuel storage and other logistical installations are intended to support the periodic deployment of U.S. forces into the area. The facilities are not intended for the permanent basing of operational forces and do not imply an increase in the present level of forces deployed to the region. One has only to examine the extremely modest nature of the proposed construction project to realize that Diego Garcia is not planned to be another San Diego or Subic Bay. On the contrary, the proposed construction would appear to be entirely consistent with its projected role of providing limited support for occasional deployments. Those who claim otherwise should be able to offer us more than their own hypothetical calculations.

Finally, we are told that we should delay any action on this measure while we wait to see if the Russians are willing to consider mutual arms limitations. In my view, the surest way to insure that the Russians will not talk seriously about arms limitations is to open discussions at a time when there is a perceived imbalance in available support facilities and to make our own plans hostage to Soviet delaying tactics. We do not need any further delay to demonstrate Soviet intransigence on this issue. They have already given ample evidence of this by their actions since 1972 in building a significant new facility in Berbera. The evidence is there and fully documented for those who wish to see it. Those who do not, I submit, will not be convinced by yet another delay in a proposal which has now been under consideration in Congress for 19 months.

On the contrary, if we want to have an effective arms control arrangement in the Indian Ocean, let us first get our own house in order. Let us indicate to the U.S.S.R. that we take our interests in this area—where half the world's seaborne oil is in transit at any given moment—very seriously. If we expect the Soviets to take seriously our concern, we must take it seriously ourselves and give them some tangible evidence of a firm and united U.S. policy.

The proposal to expand the facilities at Diego Garcia is carefully designed to permit a degree of flexibility and independence to U.S. forces operating far from any reliable sources of logistical support. That flexibility is a necessary ingredient of an American policy which is concerned over the continued peace and stability of an area which is directly related to the economic well-being of our own Nation and much of the industrialized world. I urge the Senate to examine this issue in terms of the hard facts, not wishful thinking.

I urge the Senate to look at America's real interests and responsibilities at a time of rapid change and great uncertainty. And I urge Senators to join me in opposing Senate Resolution 160.

The PRESIDING OFFICER. Who yields time?

Mr. WILLIAM L. SCOTT. Mr. President, will the Senator yield?

Mr. THURMOND. Go ahead.

The PRESIDING OFFICER. The Sen-

ator from Mississippi and the Senator from South Carolina each has 4 minutes. That is the sole time remaining.

Mr. WILLIAM L. SCOTT. Mr. President, will the Senator from South Carolina yield some time to me?

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

The PRESIDING OFFICER. Four minutes.

Mr. WILLIAM L. SCOTT. I will just take 2 minutes.

Mr. THURMOND. Does the Senator desire 2 minutes?

Mr. WILLIAM L. SCOTT. Two minutes.

Mr. THURMOND. Mr. President, I yield 2 minutes to him.

Mr. WILLIAM L. SCOTT. Mr. President, I appreciate the Senator yielding me 2 minutes.

I spoke at some length earlier today. There were very few Senators in the Chamber at that time.

But I speak in favor of the resolution of the distinguished majority leader.

The Chairman of the Joint Chiefs of Staff, General Brown, indicated to us that 75 percent of the Western European oil came from the Middle East, that 85 percent of the Japanese oil came from the Middle East.

It is my recollection, and I may be wrong, but somewhere near 7 percent of the U.S. supply comes from the Middle East.

Their need is far greater than ours. This is a long way from home. We can use the base at Bahrain in the Persian Gulf. We have a flagship there and a couple of destroyers. This is right where the oil is. We can use the South African base, perhaps the best base between the Persian Gulf and the base in Norfolk, Va.

But it just seems unreasonable to me for us to try to protect the interests of the entire world when they can do this for themselves.

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

Mr. WILLIAM L. SCOTT. Mr. President, will the Senator yield 1 additional minute?

Mr. STENNIS. I yield 1 additional minute to the Senator from Virginia.

Mr. WILLIAM L. SCOTT. Mr. President, we have two nuclear carriers. We have the *Enterprise* and the *Nimitz*. The *Nimitz* is not fully available. But I have visited on that carrier. It has nuclear power, and it can go 13 years without refueling. I think the same is true of the *Enterprise*.

We are well able to protect the American interests without this base, and I think it is time there is a sharing of global responsibility, that we do not see it this time, and I am going to support this resolution.

The PRESIDING OFFICER. Who yields time?

Mr. THURMOND address the Chair.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. THURMOND. How much time do I have?

The PRESIDING OFFICER. Two minutes remaining.

Mr. THURMOND. Mr. President, in fact, I have just 2 minutes. I just want to remind the Senate that——

The PRESIDING OFFICER. The Senate will be in order. Senators will take their seats.

Mr. THURMOND. I just want to remind the Senate that the President of the United States has taken the position that the construction of the facilities in Diego Garcia are essential to the national interests of the United States. I am sure that we all have information, but he may have more information than we do on that point.

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

Mr. THURMOND. Mr. President, I do not yield. My time is limited.

I also remind the Senate that Dr. Schlesinger, the Secretary of Defense, feels exceedingly strongly about this matter to protect our national interests.

I remind the Senate that General Brown, the Chairman of the Joint Chiefs of Staff, has made a very strong statement on this matter, as found on page 23 of the Committee on Armed Services hearings on this subject.

I remind the Senate that the Committee on Armed Services went into this matter carefully, and their conclusions are found in the report of the committee. They mention mainly three points: First, the United States has vital interests in the Indian Ocean; second, the Soviet presence in the Indian Ocean has grown steadily; third, the construction of modest logistical facilities at Diego Garcia is a prudent action. That is a result of hearings about which I have told the Senate.

Senator BARTLETT went over there and saw the situation. He came back and recommended strongly that we go forward on Diego Garcia.

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

The PRESIDING OFFICER. The Senator has 3 minutes remaining.

Mr. STENNIS. I will not use all of it. My intention is just to review two points.

First, if this resolution of disapproval is agreed to, it will kill and cancel money, heretofore authorized and appropriated—the first half of these funds—and that will be all for this year.

Second, I have here the evaluation of the President of the United States. He has reviewed all the military and foreign policy implications and certifies that the construction there is essential to the national interests of the United States.

Mr. President, we now have there in Diego Garcia just 60,000 barrels of fuel for aircraft. How much do we have for vessels? Not one barrel. Where are they going to get it if they need it? Should they have to go around and buy it wherever they can? Does that make sense?

What is the other choice? Go 3,500 miles. I have been saying 3,500; it is 3,560 miles. They would have to go to Subic Bay, in the Philippine Islands. It would take 8 days for the oil tanker to get to Diego Garcia.

We have talked about it, the President has considered it, and time has passed. Things are moving on the other side. What are we going to do? Do we think the President can turn around in 3 weeks or something like that and get any kind of agreement with respect to the Indian Ocean? For years, we have had these arms reduction talks and have made just a little headway. We need not think we are going to get something out of them quickly in this Indian Ocean matter.

Time has run out for us—and my time, too, Mr. President.

ADDITIONAL STATEMENTS ON SENATE RESOLUTION 160

Mr. BAYH. Mr. President, today we are debating another major issue regarding this country's defense policy. The decision we make today will have a profound impact upon the future of our foreign policy and the size of defense expenditures in years to come.

I am heartened by the depth of discussion on this issue as I was heartened by the wide-ranging debate we had on the whole spectrum of defense and foreign policy issue this past June. Regardless, of what decisions have been and will be made, it is encouraging that the attention of this body and of the public has been focused on the difficult choices which confront the Nation. If there was any lesson in our experience in Southeast Asia, it was that such choices must be made critically and thoughtfully for they can carry immense consequences.

Mr. President, I believe that we should make every effort to keep the Indian Ocean free from the dangers of United States-Soviet military competition which expansion of our facilities at Diego Garcia would guarantee. Each year since 1971, the United Nations General Assembly has urged that the Indian Ocean be a "zone of peace." The littoral nations of that area, including such steadfast allies as Australia and New Zealand, have opposed the establishment of foreign military bases and great power rivalry in the region. It would be most unfortunate if we were to upset the balance which now exists.

At present, the United States has the capability of showing the flag and deploying large naval forces in the Indian Ocean. We have access to the ports of 18 Indian Ocean nations. There is at this time no real danger to U.S. interests in the area due to Soviet deployments. France has a greater number of ships permanently stationed in the Indian Ocean than any other nation.

Much talk in recent weeks has centered around Soviet activities in Somalia. Unfortunately, these activities have not been put in proper perspective. Construction at the present level does not, as some have stated, upset the strategic balance in the Indian Ocean. They indicate, rather, a greater Soviet interest in the area and a disquieting potential for growth.

The question before us is whether we should now seek to match the Soviet move as quickly as possible and add fuel to Indian Ocean arms race. In my judgment, we should not.

The Director of the CIA, William Colby testified last year that Soviet actions in the Indian Ocean have been "highly responsive" to U.S. activity in that area.

This underscores quite clearly the point that expansions of facilities in Diego Garcia will insure that the potential for growth demonstrated by present activities in Somalia shall be developed and that growth will become a reality. It also indicates that restraint on our part may lead also to Soviet restraint.

In my opinion, the reasonable course is to follow last year's directive of the Armed Services Committee and explore the possibilities of reaching an agreement with the U.S.S.R. limiting activities in the Indian Ocean. If détente has any substantive basis, such an agreement, should not be out of reach. Indeed, it should be quite attainable.

The fruits of mutual restraint would be great. First, it would enable us to concentrate our naval resources in areas where needs are much more pressing, such as the Mediterranean. Second, it would reduce the risks that the United States would get drawn into some future conflicts in this remote area. Further, mutual limitations of military activity would aid us in maintaining favorable relations with our friends in the region who oppose any kind of buildup. And finally, and most importantly, it would eliminate the need to maintain a three-ocean navy.

The Brookings Institution estimates that it would cost an additional $800 million per year in operating costs to maintain a permanently deployed carrier task force in the Indian Ocean. The new ships we would have to build to maintain this presence would cost from $5 to $8 billion. When we are struggling to meet the needs of our people in the fields of health and education, when we are straining to ease the burdens of 8½ million unemployed Americans, we should not embark upon such a costly course unless it is absolutely necessary.

Mr. President, the Defense Department's total request for $108 million for expansion of facilities on Diego Garcia represents only the tip of the iceberg, when one considers the total political and economic costs of expanding the facilities on the island. I believe it is imperative that the Senate disapprove the proposed expenditures. Rather than expanding our facilities in the Indian Ocean now, the United States should make a serious effort to negotiate mutual restraint with the Soviet Union. If the Soviets will not agree to such restraint, and it becomes clear that they intend a major buildup in the ocean, we can reconsider the issue of Diego Garcia next year.

There is no urgent need to act now. Instead, let us make it clear to the world, that if the Indian Ocean becomes the center for a new arms race between the superpowers, the Soviet Union, not the United States, will be to blame.

Mr. HRUSKA. Mr. President, I associate myself with the various remarks of my Senate colleagues, who have spoken against Senate Resolution 160.

What is at stake here is of vital concern to the United States and our free world allies. Diego Garcia occupies a strategic position within the Indian Ocean. Through that ocean run the oil routes from the Persian Gulf to Western Europe, Japan and the United States. At present, 85 percent of Japan's oil requirements and 75 percent of those of Western Europe must be imported from the Middle East. Should either the Middle Eastern sources of oil or the shipping routes themselves be disrupted, the industrial nations of the free world would be faced with a most difficult situation.

The Soviet Union's naval strength in the Mediterranean Sea and the Indian Ocean, makes the potential for such disruption very great. As a counter to these forces, the United States operates the 6th Fleet in the Mediterranean and occasional naval task forces in the Indian Ocean. These latter forces must be supplied by either local sources of fuel or by tankers based out of U.S. facilities at Subic Bay in the Philippines over 4,000 miles away.

Even if we retain our base at Subic Bay during times of grave international crisis, this would be a very long and perilous supply route. During such times local supplies might well be lacking. On the other hand, additional fuel storage capability at Diego Garcia would permit a normal carrier task force to operate for about 30 days independent of other sources of supply.

There may be those who would take the position that the Soviet naval forces either would not, or could not, interfere with our control of these vital sea lanes. The facts, however, should dispel this notion.

In today's Washington Post, there is a lengthy article by George C. Wilson based upon an interview with retired Adm. Elmo Zumwalt. In that article, Admiral Zumwalt is reported as saying that the Soviet Mediterranean Navy had the upper hand during the 1973 October war. According to Admiral Zumwalt, the Soviets sent us a "savage" ultimatum and the United States had to back down because our ships were outnumbered 98 to 65 and furthermore, our carriers would have come under air attacks from different directions.

Since the October war, the Soviets have taken steps to expand their naval capabilities in Berbera, Somalia. This facility, along with their one at Aden, will give the Soviets the ability to control the eastern approaches to the Persian Gulf, the Suez Canal and the Mediterranean Sea. Such control could spell disaster to the free world.

Thus, the proposed expansion of U.S. facilities at Diego Garcia, at a rather minor cost, is crucial if we are to maintain the balance of power, not just in this area, but because of the far-reaching importance of the oil routes, throughout the world.

Now, Mr. President, let us approach the subject in a little different light and viewpoint. From the viewpoint of the commitment of the United States to maintain naval forces in the Indian Ocean on a regular basis as an integral part of our national policy. That is a wise policy. It is highly desirable. It subserves and secures our national interests.

Whether or not the United States goes forward with the Diego Garcia facility, that naval presence in the Indian Ocean will go forward. It will and should continue.

With this in mind, the query arises: How can that policy be best and most meaningfully executed? Shall it be first, with the programed facilities and improvements; or second, without them and on the basis heretofore utilized?

Logistic strains on the Navy would be greatly eased if it could rely on support and refueling facilities at Diego Garcia. The operation would be more efficient. It would be more economical. It would be more effective for its declared purposes.

What is needed in order to continue the capability of maintaining that naval presence? The essence is logistical support. Such items as, first, supply of all kinds: fuel, food, parts for machinery, weapons, and equipment; second, upkeep—maintenance of all kinds and repair services are very important and should be as close to the area of patrol as possible; third, to host and service the patrol aircraft which provide air surveillance support to our ships; and fourth, port facilities for large ships as well as lesser ones, for submarines, and for aircraft attached to the mission.

Chief item of supply is fuel. As I mentioned earlier, at present dependence in that part of the world, is on local sources, or upon a chain of tankers stretching over 4,000 miles to the Philippines. As an indication as to what the tanker chain involves, consider these points: When the carrier *Hancock* was sent into the Indian Ocean during the 1973 October war in the Middle East, it took three tankers and two supply ships from the Western Pacific to support the carrier task force.

Similarly, the supply route now existing is highly expensive and wasteful, in addition to the undue, potential hazards of that type of logistical arrangement. Such strains would be greatly eased if reliance for support for refueling activities would be accorded by facilities for storage in Diego Garcia. Hence, the request for fuel storage capacity for ships as well as for aviation fuel.

Such storage capacity would make for greater certainty, stability, and reliability. It would introduce substantial economies as well as greater flexibility.

Similar advantages would accrue in other forms of supply, as well as in services.

The requested facilities would make available: First, limited in-port upkeep for ships which can now be afforded such services only by way of the long voyage to the Philippines and back again; second, periodic repair services; third, storage for critical supplies other than fuel, such as food, repair parts, ammunition—antisubmarine warfare and other ordnance, and contingency munitions; fourth, servicing of patrol aircraft which provides surveillance support for our ships in the Indian Ocean.

In each of these instances and in their totality, the advantages upon completion of the requested program will constitute a vast improvement in the main-

tenance of those naval forces which are considered as a must; that is to say, a vast improvement over the fashion in which it is presently utilized.

Mr. President, I return to my original proposition: A national policy which includes a commitment to maintain a degree of navy forces in the Indian Ocean. The question then is: How can that policy and commitment be best achieved.

The answer is that the present methods are not efficient, nor are they economical. In fact, they are costly and wasteful. Present methods do not instill that respect and that regard for the mission of such presence to which it is entitled.

It would be far better to complete the installation and the improvement of the facilities which the President has certified as "essential to the national interest of the United States."

That completition does not constitute a significant increase in military presence. It does not signify our intent to deploy additional forces.

But it does signify our interest in freedom of the seas and of the air lanes above them. Also that we have an interest in protecting the vital air and sea lanes of communication.

In fact, Mr. President, it would clearly indicate that along with our commitment of a naval presence, there would be a sturdy and meaningful assurance that we are able to have and maintain the capacity to respond where ever and whenever our national interests are challenged.

The resolution should not be agreed to. The improvements should go forward according to the planned program.

In conclusion Mr. President, I would like to add this observation:

Certainly all of us would prefer that there be no Soviet naval buildup in the Indian Ocean then we would not need additional facilities of our own; but who can say with certainty that the Soviets, in the absence of a strong U.S. capability, would curb their historic adventurism and exercise self-restraint? On the contrary, during their naval exercise in April of this year, the number of Soviet ships in the Indian Ocean was doubled. The northern Arabian Sea, the crossroads of the tanker lanes from the Persian Gulf, was the center of their activity. This exercise was supported by long-range aircraft operating from the Soviet Union. Additionally, maritime patrol aircraft from Soviet air bases in Somalia took part.

This exercise clearly demonstrates the Soviet understanding of and capability to disrupt these vital sea lanes. Not to respond to this danger by providing for additional U.S. capabilities at Diego Garcia could be a mistake of potentially disastrous dimensions.

Mr. President, perhaps history will one day show that these fears were unwarranted, that the United States and the Soviet Union were able to achieve a true "détente," that the world became peaceful and secure, and that this relatively inexpensive expansion of these facilities was unnecessary. Nothing would please me more. In the absence of such evidence, however, we must go ahead with the expansion of our Diego Garcia program. We cannot allow the Soviets the opportunity to, in effect, take over one of the world's most vital areas. To do so could lead to a profound and disastrous shifting of power between the free world and the Soviet Union.

Mr. HOLLINGS. Mr. President, Diego Garcia, a tiny island in the Indian Ocean, has been one of the important policy problems facing the Congress for several years. The issue of Diego Garcia relates directly to the larger issue of American influence in the Indian Ocean and what our policy should be in this respect. Recent events lead me to believe that this little island also will be the focal point in the argument over whether this Nation means to continue its roll as a maritime power unmatched on the seas. It is time the Congress met the issue head-on and settled the argument permanently in favor of a strong and strategically viable fleet.

Just what is the importance of Diego Garcia in this issue?

As early as November 1973, the Department of Defense indicated that the United States was heading toward a policy of more frequent fleet deployment in the Indian Ocean. Shortly after that statement by Secretary Schlesinger, the carriers Hancock and Oriskany led a task force into the Indian Ocean. This action came right after the "Yom Kippur" war of October 1973 and emphasized just how critical the United States considered the Persian Gulf resources to be to this Nation and to our allies. Our naval task force reiterated our desire for security and stability in the area, and it reflected our growing concern over the dramatic increase in the Soviet naval presence in the Indian Ocean, with its great potential for political erosion and pressure throughout that corner of the world.

We have been operating in this manner in the Indian Ocean, on a periodic basis, ever since World War II, and for good reason. Our purpose has always been to give visible evidence of the U.S. interest in and concern for the well-being of the countries in the area and to remind our friends of the support that the United States will provide to deter aggressive measures by neighbors or foreign powers, and in this fashion to promote stability in an area of new and rapidly evolving nations.

Most certainly, there is nothing new about the U.S. interest in the countries surrounding the shores of the Indian Ocean. We have had commercial and financial interests of long-standing in the Indian Ocean area, and clearly the United States has demonstrated its continual sympathetic concern for the evolution of many of these countries from colonial status into modern nation states. The record of our aid programs and diplomacy makes quite clear that we have sought stability and peaceful solutions to the many complex problems that have arisen in the Indian Ocean area.

To this normal concern for stability and peace in the area, Mr. President, there has been added an extra dimension to the policy question of whether our Navy should continue to operate freely in the Indian Ocean.

One of our most important interests involves the energy resources concentrated in the Arabian peninsula and the Persian Gulf countries. These energy resources are important not only to us but also to our allies and economic partners of western Europe and Japan. To the extent that the OPEC cartel and the consuming nations can agree on a price for energy, we must be assured of open sealanes on which to transport this oil and gas. Despite the opening of the Suez Canal, the Indian Ocean will continue to be significant in the transportation of oil. The Suez Canal is presently too narrow and shallow to handle an estimated 70 to 80 percent of the tankers presently sailing these routes, and will require 7 to 10 years to widen and deepen the Canal to permit handling this traffic.

Clearly, keeping the sealanes open to guard and protect our vital lifeline to the energy resources of the Persian Gulf involves a highly mobile and well-supported fleet, a fleet sustained logistically by a built-up and well-equipped port of call.

The Soviets are developing such a port at Berbera, Somalia. Berbera is situated on the north coast of Somalia on the southwestern edge of the Gulf of Aden near the southern entrance to the Red Sea. The port has a natural harbor 1.5 miles long and about a half-mile wide with depths of 30 to 60 feet. It is the Soviet Union's principal port of call in the area, and the Soviets keep ships there on a continuous basis. They have an auxiliary supply ship permanently based in Berbera Harbor which serves as a barracks ship and repair shop. The Soviets also maintain a radio station at Berbera, along with POL storage and housing. A short distance from Berbera, they are also working on an airstrip. There is every indication that the Soviets have been building their base at Berbera since 1968 in order to service and supply a large fleet. With the reopening of the Suez Canal, a still greater increase in Soviet naval presence in the Indian Ocean will be both possible and probable.

Clearly, the Soviets see the need for establishing a major operating port in the Indian Ocean, and they are doing so.

Meanwhile, the nearest U.S. support facility to the Indian Ocean is Subic Bay in the Philippines. For a Navy task force to operate either in the Persian Gulf or the Arabian Sea, using Subic Bay as a port, requires a 10,000-mile round trip to receive logistic support. A carrier task force operating in the Arabian Sea requires at least four tankers shuttling back and forth from U.S.-controlled storage at Subic Bay. Because of the distance involved, a task force is restricted to an operating period of about 60 days in the Indian Ocean.

If we had an operating port in the Indian Ocean, such as we propose at Diego Garcia, the round trip for logistic support would be reduced to just 3,000 miles. Only two tankers, instead of four, would be required. And the operating time of a task force in the Indian Ocean

would be increased from 60 days to about 6 months. The longer operating cycle would reduce time lost in transit, permit maintenance of a continuing carrier presence and would mean far less down time for 7th Fleet ships operating in the western Pacific.

The logic, therefore, of upgrading Diego Garcia seems plain to me in terms of increasing our effectiveness in the Indian Ocean and cutting our costs in the process. But there is another consideration which, I am sure, my colleagues can appreciate and which they have no doubt considered. That consideration, frankly, has to do with changing world conditions and how we shall adjust to them.

We no longer automatically call the tune in the western Pacific or Southeast Asia. Our holdings and our interests there no longer are automatically assured. Vietnam and Cambodia are lost to American influence. Thailand has invited us to leave. There are rumblings that we may even have to give up our large base at Subic Bay. There is no hope that Indonesia will allow us to develop a large naval base there.

I think this consideration makes an upgrading on Diego Garcia imperative. We know that our national interests will dictate the operation of naval forces in the Indian Ocean, in the western Pacific and the South China Sea. Logic indicates we will continue to send naval forces to the Indian Ocean whenever necessary, whether we have facilities on Diego Garcia or not. I would think that prudent planning dictates that we be able to support these forces in the most rational and economic manner possible. The requested facilities for Diego Garcia will serve this purpose.

I know all about the arguments against Diego Garcia. There are those who say the United States has no business being in the Indian Ocean. I counter that argument by saying that America cannot neglect that area of the world any more than it can ignore any other place on the globe. Our interests in the Indian Ocean are directly linked with our interests in Europe and Asia, with our interest in uninterrupted energy imports and with our fundamental interest in maintaining worldwide stability.

In April 1974, Admiral Zumwalt, then chief of naval operations, had this to say about our role in the Indian Ocean:

> In the judgment of many observers, the Indian Ocean has become an area with the potential to produce major shifts in global power balance over the next decade. It follows that we must have the ability to influence events in that area and the capability to deploy our military power in the region is an essential element of such influence. That, in my judgment, is the crux of the rationale for what we are planning to do at Diego Garcia.

What, exactly, are we planning to do at Diego Garcia? We are not, as some claim, establishing, for the first time, a U.S. naval facility in the Indian Ocean. We have been operating, in a small way, at Diego Garcia for some time. What we propose to do now is upgrade our facilities there. Specifically, the Navy wants to enlarge the anchorage area of the lagoon in order that ships can anchor in safety. Fuel storage capacity will be increased. The existing 8,000-foot runway will be lengthened to 12,000 feet. The airfield ramp area will be increased, additional personnel quarters will be built and our existing communications facilities will be improved.

These improvements do not imply a new role for our naval forces in the Indian Ocean, nor do they mean that additional naval forces will be required or stationed there. But they will give us the capability for this, and they will save us money in the process.

Mr. President, I support the efforts to make necessary improvements to the facilities on Diego Garcia in order that our ships operating in the Indian Ocean will be able to receive fuel and supplies in an economical manner. The building of these facilities is a matter of saving money and of "keeping our powder dry."

Mr. CLARK. Mr. President, I am sure everyone in the Senate favors a strong defense establishment for this country. There is overwhelming support for every program necessary to insure the defense of this Nation and to give credibility to our worldwide responsibilities. But this does not mean that we are so concerned about defense that we are ready to sanction each and every new opportunity to spend the taxpayers' dollars on new military and naval programs.

The proposed Diego Garcia naval base in the Indian Ocean is an example of a step which has implications going far beyond those appearing on the surface. This is no small step made to shorten refueling lines. It is, without doubt, the beginning of a struggle for naval supremacy in the Indian Ocean.

Is this new stage of the arms race really necessary? Or is it possible that through talks with the Soviet Union our two nations might come to an understanding that it is in the interest of neither to get into yet another contest involving perhaps $5 to $8 billion in procurement funds and something approaching a billion dollars a year in operating costs?

However remote a treaty covering the Indian Ocean might seem at this moment, there have been developments involving our two countries in recent years which also seemed unlikely only a short time before.

But whether a treaty can be reached or not, the case here and now for a naval base in the Indian Ocean is not convincing. The arguments for it appear to be far more those of convenience than necessity.

Should American defense policy be based on convenience?

Is it really in our best interests to risk an expensive new round in the arms race simply to make it easier and cheaper to operate our naval forces in that area?

And what saving is there if having a base there will produce new demands from the Navy for more carriers, more escort ships and all the rest?

Mr. President, in place of this new investment in naval stalemate I believe we must bend our best efforts to invest in more constructive ways in the future of this part of the world. The little nation of Somalia, which finds itself suddenly a pawn in a power struggle between the Soviet Union and the United States, needs help in finding a future for itself outside the Soviet orbit. The die is not yet cast there or anywhere else in the south of Africa. With wisdom and foresight the United States can yet win that fight. But building naval bases and getting caught up in a struggle for naval supremacy will contribute little toward this kind of goal.

Eventually, I concede we may have to do this. There may be reasons why we cannot escape such a struggle. Yet the burden of proof rests with the Navy and its proponents in the Congress. I have yet to see such proof.

Until a real effort has been made to negotiate with the Soviet Union on Indian Ocean deployments and until a convincing case can be made that the Diego Garcia naval base is a necessity and not just a convenience I shall continue to oppose this new adventure in brinksmanship.

I intend to vote in favor of Senate Resolution 160 disapproving construction of the proposed naval base. I commend our distinguished majority leader, Senator MANSFIELD, for introducing it. I intend to vote for the resolution and urge my colleagues to do the same.

Mr. BENTSEN. Mr. President, I rise to speak in support of the proposed expansion of our military facilities on Diego Garcia.

This small island—located in the Indian Ocean, near both the Red Sea and the Persian Gulf, about midway between Africa, South Asia and Southeast Asia—may indeed be one of the most strategically situated of all our military facilities throughout the world. The Persian Gulf and Indian Ocean are critically important to the United States, Mr. President, not only because of Middle East oil but also because of the key air and sea lanes running through it. And the United States is not alone in having a critical interest in the Persian Gulf; our allies in NATO and Japan have an interest that goes just as deep.

It is evident, Mr. President, that the Soviet Union too has a deep interest in the region and intends to undertake a sizable buildup of its naval forces there. The recent reopening of the Suez Canal will substantially enhance the ability of Russia to support and reinforce its units in the Indian Ocean. At present the Soviets have at least fourteen naval facilities in the West Indian Ocean, the most important being at Berbera, Somalia. The United States has no facility comparable to these bases in this entire region, the closest similar base being at Subic Bay in the Philippines, 4,000 miles away.

Clearly then, Mr. President, we must demonstrate our resolve that no outside power will be permitted to dominate the Persian Gulf. We must take steps to insure that our interests, and those of our allies, are fully protected. Failure by the United States to counter Soviet encroachment in the Indian Ocean would threaten our national security, thereby threatening world peace and world

stability. Mr. President, the proposal to expand and strengthen the U.S. facilities on Diego Garcia has my support and I urge my colleagues to approve this proposal.

DIEGO GARCIA? WE STILL HAVE TIME

Mr. HUMPHREY. Mr. President, on May 19, 1975, Senator MANSFIELD introduced Senate Resolution 160, disapproving Department of Defense construction on the island of Diego Garcia. After a thorough examination of the issue, the Senate Armed Services Committee reported that resolution adversely. The vote, as we all know, was not unanimous in committee. That, in my opinion, is as it often is on an issue as complex and important as this one, which involves not only military but also diplomatic factors.

Today, on the floor of the Senate, our distinguished colleague from Iowa, Senator JOHN CULVER, presented one of the most lucid and well-reasoned expositions of the various issues involved in Senate Resolution 160. I think that all of us on the floor of the Senate at the time of his presentation will agree that he is one of our most articulate spokesmen on national security issues, and is to be commended for his thoughtfulness and insight into these issues.

As chairman of the Senate delegation to the Soviet Union from June 28 to July 2, I also would like at this point to thank the junior Senator from Iowa, Mr. CULVER, for his contribution to our delegation. I can attest personally to his ability to forcefully and effectively discuss national security issues with foreign officials from the perspective of the U.S. Senate and U.S. national security interests.

My decision to support the Mansfield resolution was made after a thorough examination of the background of the Defense request to expand facilities on Diego Garcia. In reaching this decision, I reviewed the arguments for and against the request and the findings of the Senate delegation to Somalia, and discussed the Diego Garcia project with Department of Defense officials. Had it been possible to offer an amendment to the resolution of disapproval, I would have done so, in order to make clear that the intent of the Senate was not to scuttle the project, but to give us time to enter negotiations and try to prevent an arms race in the Indian Ocean area. I will speak more of this later, but first let me share with you some of the thinking which went into my final decision.

BACKGROUND ON DIEGO GARCIA

Diego Garcia is an atoll in the Indian Ocean over which the United Kingdom exercises sovereignty. Per two agreements with the British Government—1966 and 1972—the United States is authorized to use Diego Garcia "to meet the needs of both Governments for defense" and for "a limited naval communications facility."

Currently, the United States maintains a limited communications facility on Diego Garcia. It has an 8,000 foot runway and a dredged turning basin in the lagoon for ships. The latter is used by ships which provide logistical support of the communications station. About 430 U.S. personnel and 20 British military personnel are based in Diego Garcia.

The improvements proposed by Department of Defense would upgrade the runway and lagoon, develop an ammunition and fuel storage complex, and develop support facilities for the personnel assigned to Diego Garcia—for example, chapel, club, recreational facilities, hobby shop, theater, library. As a result of these improvements, C-5A's and, in emergencies, B-52's would be able to land on Diego Garcia and aircraft carriers could dock in the port. The U.S. permanent presence on the atoll would be increased to 600. Total cost of this construction is $37,802,000.

An ad referendum agreement to permit this construction has been reached with the British. The British will not sign the agreement until Congress approves the construction.

ARGUMENTS FOR CONSTRUCTION

Three arguments for improving U.S. facilities on Diego Garcia were offered by DOD, and those in the Senate who supported DOD's request. These were that the expanded facilities are necessary:

First. To enable the United States to counter the increasing Soviet presence in the Indian Ocean area;

Second. To enable the United States to protect its vital interests in the Indian Ocean area—access to crude oil and freedom of the seas; and

Third. To provide secure support, at a reasonable cost, to the U.S. forces in the event of contingencies.

ARGUMENTS AGAINST CONSTRUCTION

Nine arguments were advanced by opponents of the expansion. They were:

First. Prior to embarking on construction, we should try negotiation. Despite congressional interest in negotiation—expressed in the Armed Services Committee report at the time that the Congress voted to require Presidential certification of the essential need—no attempt to engage the Soviets in discussions or negotiations for mutual restraint in the Indian Ocean area were made. Most, if not all, the nations of the area would support mutual restraint.

Second. The publicly stated opinions of the littoral nations should be respected. To disregard the public statements of leaders in the area could create ill will toward the United States.

Third. The Soviet presence in the area, including the reported facility at Berbera, is limited. It provides no major challenge to the American, French, and British forces in the area which collectively are much stronger than Soviet forces in the area and have access to a greater number of ports. The French alone have a great number of port facilities and a greater number of ships permanently deployed in the Indian Ocean than any other power.

Fourth. The Soviet facilities at Berbera are not as ominous as DOD claims. The Soviet presence in Somalia represents a potential threat in the future, but not a current risk to U.S. interests. The tactical and strategic balance in the Indian Ocean still favors the United States and its allies.

Fifth. The United States has no treaty obligations in the area. Since we have no obligation to consider deployment of forces into the countries of the region, there is no need to expand the facilities on Diego Garcia in order to adequately support a larger contingent of forces in the area. Our interests in maintaining freedom of the seas and safe transit for oil supplies can be served by working in concert with other nations.

Sixth. While stability in the Indian Ocean area is important to us, it is less essential to our security than to the security of some of our allies.

We should act in concert with them, rather than attempt to unilaterally police the area. It is reasonable to assume that France and Britain, which are far more dependent than the United States on Persian Gulf oil and which retain facilities in the area, would act to protect their access to oil supplies and freedom of navigation.

Seventh. The primary threat to United States, French, and British interests is a cutoff of oil supplies. This is a threat posed by Persian Gulf nations, not the Soviet Union.

Eighth. There is no firm agreement with the British on usage of the facilities on Diego Garcia. The ad referendum agreement reached provides for use of the facility for routine operations. The British have publicly stated that use of the facilities other than for routine purposes would "be a matter of joint decision of the two governments."

Ninth. Expansion of facilities on Diego Garcia would not provide us with sufficient capabilities to conduct major military operations in the Indian Ocean area. The expansion of facilities on the island is not necessary if our only goal is to show the flag. If our goal is greater, this and the associated costs of a three-ocean Navy—$5 to $8 billion operating costs—should be acknowledged.

OTHER FINDINGS

In addition to considering these arguments, I considered the findings of the Senate delegation, led by Senator BARTLETT, which visited Somalia during the July 4 recess.

The members of the group agreed that the Soviets do have some facilities in Somalia—missile storage and communications. The latter are definitely under Soviet control; the former may be. The group also agreed that the Soviets have access to other facilities—an airfield and port facilities. But, the group members differed in their interpretations of the military capabilities and significance of the facilities they saw. Some felt that the Soviet military potential in Somalia is significant and helps justify construction on Diego Garcia—others considered the Soviet potential less substantial.

I also discussed the need for Diego Garcia with DOD officials. They indicated that a decision to permit the construction would not affect the U.S. capability to deploy forces to the area so much as it would the cost of deploying the forces. This I took as a clear signal that it is not vital that we go ahead now with the expansion on Diego Garcia—the expansion may be important to our

interests, but it is not an urgent priority which should override all other considerations.

We discussed the possibilities of limiting superpower military presence in the Indian Ocean area. The DOD officials argued that, if we were to enter negotiations to limit superpower military presence now, without having first decided to expand our facilities at Diego Garcia, we would be at a disadvantage—the Soviets could tie us up for years in negotiations while they expanded their facilities in Berbera. This argument has some merit.

MY DECISION

I reached my decision to support the Mansfield resolution only after carefully weighing all of the above arguments, pro and con.

Quite frankly, I share my colleagues' concern about the potential impact which a decision to go ahead with the construction may have on the possibilities for preventing an arms race in the Indian Ocean area. I would have greatly preferred the administration first attempting to negotiate an agreement to limit Soviet and United States military presence in the area. At the same time, I sympathize with the argument that to approve the Mansfield resolution might encourage the Soviet Union to string out negotiations. I would have preferred, in this situation, to amend the Mansfield resolution to delay for 1 year the expansion of facilities on Diego Garcia unless during this period of time the Soviets significantly expanded their presence in the Indian Ocean and Persian Gulf area or the President was able to reach an arms limitation agreement.

In the first case, we would go ahead immediately with the construction. In the second, we would forgo expansion. Since I was unable to offer a bill to do this because of the parliamentary situation, I decided to support the Mansfield resolution as the approach more likely to encourage effective negotiation and discourage another arms race.

While I was unable to offer my bill during the debate, I would like to share it with the Senate now, as an expression of my sentiments on this issue. I ask unanimous consent to have it printed in the RECORD.

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

S. —

A bill to delay the use of funds for military construction on the island of Diego Garcia

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding any other provision of law, no funds heretofore authorized for the construction of any military facility on the Island of Diego Garcia may be obligated for such purpose—

(1) prior to September 1, 1976, unless the President determines and notifies the Congress in writing that the Soviet Union has, after the date of enactment of this Act, continued to construct and substantially expand military facilities in Somalia, the Indian Ocean and the Persian Gulf area.

(2) after September 1, 1976, unless the President is unsuccessful in negotiating an agreement with the Soviet Union by September 1, 1976 to limit the military presence of both the Soviet Union and the United States in the Indian Ocean area.

Mr. MUSKIE. Mr. President, the resolution (S. Res. 160) to disapprove military construction on Diego Garcia island in the Indian Ocean involves both budgetary and foreign policy questions.

Construction of the proposed naval facility and improvements to the air base facilitiy on Diego Garcia will cost $118 million over a 2-year period. Included in these costs are military construction of $37.8 million, operations and maintenance of $25.3 million, procurement of $19.7 million and military personnel costs of $53.2 million.

The naval facility would support a carrier task force operating in the Indian Ocean for approximately 30 days, while the air base improvements would allow the operations of fighter aircraft, large transports and aerial refueling tankers. In testimony before the Senate Armed Services Committee, Secretary of Defense James R. Schlesinger said:

> This $118 million base expansion is a small insurance investment with regard to logistical capability.

Said Schlesinger:

> We are dealing with $100 million, rather than vast expenditures.

I must correct the impression that this is an inconsiderable sum of money, and hence not a budget issue. Recently, I joined the Senate in rejecting an amendment to the child nutrition bill (H.R. 4222) proposed by Senator MCGOVERN and others to offer reduced price meals under the school lunch program to students from families in certain income brackets just as free meals are now provided to the neediest students. That amendment would have cost only $200 million this year. Although I was in sympathy with its purposes, I opposed the amendment for one reason only: It was above the budget targets we agreed to in May, and would have increased the deficit. It is my firm view that we must apply the same standards of austerity to all Federal programs. In this regard, military programs must stand on the same footing as school children.

Mr. President, as matters stand today, we face the very real prospect that the defense authorization and appropriations bills now making their way through the legislative process will exceed the budget targets which we all agreed to in May, not by $100 million or $200 million, but by $1 billion or $2 billion or more. In this situation, it would be the height of irresponsibility to dismiss a $118 million project as of no budgetary significance.

The proposed construction on Diego Garcia should meet the strictest test of necessity if it is to win our approval in this time of painful budget choices. I believe that the proposal fails that test, and I intend to vote for Senate Resolution 160, in order to disapprove the proposed naval facility.

The foreign policy issue is whether the United States should establish a permanent naval base in the Indian Ocean at this time, as a prelude to greater unilateral military involvement in that region of the world.

The interest of the free world in maintaining the flow of oil from the Persian Gulf through the Indian Ocean cannot be doubted, and for this reason the political stability of the nations in that part of the world should concern us.

The question is whether building a naval facility at Diego Garcia is the right step to take at this time in order to protect these interests.

The present military balance is not unfavorable to the free world. It is true that the Soviet Union has gradually expanded its naval forces in the Indian Ocean, and presently maintains a small force of about nine warships in the area.

The Soviet Union is also building a naval facility at Berbera, in Somalia. But collectively the American and French forces in the area are stronger and have access to a greater number of ports. And the United States periodically deploys large additional forces to the area for extended cruises.

The nations of the Indian Ocean littoral—which includes some of our closest allies—are not enthusiastic about the proposed U.S. naval base at Diego Garcia. Even Australia has publicly expressed its opposition to the proposed construction. The United Nations General Assembly, on several occasions since 1971, has urged that the Indian Ocean be a "zone of peace." In view of these attitudes, it is hard to see how our general interests in the area will be served by the proposed construction.

Moreover, according to testimony last year by CIA Director William Colby before the Senate Armed Services Committee, there is a very real prospect that the Soviet Union will match any increase in the U.S. presence in the Indian Ocean. It does not require much imagination to see that this could lead to a United States-Soviet naval arms race in the Indian Ocean, requiring large permanent fleet deployments in that area. The Brookings Institution has made a conservative estimate that an Indian Ocean fleet, if added to our present naval deployments, would require $5 to $8 billion in new ship construction and $800 million per year in direct operating costs.

Defense Secretary Schlesinger recently testified that the Navy has no present plans for expanded operations in the Indian Ocean. But as my colleagues are aware, these positions have a way of changing over time. I have do doubt that if the Diego Garcia facility is approved, it will not be long before the need to sustain Indian Ocean operations will be used to justify an increase in the number of Navy warships.

Should the Soviets make a serious move to establish military dominance in the Indian Ocean, we would have no choice but to respond. But in view of the current absence of any serious threat, it is my judgment that there is ample time for diplomatic initiatives to avoid a naval arms race in the region.

Last year the Senate agreed that we should not approve construction on Diego Garcia until the President certified in writing to the Congress that he had fully reevaluated the military and foreign policy implications of the proposed lease. In its report on the fiscal 1975 military construction authorization

bill, the Senate Armed Services Committee stipulated that the reevaluation should include "a thorough explanation of the possibility of achieving, with the Soviet Union, mutual military restraint without jeopardizing U.S. interests in the area of the Indian Ocean."

But in a letter to Senator CULVER dated July 15, the State Department reports that the administration has decided not to approach the Soviets at the present time. In fact, the administration has not sought a Soviet response to any proposal for arms limitations in the Indian Ocean since 1971.

In view of the administration's utter lack of initiative in this question, and in view of the large stakes involved, I have joined as cosponsor of an amendment proposed by Senators KENNEDY, PELL, and CRANSTON to S. 1517, the omnibus foreign relations authorization bill. This amendment expresses the sense of the Senate that the President should seek negotiations with the Soviet Union to achieve mutual limitations of naval and other military deployments in the Indian Ocean.

It is, of course, possible that the Soviets have no interest in such a proposal. But we should first make the effort to establish this fact. If this diplomatic initiative should fail despite a good faith effort by the administration to establish naval limits in the Indian Ocean, I still do not believe the only response open to the United States is a unilateral expansion of our own military involvement. One avenue which would be worth exploration in that event has been suggested by Senator TAFT.

He has wisely noted that our European allies have a far greater interest in the Persian Gulf and the Indian Ocean than does the United States, and that the Europeans have naval forces capable of defending that interest. If efforts to avoid an arms race in the Indian Ocean should fail, I believe we then should encourage our allies to take the appropriate steps to defend their interests.

I would like to add that I also support another important diplomatic initiative recently recommended by Senator BARTLETT of Oklahoma following his visit to Somalia to examine the Soviet naval base and missile facility at Berbera. Senator BARTLETT's report indicates to me a serious interest on the part of the Somali Government in establishing better relations with the United States, possibly as a counterweight to Soviet influence in that country. I strongly endorse the Senator's recommendations that the President explore every opportunity to exploit this diplomatic opening.

In sum, I shall support S. 160, to disapprove military construction on Diego Garcia. I believe the expenditure of $118 million to construct this naval facility is not justified at this time by the national interest. To undertake this marginal project before exploring all diplomatic opportunities to limit our naval involvement in the Indian Ocean and prevent a destabilizing arms race would be the wrong thing to do, both in terms of our budget priorities and in terms of our foreign policy objectives.

Mr. HELMS. Mr. President, Senate Resolution 160 appears to overlook entirely the strategic importance of the Indian Ocean to the Free World. The Indian Ocean constitutes 28 million square miles. It is bordered by 40 countries containing the world's richest known supplies of minerals and fuels.

The continent of Africa, which borders this vast body of water, contains all of the world's 53 most important minerals, including 34 percent of its bauxite, 23 percent of its uranium, 60 percent of its gold, and 96 percent of the world's diamonds. Many of these natural resources are located in southern Africa, and are vitally significant to the United States. Zambia and Zaire, for example, provide the United States with 47 percent of its cobalt requirements; South Africa supplies 24 percent of our chrome requirements; and Madagascar provides 22 percent of our graphite.

Soviet penetration of the Indian Ocean creates a clear and present danger to the economic and military interests not only of the African states, but to those of every country in the Free World. Since 1968, the Soviets have been quietly building up their naval presence in the Ocean. In addition to its facilities along the Mediterranean in North Africa, the Soviet Navy has established naval facilities in Ethiopia, Somalia, Kenya, Tanzania, Mauritius, Jordan, North and South Yemen, Aden, Iraq, Kuwait, Iran, India, Pakistan, Ceylon, and Singapore. More facilities may soon be built in Madagascar and even Mozambique.

Some of these facilities are quite extensive, as seen in Somalia. In Aden, the Soviets have both port and air facilities at two former British bases. According to the U.S. Chief of Naval Operations, the Soviets also maintain several permanent mooring buoys in the Indian Ocean and fleet anchorages in several locations near the island of Socotra and near the Chagos Archipelago.

What is more, the Soivet Union has also been actively engaged in a program of expanding many of its facilities in the host countries. It has constructed a communications station near Berbera; it has assisted in the enlargement of facilities at the Iraqui naval base at Umm Qasr and at the Indian naval base at Vishekhapatnam. Most important, it has built a very significant deep water port at Berbera in Somalia.

The increased activity of the Soviet Navy in this area of the world can also be seen when we examine the number of ship days accumulated by the Soviet Navy in recent years. In 1968, according to the Chairman of the Joint Chiefs of Staff, the number was a mere 529. In 1970 it climbed to 1,670. In 1972, the Soviet Navy logged 2,387 ship days in the Ocean, and in 1973 rose to 2,487. These figures, I might add, involve only combatant ships and do not include auxiliary and support vessels. In contrast to Soviet naval presence in the Indian Ocean, the highest number of ship days recorded by the U.S. Navy during this period was 1,410 in 1973.

Mr. President, there is no doubt in my mind that the Indian Ocean is rapidly becoming a Soviet lake. The implications of this are far reachinf when we stop to consider not only the tremendous natural wealth of Africa, but the political instability and Communist activity that is presently plaguing so many of the African countries. At this very moment, the situation is critical in Angola; and in Mozambique there is the possibility of Soviet control of that Nation's harbors, the most important of which is the vital deep water port of Nacala. If the Soviets were to control Nacal and Diego Suarez, the important military base that the French are evacuating, they could effectively block the narrow Mozambique channel between Madagascar and Mozambique and thus interdict the oil traffic from the Persian Gulf to Western Europe and the North American Continent.

Through control of these strategic areas, the Soviet Union would be in a position to cripple the West economically; and it would also allow the Soviets to exploit any revolutionary situations that might develop—and are likely to develop—in the future.

The conclusion is inescapable, Mr. President, that even the development of Diego Garcia is an inadequate response to the Soviet build-up in the Indian Ocean. To prohibit the construction of military facilities at Diego Garcia is therefore tantamount to giving the Soviets domination of the Indian Ocean. In the words of Mr. J. A. Parker, a very knowledgeable American black leader who has studied Africa extensively:

> The combined U.S.S.R. strategy of political influencing onshore and naval penetration offshore in the Indian Ocean is likely, in the absence of decisive countering by the Western alliance, to be intensified in the event of a Portuguese withdrawal from Angola and, in particular, Mozambique.
>
> This in turn would strengthen the Communist potential to interdict oil supplies and mercantile traffic in general to and from Western nations, and would entrench and strengthen the prior presence of the USSR along the Eastern seaboard of Africa. Thus Soviet capability for exploiting any possible revolutionary situations or conflict crises that might occur in the future grows rapidly, and signals danger to the industrialized West, which relies on the free supply and passage from one of the world's richest known sources of strategic minerals.

Mr. President, I think Senators will be interested in a fine commentary on the general subject of our security interests in the Persian Gulf and the Western Indian Ocean. This commentary was written by the distinguished author, Anthony Harrigan.

I ask unanimous consent that Mr. Harrigan's commentary be printed in the RECORD at the conclusion of my remarks.

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

SECURITY INTERESTS IN THE PERSIAN GULF AND WESTERN INDIAN OCEAN

(By Anthony Harrigan)

(NOTE.—Anthony Harrigan is a former newspaper editor and the author of seven books on military and national affairs, including "Defence Against Total Attack" and "A Guide to the War in Vietnam." He is a former Research Associate at the Georgetown University Centre of Strategic and International Studies and former Managing Editor of the American Security Council's Washington Report. He has contributed widely to professional military journals in the United States and in allied countries. He has lec-

tured at the U.S. National War College, South African Defence College and other academic institutions. Since 1970, he has been Executive Vice President of the United States Industrial Council.)

Since the opening of the twentieth century, the Atlantic and Pacific Oceans have been the primary theatres of history for the people of the United States. Two world wars and lesser conflicts have been fought on those oceans and on the continents they separate. As we approach the final quarter of the twentieth century, however, it is increasingly clear that the Indian Ocean is becoming the new arena of political conflict. More particularly, one of the arms of that ocean—the 500-mile long Persian Gulf—has become a focus of our strategic concerns.

The vastness of this ocean region is little comprehended by the U.S. public. The entire Indian Ocean is 4,000 miles wide by 4,000 miles long. One statistic indicates the scope of the naval security problems involved in this region. From Durban, South Africa to Aden, at the entrance to the Red Sea, is a distance of 3,275 miles. The sea frontier from Aden on the Arabian Peninsula to the Gulf of Oman is more than 1,200 miles. The Western Indian Ocean, the area of special concern to the United States and the NATO countries, embraces the Arabian Sea—the waters between Arabia and India—and a vast stretch of ocean to the south in which are located several major island groups. It has been an ocean of destiny since the dawn of history, with Indians, Chinese, Romans, Arabs and many other peoples trading and waging war on its reaches.

The source of the conflict today can be encapsulated in a single word: oil. The energy needs of the industrialized Northern Hemisphere countries dictate a profound concern with access to the oil resources of the Persian Gulf (more than sixty per cent of the world's proven reserves) and with the security of the tanker routes through the Gulf and across the Western Indian Ocean in time of war or political crisis.

Widespread concern with the Persian Gulf and Western Indian Ocean dates from comparatively recent times in the United States and in the NATO countries. In 1967, when Great Britain began to withdraw from its bastions east of Suez, the Persian Gulf was virtually a British lake. Britain maintained key control points in the Indian Ocean from Aden in the west to Singapore in the east. But within a year of the British withdrawal, which created a power vacuum, the Soviet Union began to dispatch strong naval forces into the Indian Ocean. Iraq, at the head of the Persian Gulf, is not a Soviet client state. The Soviets have facilities at Indian ports. As the results of various agreements, they have access to ports in Aden, Somalia and Mauritius. Indeed almost all the control points in the Western Indian Ocean—Zanzibar on the East African coast, Socotra at the entrance to the Red Sea, Madagascar, Ceylon (Sri Lanka)—are in the hands of powers hostile to the West. Of these extensive British strong points, only the Cape of Good Hope—the "Bastion of the South"—remains under anti-Communist Western control.

It was from these shore and island positions that Great Britain dominated the Indian Ocean world. The Soviet Union is well on its way to controlling or influencing the nations that hold the majority of these key points. The only recent gain by the West—and it is a very modest gain—is the development of a U.S. Navy communications station on the British island of Diego Garcia south of the Indian subcontinent. This small station helps close a gap in America's worldwide communications system. But in no sense is it a major naval base. The 8,000 foot runway on Diego Garcia is an element—but only a single element—in the network of airfields the West needs in order to deploy aerial might in the region in the event of a crisis. Satellites provide intelligence data, but any lengthy interruption of surface shipping or other hostile action would require deployment of tactical aircraft appropriate to the situation.

OUR DEPENDENCE ON OIL

It is the danger of interrupted oil movements that gives concern in the United States, Europe and Japan. The most vulnerable country is Japan. Almost ninety per cent of its energy comes from the Persian Gulf. An oil embargo or interruption of tanker traffic would shut down Japanese industrial production and plunge the world's third strongest economy into crisis. While the Japanese seek new oil sources in Indochina and Australia and are pushing ahead with nuclear power plant construction, their dependence on the Persian Gulf will continue well into the 1980s.

Europe's dependence is almost as great. Japan and Europe together import more than 700 million gallons of oil per day from the Persian Gulf. European imports from the Gulf are expected to increase 450 per cent over the next decade, despite development of the North Sea oil and gas fields and French advances in nuclear technology. The figures are revealing. Britain obtains 66.1 per cent of her oil from the Gulf states, Italy 84.5 per cent, France 51.1 per cent and West Germany 62 per cent. Australia, which gets 69 per cent of its oil from the Persian Gulf, also has a tremendous security stake in the area.

Until recently, the Persian Gulf was not a significant source of energy for the United States, with only three per cent coming from that source. Over the next five years, however, imports from the Gulf may account for twenty-five per cent of U.S. oil supplies despite the U.S. goal of energy sufficiency. The dollar drain for these Persian Gulf oil purchases already is enormous. A total of $2.1 billion was spent for Middle East oil in 1970. The Petroleum Council estimates of costs range from $9 billion to $13 billion in 1985. This is not surprising, however, in view of the fact that the United States is the largest consumer of petroleum in the world.

Given the projected size and cost of the Persian Gulf oil imports, it is no wonder that the Gulf and the Western Indian Ocean suddenly have become very significant areas to the United States. Drew Middleton, Military Editor of the *New York Times*, has said that "Military planners expect that the strategic interests of the United States and global strategy in general will pivot on the Persian Gulf late in this decade as a result of competition for the area's oil."

It already has been a shock to many Americans to realize the extent of their growing dependency on energy from this remote, unstable, and often hostile part of the world. Before long, the American government and people are likely to find this dependency intolerable. The United States, as a result, should move ahead on a crash basis to develop its domestic energy sources—to expand coal production, to institute new coal gasification methods, to open Arctic and offshore oil fields, to extract oil from shale and sands, which exist in vast quantities in North America, and to accelerate progress toward fast breeder nuclear reactors and the fusion process. Faced by great challenges, the United States has shown the capacity to work scientific, engineering and economic miracles. In all likelihood, however, it will take the United States a decade to augment its domestic energy sources to the point where it need not be vastly concerned about oil imports. In the meantime, the United States will be dependent on oil from the Persian Gulf that is moved by tanker across the Western Indian Ocean.

In this connection, it is pertinent to note the danger of proposals that the United States should by its own investment policy become dependent upon imports of Soviet fuels, as the Federal Republic of Germany is doing. Such action would give hostage to an enemy for our future behaviour.

William F. Case, an oil expert with the U.S. Department of Transportation, has drawn the conclusion that "If events are allowed to follow a natural course, the United States will almost certainly face an eight to ten year period beginning in 1975–77 of critical dependence on Middle East oil."

For Western Europe, the dependence may last considerably longer—until the atomic fusion process is perfected and working on a large scale. Few Western states are free of major worries with respect to energy. Ironically, one of these is an Indian Ocean country without any oil. As the *South African Financial Gazette* has pointed out:

"South Africa, with its vast, readily available coal reserves, is in the vanguard of countries determined to be self-sufficient in its energy resources, and can regard the present situation with a degree of equanimity . . . In the case of South Africa, its oil from coal production know-how and huge coal and uranium reserves render it much less vulnerable than most Western nations to the inevitable fuel price increase of the near future."

SHAPING A STRATEGY

The United States and the NATO countries are not in this happy situation, however, and must develop an overall strategy for maintaining access to Persian Gulf oil. And although the United States played the major role in developing oil in Saudi Arabia, it is at a severe disadvantage in shaping a politico-military strategy for the period ahead, in which it must have access to oil from the Gulf.

First, there is the problem of distance. The only U.S. facilities in the area are the communications stations at Diego Garcia and at Northwest Cape in Australia. Indeed the U.S. position in Australia may be insecure in view of the increasingly pacifist policy of the current Australian government.

America's overseas base structure was designed for conflicts in the Atlantic and Pacific, not for the remote Indian Ocean. The well-equipped naval base at Simonstown at the Cape of Good Hope is a useful facility for American warships, but the Johnson Administration ordered a halt to U.S. ship visits to South African ports and ended the joint naval exercises that had been standard procedure during the Eisenhower Administration. This policy of snubbing a vital, technologically advanced ally in the Indian Ocean remains in force.

It is doubtful that the United States could maintain adequate naval and air contingents in the Western Indian Ocean without recourse to Simonstown. Deployment of ships and aircraft from the United States to the Indian Ocean requires a huge investment in dollars and manpower. Dr. Alvin J. Cottrell, Director of Research for the Centre for Strategic and International Studies at Georgetown University, has noted:

"Some people talk about a modest increase of two U.S. ships at Bahrein (in the Persian Gulf), which would be possible under the established ceiling. But to put two more ships there, we would need a total of twelve ships. Sending them all the way from the East Coast of the United States means a requirement of 3:1 in terms of ships on station to ships en route and being readied."

Some observers may question whether a limited U.S. commitment of ships would so alter the power balance in the Western Indian Ocean as to add significantly to U.S. security in the area or to enhance the protection of the oil traffic in which the United States is vitally interested. Time and again throughout the post-World War period the Soviets have been checked in their ambitions by a limited U.S. presence. Certainly, the U.S. Berlin garrison could not stop a serious

Soviet assault. The embarked battalion of U.S. Marines in the Mediterranean is a token force compared to what the Soviets could quickly muster in the area. In practice, the Soviets have been unwilling to risk a major confrontation involving U.S. armed forces, whatever their size, whereas they might be tempted to risk a *fait accompli* in the Western Indian Ocean in the absence of any U.S. naval forces. Moreover, the deployment of a limited U.S. force would be essential to inducing other Western nations to make commitments of forces to a greater allied presence.

Recognizing that the great powers will be drawn more and more into the Indian Ocean, it is necessary to consider also the respective possibilities for the deployment of Free World and Communist airpower. As mentioned earlier, the U.S. facility on Diego Garcia in the middle of the Indian Ocean provides only a very limited capability for handling aircraft, though a small number of reconnaissance flights could be made from the island. What would be needed in a crisis situation, however, would be airfields closer to the major sea lanes. The airfields in Western Australia, though available, are far removed from the danger points. The airfield of Perth, for example, is approximately 5,000 miles from Aden.

Fortunately, the Iranians have pushed airfield construction. At present, they have military jet fields at Bushire, Kish and Bandar Abbas on the Persian Gulf of Oman near the Pakistan border. This base will be ideally situated to provide air cover for ships operating in the Arabian Sea.

The French have important airfields at Djibouti on the Gulf of Aden and on Reunion Island 400 miles east of Madagascar. Djibouti is especially important because (given French cooperation with the United States and other Western countries) aircraft based there could monitor ocean areas around the Horn of Africa and south along the coast of Somalia. Diego Suarez, the former French naval base on Madagascar, would be of tremendous value to the West in any naval confrontation or oil movement crisis in the Indian Ocean. At this time, however, access to naval bases and airfields in the Malagasy Republic is not available. Obtaining access to these facilities should be a priority political objective for the oil consuming nations of the West.

The decision of the Portuguese to withdraw from Mozambique is a very serious setback to Western interests. Up to early 1974 there was some reason to hope that ports and airfields in Mozambique might become available to the West in time of crisis in the Indian Ocean. But the radically altered political situation in that territory eliminates that possibility.

Given the revolutionary change in Mozambique, the United States will have to take a new look at the possibility of defence coordination with the Republic of South Africa.

Indeed, co-ordination with Portugal's successors and the Republic of South Africa is imperative if the tanker traffic is to be safeguarded on both the Indian Ocean approaches to the Cape of Good Hope and in the adjacent South Atlantic area. South Africa has a significant navy, equipped with modern French submarines, British-built frigates and a variety of other ships and weapons. It possesses a truly modern communications headquarters at Simonstown, capable of monitoring ship movements through a large area of the Western Indian Ocean. It has a network of fully modern airbases, plus supporting aircraft facilities, throughout its coastal zones. Its air force is equipped with French Mirage fighters and other superlative equipment, lacking only long-range maritime aircraft. All elements of the South African defense forces are in a high state of combat readiness. They could play a key role in any situation involving a threat to oil lifelines of the Western countries.

In the event of a major crisis, it must be assumed that the Soviet Union could execute a forward deployment of its own involving dispatch of aircraft to Aden, India and Somalia. Tanzania is oriented towards Peking rather than Moscow, and the Chinese Communists have been building a military airfield near Dar-es-Salaam; but Soviet access to that airfield cannot be ruled out in view of Tanzania's stance against the Western powers.

The deployment of U.S. naval vessels and/or squadrons is not a substitute for a national strategy covering the Western Indian Ocean. The situation has changed completely since the days when the British were dominant in the area. Aside from the Soviet naval presence, which consists of a substantial task force of approximately a dozen or more modern ships, there are the rapidly expanding military capabilities of several littoral nations plus the problem of serious subversion and insurgency in others. Thus, the Western Indian Ocean area equation gets more complicated year by year.

CONFLICT SITUATIONS

In the Gulf itself—the immediate, vital zone—there are numerous tensions and deeply rooted problems: disputes over undersea boundaries, the Iranian claim to Bahrain, Iraq's threatening actions toward Kuwait, a subversive miniwar in Dhofar, Saudi hankerings after parts of Abu Dhabi and Oman. Each of these disputes could have a trigger effect on a conflict involving external powers.

The major conflict situation, however, involves Iraq and Iran. On April 9, 1972, Iraq entered into a treaty of friendship with the Soviet Union, which provides for military cooperation. Iran, on the other hand, is linked to the United States and is currently in the midst of a significant military buildup. The Iranian armed forces are being equipped with the latest United States and British weapons, including F-4 Phantom jets and Hovercraft assault vehicles. The Shah has evidenced strong determination to make Iran the leading Persian Gulf power and to control ship traffic through the Straits of Hormuz. In addition, he envisages Iran's security perimeter extending beyond the straits into the Indian Ocean.

A complication has been added in the form of an Indian training mission to Iraq that trains Iraqi pilots to fly Soviet-supplied MIG fighters. The participation of the Indians in the training scheme is another indication of India's close collaboration with the Soviet Union in trying to eliminate all Western influence from the Indian Ocean.

The Indian government denies that it has given facilities to the Soviet Navy on India's coasts or outlying islands. But the denial fails to convince many observers who note the presence of numerous Soviet naval advisers and the transfer of Soviet ships to India. Hanson W. Baldwin wrote in his book, "Strategy for Tomorrow," regarding the common features of Soviet and Indian military and naval planning. He noted that the first steps had been taken for the "integration" of the Indian military establishment with the Soviet.

In another decade, given conditions of peace, Iran will have attained a very considerable degree of industrialization. Reforms introduced by the Shah are designed to bring Iran fully into the modern world. But the next decade will be fraught with difficulties and dangers because of the weakness an vulnerability of the small states on the Arabian peninsula and because of Communist-inspired insurgency. The Union of Arab Emirates, composed of seven small states, is very weak. It is subject to subversive pressure from both Soviet and Chinese Communist elements in the so-called Popular Front for the Liberation of Oman and the Arab Gulf. This type of subversive activity can be found almost anywhere along the rim of the western Indian Ocean—from the Eritrean Liberation Front in Ethiopia to the FRELIMO terrorist organization in Mozambique, an organization dominated by pro-Peking elements, which today appears to have inherited the Portuguese mantle.

Current American concern with respect to the western Indian Ocean is almost completely related to the need for adequate oil supplies. But no appraisal of the area would be complete without mention of the Chinese Communist penetration of Tanzania on the East African coast and the operation of terrorists against Mozambique and Rhodesia. These terrorist groups, with their parallel sanctuaries in Tanzania and Zambia, look to the Chinese Communist construction of the Tan-Zam Railroad as an instrument for creating a Red belt across Central Africa from Tanzania on the Indian Ocean to Zaire's window on the South Atlantic.

While the primary U.S. emphasis on the Indian Ocean has to do with oil, strategic planners cannot ignore the fact that the United States depends on Indian Ocean routes for access to strategic minerals and materials in Africa, including beryl, chrome, ore, antimony, asbestos, copper, columbium, lead, nickel and uranium. The United States is not only facing an energy crisis in the mid and late 1970s but a minerals crisis as well. Access to strategic minerals will be an increasingly serious national concern in the latter part of this decade. The same situation applies to the NATO countries, of course. Africa has been a source of essential minerals for Europe. The security of the Indian Ocean route is of prime importance to Europe, especially with respect to the movement of copper.

On top of all the national rivalries and confusion of states and political movements on the rim of the western Indian Ocean there is the problem of the Arab-Israeli contest. Emotional and religious issues have become involved in the struggle over oil, for example as the Arab nations debate the curtailment of oil supply as a means of altering American and West European policies on the Arab-Israeli confrontation. No more complicated problem has confronted U.S. statesmen and military planners than that of devising an overall policy designed to protect America's vital interests in the western Indian Ocean world.

THE PSYCHOLOGICAL FACTOR

A further complication—and it is one that the U.S. public must recognize—is that the threatened loss of energy sources in a remote region comes at a time when a mood of withdrawal is dominant in the United States and when Congress and many citizens oppose foreign involvements of any sort. Add to this the intensity of the anti-defence campaign conducted by some elements of the media and one gets an outline of the restrictions inhibiting U.S. policy planners in devising an appropriate response to the dangers emerging in the western Indian Ocean.

The threat, of course, is real and clear—politically ordained cut-offs of oil that the U.S. Europe and Japan must have and/or a combination of insurgency and Soviet naval support for revoluntionary elements bent on overthrowing Persian Gulf governments that are reasonably friendly to the United States. Faced with threats in the Atlantic and Pacific in recent years (Dominican Republic, Taiwan, etc.), the United States has had ready forces to intervene or to bar enemy intervention. But the U.S. is without effective forces in the western Indian Ocean. It has only a token, show-the-flag contingent of two ships in the Persian Gulf.

This would not be the first time that the mood of the American public and Congress has deterred the U.S. from taking measures

necessary to provide for national security. The isolationism that followed World War I effectively prevented the United States from opposing Japan's militarization of the former German islands in the Pacific north of the equator. This American passivity resulted in a shift in the strategic balance and encouraged Imperial Japan to strike at the United States in 1941.

This experience is applicable to developing conditions in the Persian Gulf and western Indian Ocean. The U.S. has a tremendous strategic interest in the oil-production and resulting maritime commerce, but it may lack the means and the public will to interpose strong forces that would fully stabilize the area.

SOME SECURITY IMPERATIVE

Some additions to U.S. strength in the western Indian Ocean are imperative, however, if America is to maintain any degree of credibility as a power that can translate its words into deeds. Logically, the naval units assigned to the western Indian Ocean would be homeported at Simonstown. But considerations of politics in the United States would seem to rule out the adoption of this logical, pragmatic solution. The U.S. government would not be likely to order such homeporting in view of the certainty of an outcry from elements willing to sacrifice the nation's strategic interests for considerations of domestic politics and ideology.

Nevertheless, there is a possibility that a new formula could be devised that would permit a valuable coordination of air and naval operations involving surveillance of tanker traffice and Soviet warships. Practical ways might be found to combine U.S. and South African naval strengths in keeping the sea lanes open. American military military aircraft do visit South African airfields from time to time. Joint naval manoeuvres were held to devise arrangements that would give U.S. forces the benefit of communications and technical facilities at Simonstown while affording South Africa new opportunities for coordination and receipt of maritime Intelligence data.

The augmentation of forces in the Indian Ocean would necessarily be modest, however, in view of the costs and the lack of public policy. In the main, therefore, the U.S. in order to protect its interests, will have to rely on assistance to and cooperation with friendly powers in the area. It also will be vital for the U.S. to enter into cooperative arrangements with the principal West European powers which share our strategic stake in unrestricted access to and movement of the Persian Gulf oil.

The most important U.S. relationship in the area is with Iran, which is the premier power of the Gulf region and which has long standing ties with the United States. As the Iranians make ever-greater use of American defense equipment and long-term commitments for training, spare parts and replacements, the bonds of alliance will be strengthened. These arrangements are eased in that Iran is not involved in a military confrontation with Israel. The historic Iranian strategic concern is with Soviet pressure from the north, now gaining a new dimension because of Soviet seapower in the Indian Ocean.

The other major Gulf power with which the United States needs to develop improved relations is Saudi Arabia. This task poses a greater problem for the United States because of the vulnerability of Saudi Arabia to pressure from more militant Arab countries. Saudi Arabia's great wealth makes it an object of envy in the Arab world. It is virtually forced to give financial aid to other Arab states as a device to buy peace. It must be borne in mind, moreover, that the revolutionary Arab states are ideologically opposed to the traditional system of government in Saudi Arabia. The vastness and relative emptiness of this desert country are an invitation to attack. Saudi Arabia has a population of about seven million scattered over a huge territory—833,000 square miles, or a region about three times the size of Texas. Thus, Saudi Arabia has legitimate cause for anxiety about its security.

In these circumstances, the United States has done well to agree to sell arms to Saudi Arabia and adjacent Kuwait. The latter state, very small and enormously rich in oil revenues, is a prime target for revolutionary forces in the Arab world.

In selling arms to certain Arab nations *and* Israel, the United States government has emphasized what it calls a policy of even-handedness. The goal—and it is a sound one—is a policy towards Saudi Arabia and Israel that combines friendliness with restraint. Pragmatic policy planners in the United States know that even if a sharp tilt toward the Arab countries were desirable right now, the realities of domestic politics, as seen and accepted by successive administrations, render such a drastic change of course exceedingly unlikely.

Thus, the U.S. approach must be one of modest adjustments, coupled with provision to Saudi Arabia of modern defence systems capable of coping with the offensive weapons that the Soviet Union furnishes to the revolutionary Arab nations. Anything less than this almost certainly would result in a future takeover of Saudi Arabia by revolutionary, anti-Western elements.

THE EUROPEAN INTEREST

In devising plans to protect its interests in the Persian Gulf and western Indian Ocean, the United States also has to calculate the future role of the NATO countries. Three of these countries—Britain, France, and Portugal—have a history of activity in the Indian Ocean. All retain interests in this oceanic theatre. France, for example, controls the small, highly strategic Afars and Issas territory at the mouth of the Red Sea and Reunion Island in the Indian Ocean. Britain continues to maintain limited naval forces between Cape Town and Singapore. Ships of the Royal Navy make regular calls at Simonstown naval base under terms of the 1955 Simonstown Agreement which provides joint naval security measures with South Africa. Together, the members of the North Atlantic Treaty Organization account for fifty-six per cent of the shipping (25,000 ships a year) that go around the Cape of Good Hope.

In summary, the NATO countries are dependent on the Cape Route and tanker traffic to the Persian Gulf. Yet there are no substantial or coordinated efforts by the West European nations to protect their interests in this crucial region. Patrick Wall, M.P., writing in NATO's *Fifteen Nation* (*The Hague*), has commented:

"This is of course absurd, but because of Western politicians' fears of becoming embroiled in the politics of Southern Africa, NATO is not allowed to plan for the South Atlantic or South Indian Ocean .... What is sorely needed is official NATO recognition of the Simonstown Agreement—and the provision of adequate communications and joint planning facilities .... Surely it is near lunacy not to make adequate provisions now.

Major Wall wrote those words a year or so prior to the West's sudden burst of concern about access to Persian Gulf oil. Today, the urgency of West European commitment to defence planning in the Western Indian Ocean is vastly greater. It is unlikely, however, that the needs of the situation will be met by NATO's ponderous consultative machinery. The commitment of ships to the Indian Ocean—and that's what is needed—most probably will have to be sought on a nation-by-nation basis. The West European nations which want to be sure they have access to Persian Gulf oil in the mid-seventies must be made to understand that the United States will not furnish security for their sea communications between the Cape of Good Hope and the Gulf.

No doubt it will be a shock to many West European nations to realize that they have a strategic requirement for deploying forces "East of Suez." These nations have come to depend on the United States to assume all the defence burdens in remote regions. But the financial cost of involvement in the Indian Ocean is nothing as compared to the shock that West European nations would experience if they found their customary oil supplies from the Gulf suddenly interrupted or terminated. In pressing for naval commitments from the West European nations, the United States will have to utilize stern diplomacy, linking the naval commitments in the new danger region to American force levels in Europe. In turn, the European nations undoubtedly would find that deployment of fleet units to the tanker routes and to the waters of the oil-producing countries would give their diplomatic efforts a new credibility.

This independent deployment of warships and supporting sea-based aircraft by several European nations may seem to be a rejection of alliance after two decades of the NATO experience. It is important, therefore, to remember that the warships of several West European countries operate in North European and Mediterranean waters without NATO control. France has been going her own way for some years.

And in the Baltic, Danish, German and Swedish units operate independently, although all are concerned about the Soviet naval threat in those waters. In the Indian Ocean, U.S., British, French, Australian, South African and other Western countries maintain naval units wholly independent of one another. Independent operation can continue in the future. The real need is for immediate augmentation of Western naval forces and for coordination in time of crisis.

These proposed political and military measures constitute a feasible, albeit limited, initiative on the part of the United States and other Western nations. Compared to some of the actions the United States has taken in the past in Europe and South East Asia, the steps outlined here may seem overly cautious and restricted in scope. It would be desirable to develop at least one base under American control, and to deploy U.S. Air Force units in the area, but major undertakings of this sort don't appear feasible in the immediate, post-Vietnam era. Any suggestion of large-scale action wouldn't be a practical contribution to solving a serious, developing security problem. At this point in American history, only minimum commitments have a chance of winning congressional and public approval. Even the proposals for a limited commitment will probably be strenuously opposed. One can only hope that as the nation gains a clearer understanding of the dimensions of the threat to its energy sources, responsible leaders will be enabled to take prudent security measures.

"WAIT-AND-SEE" WON'T DO

The shift of the global danger point from the great ocean basins of the Atlantic and Pacific was foreseen over a decade ago by two prescient American admirals, Arleigh Burke, former Chief of Naval Operations, and John S. McCain, Jr., former Commander-in-Chief Pacific. They warned numerous times of the need to establish a U.S. naval presence in the Indian Ocean.

The requirements of the Vietnam War put creation of an Indian Ocean task force temporarily beyond U.S. capabilities. Even as the war wound down, however, and the West

began to get an inkling of the emerging energy crisis, American policy planners accorded the Indian Ocean a low priority. As late as 1971, Ronald Spiers, Director of the Bureau of Politico-Military Affairs of the Department of State, told the House Foreign Affairs Committee that "there appear to be no requirements at this time for us to feel compelled to control or even decisively influence any part of the Indian Ocean or its littoral." This statement was made at a time when the Soviet Union was sharply stepping up its deployment of naval forces in the Indian Ocean.

The "wait-and-see" policy of the U.S. with respect to the Indian Ocean has been overtaken by events. Political change in Madagascar has resulted in the removal of French influence. Tanzania has permitted the Chinese Communists to build a naval base that could be used by small missile-firing craft capable of interdicting tanker traffic. Elsewhere the situation has deteriorated drastically.

For the moment, the Persian Gulf nations possess an Aladdin's lamp of riches and international political leverage. By the end of this century, after the advanced Western nations have developed new energy processes on their territories, the oil-producing countries will cease to have a central position in world affairs. But, for the time being, the West cannot ignore the powerful genie in the oil wells of the Middle East. The United States and its allies in Western Europe must make certain that their political and military policies assure them access to the vital energy resources represented by Persian Gulf oil.

The PRESIDING OFFICER. All time has expired. The question on agreeing to the resolution.

Mr. STENNIS. A parliamentary inquiry, Mr. President.

Mr. MANSFIELD. Mr. President, is not the rollcall automatic?

The PRESIDING OFFICER. The rollcall is not automatic.

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

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. STENNIS. Mr. President, may I ask——

The PRESIDING OFFICER. Does the Senator from Mississippi wish the resolution stated?

Mr. STENNIS. Yes.

The PRESIDING OFFICER. The resolution will be stated.

The legislative clerk read as follows:

Resolved, That the Senate does not approve the proposed construction project on the island of Diego Garcia, the need for which was certified to by the President and the certification with respect to which was received by the Senate on May 12, 1975.

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

The legislative clerk called the roll.

Mr. ROBERT C. BYRD. I announce that the Senator from Mississippi (Mr. EASTLAND) is necessarily absent.

Mr. GRIFFIN. I announce that the Senator from Oklahoma (Mr. BELLMON) and the Senator from Arizona (Mr. GOLDWATER) are necessarily absent.

The result was announced—yeas 43, nays 53, as follows:

[Rollcall Vote No. 340 Leg.]

YEAS—43

Abourezk	Hartke	Mondale
Bayh	Haskell	Montoya
Biden	Hatfield	Moss
Brooke	Hathaway	Muskie
Bumpers	Huddleston	Nelson
Burdick	Humphrey	Pell
Church	Inouye	Proxmire
Clark	Kennedy	Randolph
Cranston	Leahy	Ribicoff
Culver	Long	Scott, William L.
Eagleton	Mansfield	Symington
Ford	Mathias	Tunney
Gravel	McGovern	Williams
Hart, Gary W.	McIntyre	
Hart, Philip A.	Metcalf	

NAYS—53

Allen	Garn	Pastore
Baker	Glenn	Pearson
Bartlett	Griffin	Percy
Beall	Hansen	Roth
Bentsen	Helms	Schweiker
Brock	Hollings	Scott, Hugh
Buckley	Hruska	Sparkman
Byrd, Harry F., Jr.	Jackson	Stafford
Byrd, Robert C.	Javits	Stennis
Cannon	Johnston	Stevens
Case	Laxalt	Stevenson
Chiles	Magnuson	Stone
Curtis	McClellan	Taft
Dole	McClure	Talmadge
Domenici	McGee	Thurmond
Fannin	Morgan	Tower
Fong	Nunn	Weicker
	Packwood	Young

NOT VOTING—3

Bellmon	Eastland	Goldwater

So the resolution (S. Res. 160) was rejected.

Mr. STENNIS. Mr. President, I move to reconsider the vote by which the resolution was rejected.

Mr. THURMOND. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

DISAPPROVAL OF THE PRESIDENT'S PROPOSAL TO DECONTROL OLD OIL PRICES

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate turn to the consideration of Calendar No. 279, Senate Resolution 145.

The VICE PRESIDENT. The clerk will report.

Mr. HUGH SCOTT. Mr. President, reserving the right to object——

The VICE PRESIDENT. First the clerk will report.

The legislative clerk read as follows:

Calendar No. 279, S. Res. 145, a resolution to express the disapproval of the Senate of the President's proposed amendment to the regulations promulgated under Sec. 4(a) of the Emergency Petroleum Allocation Act of 1973 to remove price controls from domestic crude oil, residual oil, propane, and refined petroleum products.

The VICE PRESIDENT. The question is to proceed to the consideration of the resolution.

Mr. FANNIN. I object.

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Senate Resolution 145 by Mr. JACKSON, and others.

The VICE PRESIDENT. The question is on agreeing to that motion.

CLOTURE MOTION

Mr. ROBERT C. BYRD. I send a cloture motion to the desk.

The VICE PRESIDENT. The cloture motion having been filed the Chair, without objection, directs the——

Mr. FANNIN. Mr. President, there was an objection.

Mr. MANSFIELD. I moved though.

The VICE PRESIDENT. There is objection. The Chair will have to hear the motion. Is there objection?

Mr. SYMINGTON. Reserving the right to object, what is the resolution?

The VICE PRESIDENT. It is a cloture motion which the clerk will read unless there is objection. If there is, the Chair will have to state the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, pursuant to the provisions of Rule XXII of the Standing Rules of the Senate do hereby move to bring to a close the debate on the motion to proceed to the consideration of S. Res. 145, a Resolution to express the disapproval of the Senate of the President's proposed amendment to the regulations promulgated under sec. 4(a) of the Emergency Petroleum Allocation Act of 1973 to remove price controls from domestic crude oil, residual oil, propane, and refined petroleum products.

Henry M. Jackson, Claiborne Pell, Alan Cranston, Walter D. Huddleston, Frank E. Moss, William Proxmire, Edward M. Kennedy, William D. Hathaway, John C. Culver, Thomas F. Eagleton, Dick Clark, Hubert H. Humphrey, Harrison A. Williams, Jr., Ernest F. Hollings, Walter F. Mondale, Gary W. Hart, Philip A. Hart.

Mr. CURTIS. Mr. President, parliamentary inquiry.

The VICE PRESIDENT. Does the Senator from Montana yield?

Mr. PASTORE. May we have order, please.

The VICE PRESIDENT. Order in the Chamber, please.

Mr. MANSFIELD. I am not at all certain that the original request was fully understood, and just to avoid any confusion, I ask unanimous consent that the Senate turn to the consideration of Senate Resolution 145.

The VICE PRESIDENT. That is the motion before the Senate.

Mr. FANNIN. Mr. President, the Senator from Arizona did voice objection.

Mr. MANSFIELD. That was the reason I moved, but I thought I might have been mistaken.

The VICE PRESIDENT. That motion can be made without a unanimous-consent request, and it is now the pending question.

POSTAL SERVICE COMPLIANCE WITH THE OCCUPATIONAL SAFETY AND HEALTH ACT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the pending business be laid aside and that the Senate turn to the consideration of Calendar No. 325, H.R. 2559, which is a bill having to do with various matters within the Postal Service, but also has to do

with salary increases for members of the different branches of the Government, and I ask unanimous consent that a copy of the bill be incorporated in the RECORD at this point, and also that appropriate sections of the report be printed.

Mr. ALLEN. I object.

The VICE PRESIDENT. The clerk will report.

The legislative clerk read as follows:

Calendar No. 325, H.R. 2559, an act to amend title 39, United States Code, to apply to the United States Postal Service certain provisions of law providing for Federal agency safety programs and responsibilities, and for other purposes.

Mr. ALLEN. I object.

The VICE PRESIDENT. Is there objection?

Mr. ALLEN. I object.

Mr. MANSFIELD. Mr. President, may I say the reason I asked that a copy of the bill be put in and the pertinent parts of the report was so that nobody would get any idea that anything was being done under the table. The record will have to speak for itself.

The VICE PRESIDENT. Is there objection to printing——

Mr. ALLEN. I object.

Mr. MANSFIELD. Mr. President—just a moment—I could read the bill into the record.

Mr. ALLEN. I object.

Mr. MANSFIELD. I could read the report.

Mr. ALLEN. I object to the immediate consideration. I have no objection——

The VICE PRESIDENT. Is there objection to the inserts? The Chair hears none, and it is so ordered. They will be printed.

Mr. MANSFIELD. All right, pertinent portions of the report and the bill itself.

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

PURPOSE

Under the July, 1973, collective bargaining agreement with the National Postal Unions, the Postal Service is bound to comply with the applicable section of the Occupational Safety and Health Act of 1970. The purpose of H.R. 2559 is to reinforce this responsibility by imposing upon the Postmaster General the statutory requirement that he comply with the Act by establishing and maintaining an effective and comprehensive occupational safety and health program for the Postal Service.

BACKGROUND

With certain exceptions, the Postal Reorganization Act (section 410), provides that no Federal law dealing with public or Federal contracts, property, works, officers, employees, budgets, or funds shall apply to the exercise of the powers of the Postal Service. The Occupational Safety and Health Act is not specifically applicable to the Postal Service. Section 410(b) of title 39 lists laws which are exceptions to the general non-applicability provision. H.R. 2559 adds section 19 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 668) to the list of exceptions.

The addition of section 19 of the Occupational Safety and Health Act brings the Postal Service within the purview of that Act. Thus, the Postmaster General would be required to establish and maintain an effective and comprehensive occupational safety and health program. After consultation with representatives of Postal Service employees, the Postmaster General would be required:

to provide safe and healthful places and conditions of employment.

to acquire, maintain, and require the use of safety equipment, personal protective equipment, and devices reasonably necessary to protect employees.

to keep adequate record of all occupational accidents and illnesses for proper evaluation and necessary corrective action.

to consult with the Secretary of Labor with regard to the adequacy as to form and content of the records kept.

to make an annual report to the Secretary of Labor with respect to occupational accidents and injuries and the Postal Service's health and safety program.

The Postal Service expresses no objection to the enactment of H.R. 2559, but views it as unnecessary, since the Postal Service is already complying with the requirements of the legislation under its collective bargaining agreement with the National Postal Unions.

STATEMENT

The Committee is concerned over the occupational safety and health program of the Postal Service and believes that the program would be improved if compliance with the Occupational Safety and Health Act were required by law rather than by negotiated agreement with the Unions. Hearings in 1973 conducted by the House Post Office and Civil Service Committee's Postal Facilities, Mail, and Labor Management Subcommittee and a Staff Report issued by that Subcommittee reveal lapses in the Postal Service's safety program—shortcomings which the Committee believes would be more expeditiously eliminated if compliance with safety standards were required by law.

The House Subcommittee hearings and Staff Report show:

The steel, textile, automobile, and shipbuilding industries have substantially lower accident rates than the Postal Service does.

Union officials were severely critical of Postal Service management's efforts in the field of safety.

The Postal Service probably should increase its complement of professional safety experts.

Unhealthy and unsafe conditions were noted by the House Subcommittee's staff at several Post Offices.

COST

Enactment of this measure will not result in increased costs to the Postal Service, since the Postal Service is currently complying with section 19 of the Occupational Safety and Health Act of 1970.

TITLE II

PURPOSE

The purpose of the amendment to H.R. 2559 which constitutes Title II of the bill as reported is to provide a minimal salary adjustment for top executive, legislative and judicial officers and employees of the United States who last received an increase in compensation in March 1969. By so doing, Title II would meet what the Comptroller General of the United States has called "a critical need." It also would provide a measure of relief to the increasing numbers of senior civil service employees on the General Schedule affected by the $36,000 ceiling in effect now for 76 months.

The adjustment proposed in each instance would be an amount, rounded to the nearest multiple of $100 (or if midway between multiples of $100, to the nearest higher multiple of $100, equal to the percentage set forth in the report transmitted to the Congress under section 5305 of title 5, which pertains to annual adjustments in the rates of pay under the General Schedule. The adjustment would take effect at the beginning of the first month in which the adjustment under section 5305 occurs. Unless altered by an alternative plan proposed by the President, which is not disapproved by either the Senate or House of Representatives, that adjustment occurs as of the beginning of the first applicable pay period commencing on or after October 1 of each year.

While Title II of the bill would not correct the pay gap which has grown since 1969 or the problem of compression which has taken place in the higher reaches of the Government's salary schedules, it would put a stop to the continued growth of the pay gap occasioned by the increased cost of living since March 1969 and the pay adjustments which have occurred in other segments of the economy over that period of time. It would provide a cost-of-living type of relief to those officials and employees whose purchasing power has been eroded by almost a third because of inflation.

It is anticipated that the matter of the pay gap will be reviewed by the next Quadrennial Commission on Executive, Legislative, and Judicial Salaries during Fiscal Year 1977.

BACKGROUND

Salary adjustments for top-echelon officials of the Government are provided for under the Federal Salary Act of 1967, which authorizes a Commission on Executive, Legislative, and Judicial Salaries, whose function is to study and review the compensation of the personnel affected and report its recommendations to the President no later than January 1 of the year following the close of the fiscal year in which the Commission is appointed to make its quadrennial review.

The President then makes his recommendations on the rates of pay for the offices and positions with which the Commission is concerned to the Congress, including those recommendations in his Budget message. The President's recommendations become effective at the beginning of the first pay period which begins after the thirtieth day following the transmittal of his recommendations, unless Congress enacts a conflicting law or specifically disapproves all or part of his recommendations.

The last pay adjustments provided for under this Act took effect in March 1969. The most recent Commission was appointed by then-President Nixon in December, 1972, too late for it to include a review and make a report by January 1, 1973. Thus, that report was delayed a year, being submitted to Congress on February 4, 1974. The Committee on Post Office and Civil Service reported a resolution (S. Res. 293) on February 28, 1974, which would have permitted all provisions of the President's proposal, except those providing adjustments in the pay of Members of Congress, to take effect. The Senate, however, amended the Resolution to disapprove all of the President's recommendations and thus rejected the entire proposal on March 6, 1974.

Prior to the events of early 1974, the Committee on Post Office and Civil Service had reported a bill (S. 1989) which would have provided for a biennial review and adjustment, rather than a quadrennial review and adjustment, and which would have provided for the President's recommendations to be submitted to Congress no later than August 31 of every second year beginning in 1973. That bill was passed by the Senate but failed in the House of Representatives.

Subsequent to the Senate's disapproval of the President's recommendations in 1974, hearings were held on proposed legislation with respect to the rates of pay for Levels III, IV, and V of the Executive Schedule and certain positions in the Legislative and Judicial branches, as well as legislation to provide for a unified system for making pay adjustments for all civilian employees and officers.

STATEMENT

The salaries of the Government's key personnel, including Cabinet officers, other presidential appointees, Members of Congress, the Federal Judiciary from the Chief Justice down, and, as the result of provisions of the law freezing other employees' salaries, about 14,600 other employees covered by statutory pay systems and 600 officers of the armed services, are fixed. For many, they have been fixed since March of 1969.

In March of 1969 the Consumer Price Index stood at 108.0. In May of 1975, it stood at 159.3, up 47.5 percent. The effect has been to eat away at the purchasing power of the affected officers and employees. By May 1975, according to information supplied the Committee by the General Accounting Office, individuals holding these positions had lost almost a third of the purchasing power of their March 1969 salaries.

Executive level	March 1969 salary	May 1975 purchasing power
I	$60,000	$40,680
II	42,500	28,815
III	40,000	27,120
IV	38,000	25,764
V	36,000	24,408

To put it another way, a Level V official would have to earn about $53,000 a year just to maintain the same standard of living he had in 1969.

Since the last salary adjustment for personnel on the Executive Schedule or in comparable Legislative or Judicial posts, General Schedule employees have received seven pay raises accumulating to about 50 percent. As a result, increasing numbers of employees in the General Schedule are affected by the pay limitation provision, 5 U.S.C. 5308, which provides that General Schedule employees may not be paid at a rate in excess of the basic rate for Level V of the Executive Schedule, which has been $36,000 for the past 76 months.

This salary compression weakens two statutory principles—equal pay for equal work and the maintenance of proper pay distinctions in keeping with responsibility. A June 1974 study by the Civil Service Commission showed that intergrade differentials between private sector equivalents to GS-15 to GS-18 were as follows:

Between grades:	Percentage differential
GS-15 and GS-16	24.6
GS-16 and GS-17	26.3
GS-17 and GS-18	27.5

The same situation applies to the Federal Judiciary. Attorney's salaries, as surveyed by the United States Department of Labor, have risen 43.9 percent since 1969, while the salaries of U.S. Judges have not risen at all. Salaries of State Chief Judges have increased 44.2 percent in the same period, and, whereas in 1969 only one state (New York) paid its judiciary at a rate greater than the pay of a United States District Court Judge, there now are 20 states compensating their judges at rates equal to or greater than the pay of Federal District Court Judges.

Another study entitled, "Report of Special Survey of Level of Quality of Patient Care at Veterans' Administration Hospitals and Clinics," relating to the pay of physicians, dentists, and nurses in V.A. Hospitals, includes the following recommendation:

In the opinion of the Task Force, the top priority to be considered is remuneration for physicians.

We recommend that legislative action be sought in the current session of the Congress to obtain incentive pay for physicians, dentists, and nurses. Such actions are critically important because the pay raise anticipated in October, 1974, will have no benefit for 1,850 physicians and dentists and an additional 835 will not be able to realize the full percentage increase of the raise due to the $36,000 per annum salary restriction. If improved remuneration is not forthcoming in the next few months, we are convinced that the VA's ability to recruit well-qualified physicians will be seriously impaired and there will be an acceleration of resignations and conversions to part-time employment for economic reasons.

The Committee is aware of any number of anomalous situations created by the present $36,000 pay ceiling. Continuation of a policy which can only progressively wipe out pay distinctions can only erode morale within the work force and have a negative effect upon the career incentives of people in key positions. Indeed, as the General Accounting Office has pointed out in a paper presented to the Committee, "The salary ceiling along with cost-of-living adjustments for Federal retirees has provided increased incentives for eligible executives to retire."

Between November 1, 1974, and February 1, 1975, the retirement rate of eligible Government executives was almost 300 percent higher than the Government-wide average. And they retire at a younger age, resulting in added costs to the retirement fund. The GAO reports that at least seven former Government officials now receive annuities greater than $36,000.

SECTIONAL ANALYSIS OF TITLE II

Section 202 of the bill provides a new method for annual adjustment of rates of pay for each level of the Executive Schedule. The adjustment would become effective whenever a comparability adjustment is made under 5 U.S.C. 5305 in the statutory salary systems (normally in October of each year). The amount of the adjustment would equal the percentage of the comparability adjustment, rounded to the nearest $100.

Section 203 relates to the salary of the Vice President and provides a method for the automatic adjustment of the rate of pay for the Vice President under a formula identical to the formula prescribed for the Executive Salary Schedule.

Section 204 covers the rates of pay for Members of the Congress and officials of the legislative branch and includes in 204(d) an amendment to the Federal Pay Comparability Act of 1970 to reflect the level of pay currently authorized for certain officers and employees of the legislative branch. The section provides that the pay of the affected Members, officials and employees would be adjusted under the same formula used for the Executive Salary Schedule.

Section 205 relates to the salaries in the judicial branch, which also would be adjusted under a formula identical to that used for the Executive Salary Schedule.

Section 206 would correct an oversight in the Federal Salary Act of 1967, title II, Public Law 90-206, so as to include the offices of Vice President and certain legislative branch officials within the purview of the quadrennial salary review of the Commission on Executive, Legislative, and Judicial Salaries. It also provides that the salaries of those offices may be adjusted as are other legislative branch salaries under the provisions of this bill.

COSTS

Cost estimates are based on the following accounting of affected personnel:

NUMBER OF EMPLOYEES

Executive schedule:	
Level I	12
Level II	53
Level III	102
Level IV	347
Level V	271
Total	785
Legislative (Members and top officials)	560
Judicial:	
Chief Justice of the United States	1
Associate Justices, Supreme Court	10
Judges, Circuit Court of Appeals	144
Judges, Court of Claims	10
Judges, Court of Military Appeals	3
Judges, Court of Customs and Patent Appeals	6
Judges, District Courts	502
Judges, Customs Court	12
Judges, Tax Court of the United States	22
Administrative Assistance to Chief Justice	1
Director, Federal Judicial Center	1
Director, Administrative Office of the U.S. Courts	1
Deputy Director, Administrative Office of the U.S. Courts	1
Commissioners, Court of Claims	16
Referees in Bankruptcy (full-time maximum)	190
Referees in Bankruptcy (part-time maximum)	30
U.S. Magistrates	133
Total	1,083
Affected by $36,000 ceiling:	
Executive branch:	
General Schedule	8,750
Veterans Schedule	2,000
Foreign Service Schedule	1,300
Others	2,100
Judicial branch	350
Legislative branch	100
Total	14,600

In addition to the above, there are 600 officers in the armed services whose pay is limited by the $36,000 ceiling.

The October 1975 comparability increase for employees on the General Schedule is estimated at about 8 percent. On that basis, the increased cost to the Government as the result of passage of Title II of H.R. 2559 would be $49.7 million, broken down as follows:

	In millions
Executive schedule	$2.4
Legislative	1.8
Judicial	3.5
Affected by compression	42.0
Total	49.7

These cost figures are computed on the basis of an average increase of $3,200 for the top officials and an increase of $2,880 for employees affected by the pay ceiling. The total is less than estimated in the Comptroller General's report which uses a cost of approximately $6.5 million for each 1 percent or a total of $52 million.

The actual range of possible increases in the General Schedule at this time runs from 8.6 percent to 5 percent, the latter representing a possible ceiling which the President might recommend as an alternative. Thus, the annualized cost could range from approximately $52 million to approximately $31 million, depending upon future developments. Future annual costs would be dependent upon the results of annual pay comparability studies.

The executive branch has advised that since the top executive salaries and the employees affected by the compression are spread throughout the entire executive branch, all costs for the executive branch will be absorbed by each applicable agency without any requests for additional appropriations for the current fiscal year.

GENERAL ACCOUNTING OFFICE

The executive pay problem is becoming increasingly critical

In February 1975, we reported to the Congress that there was a critical need for a better system for adjusting top executive, legislative, and judicial salaries. As we reported, the impasse on adjusting top officials'

salaries has frozen salaries since March 1969 for Members of Congress, judges, Presidential and other appointees, and about 14,700 career civil service personnel.

The quadrennial review and adjustment process has failed. It is much too long a period in our dynamic economy. Increases should be automatic. The last increase was proposed in 1974. A significant percentage increase was needed but the Senate rejected the President's proposed three stage increase. Failure to adjust top officials' salaries and resultant compression in other systems create great inequities and are having serious adverse effects on recruitment, retention, and incentives for advancement throughout the Federal service.

To date, no action has been taken on the General Accounting Office recommendation that legislation be enacted to reform the salary adjustment process for top officials. This paper updates information included in our February report which shows that the situation continues to worsen for Federal executives and their employing agencies and promises to deteriorate even further.

Erosion of purchasing power

Inflation has continued to erode the purchasing power of executive, legislative, and judicial salaries. By May 1975, individuals holding these positions had lost almost a third of the purchasing power of their March 1969 salaries.

Executive level	March 1969 salary	May 1975 purchasing power
I	$60,000	$40,680
II	42,500	28,815
III	40,000	27,120
IV	38,000	25,764
V	36,000	24,408

To put it another way, a Level V official would have to earn about $53,000 a year just to maintain the same standard of living he had in 1969.

The Compression Problem is Becoming More Severe

Since March 1969, General Schedule employees have received seven pay raises accumulating to about 50 percent. Estimates of the General Schedule increase, scheduled for October 1975, run as high as nine percent. While the President has indicated a desire to hold the raise to five percent, additional employees will reach $36,000 regardless of the percentage increase.

GS	Percent of employees at $36,000		
	Current pay rates	If October raise is— 5 percent	9 percent
18	100	100	100
17	100	100	100
16	89	100	100
15	19	46	62
14			3

Non-Federal executives have received substantial pay increases

From 1969 through 1974, non-Federal executives' salaries increased about 37 percent and were projected to increase another 10 percent during 1975. Similarly, senior civil service employees in other countries have had substantial pay increases since 1969. The pay of top government positions in England, Germany, and Italy increased anywhere from 50 to 150 percent between 1969 and 1975. Many officials in these countries now receive more compensation than their U.S. counterparts. These officials generally received pay increases at the same time increases were given the lower paid civil servants.

Retirement is more financially attractive than continuing to work

The salary ceiling along with cost-of-living adjustments for Federal retirees has provided increased incentives for eligible executives to retire. Since the last salary increase for top officials, retirees have received increases of approximately 55 percent. Another increase of 5.1 percent will be granted to retirees on August 1, 1975. Employees who retire by this date will also have the 7.3 percent increase of January 1, 1975, considered in their annuity calculations. For example, if a GS-18 with 30 years of service had retired in December 1974, his annual annuity after the August adjustment would be $23,843. If he continues to work through July 1975, his annuity on August 1, 1975, would be $22,836. If he retires after July 1975, his annuity would be only $21,724—$2,119 less than if he had retired in December and $1,112 less than if he had retired in July.

Between November 1, 1974, and February 1, 1975, the retirement rate of eligible Government executives was almost 300 percent higher than the Government-wide average. The greatest number of retiring executives was in the 55 to 59 age group. The greatest number of total retirements among all employes was in age group 62 and over. The earlier retirements of Government executives result in added costs to the retirement fund in addition to the cost of their replacements. At least seven former Government officials now receive annuities greater than $36,000.

H.R. 2559

An act to amend title 39, United States Code, to apply to the United States Postal Service certain provisions of law providing for Federal agency safety programs and responsibilities, and for other purposes

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

TITLE I—POSTAL SERVICE

SEC. 101. Section 410(b) of title 39, United States Code, is amended—

(1) by striking out the word "and" at the end of paragraph (5);

(2) by striking out the period at the end of paragraph (6) and inserting in lieu of the period a semicolon and the world "and"; and

(3) by adding immediately below paragraph (6) the following paragraph:

"(7) section 19 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 668).".

TITLE II—EXECUTIVE SALARIES

SEC. 201. This title may be cited as the "Executive Salary Cost-of-Living Adjustment Act".

SEC. 202. (a) Subchapter II of chapter 53 of title 5, United States Code, relating to Executive Schedule pay rates, is amended by adding at the end thereof the following new section:

"§ 5318. Adjustments in rates of pay

"Effective at the beginning of the first applicable pay period commencing on or after the first day of the month in which an adjustment takes effect under section 5305 of this title in the rates of pay under the General Schedule, the annual rate of pay for positions at each level of the Executive Schedule shall be adjusted by an amount, rounded to the nearest multiple of $100 (or if midway between multiples of $100, to the next higher multiple of $100), equal to the percentage of such annual rate of pay which corresponds to the overall average percentage (as set forth in the report transmitted to the Congress under such section 5305) of the adjustment in the rates of pay under the General Schedule.".

(b)(1) That part of section 5312 (relating to level I of the Executive Schedule) of title 5, United States Code, immediately below the section heading and immediately above clause (1) is amended to read as follows:

"Level I of the Executive Schedule applies to the following positions for which the annual rate of basic pay shall be the rate determined with respect to such level under chapter 11 of title 2, as adjusted by section 5318 of this title:".

(2) That part of section 5313 (relating to level II of the Executive Schedule) of title 5, United States Code, immediately below the section heading and immediately above clause (1) is amended to read as follows:

"Level II of the Executive Schedule applies to the following positions, for which the annual rate of basic pay shall be the rate determined with respect to such lever under chapter 11 of title 2, as adjusted by section 5313 of this title:".

(3) That part of section 5314 (relating to level III of the Executive Schedule) of title 5, United States Code, immediately below the section heading and immediately above clause (13) is amended to read as follows:

"Level III of the Executive Schedule applies to the following positions, for which the annual rate of basic pay shall be the rate determined with respect to such level under chapter 11 of title 2, as adjusted by section 5318 of this title:".

(4) That part of section 5315 (relating to level IV of the Executive Schedule) of title 5, United States Code, immediately below the section heading and immediately above clause (1) is amended to read as follows:

"Level IV of the Executive Schedule applies to the following positions, for which the annual rate of basic pay shall be the rate determined with respect to such level under chapter 11 of title 2, as adjusted by section 5318 of this title:".

(5) That part of section 5316 (relating to level V of the Executive Schedule) of title 5, United States Code, immediately below the section heading and immediately above clause (1) is amended to read as follows:

"Level V of the Executive Schedule applies to the following positions, for which the annual rate of basic pay shall be the rate determined with respect to such level under chapter 11 of title 2, as adjusted by section 5318 of this title:".

(6) The analysis of subchapter II of chapter 53 of title 5, United States Code, is amended by adding the following new item at the end thereof:

"5318. Adjustments in rates of pay.".

(c) Subsections (a) and (c)(1) of section 5305 of title 5, United States Code, relating to annual pay reports, are each amended by adding at the end thereof the following new sentence: "The report transmitted to the Congress under this subsection shall specify the overall percentage of the adjustment in the rates of pay under the General Schedule and of the adjustment in the rates of pay under the other statutory pay systems.".

SEC. 203. Section 104 of title 3, United States Code, relating to the rate of salary of the Vice President, is amended by striking out "$62,500, to be paid monthly." and inserting in lieu thereof "the rate determined for such position under chapter 11 of title 2, as adjusted under this section. Effective at the beginning of the first month in which an adjustment takes effect under section 5305 of title 5 in the rates of pay under the General Schedule the salary of the Vice President shall be adjusted by an amount, rounded to the nearest multiple of $100 (or if midway between multiples of $100, to the nearest higher multiple of $100), equal to the percentage of such per annum rate which corresponds to the overall average percentage (as set forth in the report transmitted to the Congress under section 5305 of title 5) of the adjustment in such rates of pay. Such salary shall be paid on a monthly basis.".

SEC. 204. (a) Section 601(a) of the Legislative Reorganization Act of 1946 (2 U.S.C. 31) is amended to read as follows:

"SEC. 601. (a)(1) The annual rate of pay for—

"(A) each Senator, Member of the House of Representatives, and Delegate to the House of Representatives, and the Resident Commissioner from Puerto Rico (except as otherwise provided in subparagraphs (B) and (C) of this paragraph),

"(B) the President pro tempore of the Senate, the majority leader and the minority leader of the Senate, and the majority leader and the minority leader of the House of Representatives, and

"(C) the Speaker of the House of Representatives,

shall be the rate determined for such positions under section 225 of the Federal Salary Act of 1967 (2 U.S.C. 351–361), as adjusted by paragraph (2) of this subsection.

"(2) Effective at the beginning of the first applicable pay period commencing on or after the first day of the month in which an adjustment takes effect under section 5305 of title 5, United States Code, in the rates of pay under the General Schedule, each annual rate referred to in paragraph (1) shall be adjusted by an amount, rounded to the nearest multiple of $100 (or if midway between multiples of $100, to the next higher multiple of $100), equal to the percentage of such annual rate which corresponds to the overall average percentage (as set forth in the report transmitted to the Congress under such section 5305) of the adjustment in the rates of pay under the General Schedule.".

(b) Subsections (a) through (d) of section 203 of the Federal Legislative Salary Act of 1964 (78 Stat. 415), relating to the annual rate of pay of certain legislative officials, is amended to read as follows:

"SEC. 203. (a) The compensation of the Comptroller General of the United States shall be at an annual rate which is equal to the rate for positions at level II of the Executive Schedule of subchapter II of chapter 53 of title 5, United States Code.

"(b) The compensation of the Deputy Comptroller General of the United States shall be at an annual rate which is equal to the rate for positions at level III of such Executive Schedule.

"(c) The compensation of the General Counsel of the United States General Accounting Office, the Librarian of Congress, and the Architect of the Capitol shall be at an annual rate which is equal to the rate for positions at level IV of such Executive Schedule.

"(d) The compensation of the Deputy Librarian of Congress and the Assistant Architect of the Capitol shall be at an annual rate which is equal to the rate for positions at level V of such Executive Schedule.".

(c)(1) Section 303 of title 44, United States Code, relating to the compensation of the Public Printer and Deputy Public Printer, is amended to read as follows:

"§ 303. Public Printer and Deputy Public Printer: Pay

"The annual rate of pay for the Public Printer shall be a rate which is equal to the rate of level IV of the Executive Schedule of subchapter II of chapter 53 of title 5. The annual rate of pay for the Deputy Public Printer shall be a rate which is equal to the rate for level V of such Executive Schedule.".

(2) The item relating to section 303 in the chapter analysis for chapter 3 of title 44, United State Code, is amended to read as follows:

"303. Public Printer and Deputy Public Printer: pay.".

(d) Section 4(d) of the Federal Pay Comparability Act of 1970 (84 Stat. 1952) is amended by striking out "level V" and "section 5316" and inserting in lieu thereof "level III" and "section 5314", respectively.

SEC. 205. (a)(1) Chapter 21 of title 28, United States Code, relating to general provisions applicable to courts and judges, is amended by adding at the end thereof the following new section:

§ 461. Adjustments in certain salaries

"(a) Effective at the beginning of the first applicable pay period commencing on or after the first day of the month in which an adjustment takes effect under section 5305 of title 5 in the rates of pay under the General Schedule (except as provided in subsection (b)), each salary rate which is subject to adjustment under this section shall be adjusted by an amount, rounded to the nearest multiple of $100 (or if mid-way between multiples of $100, to the next higher multiple of $100) equal to the percentage of such salary rate which corresponds to the overall average percentage (as set forth in the report transmitted to the Congress under such section 5305 of the adjustments in the rates of pay under such Schedule).

"(b) Subsection (a) shall not apply to the extent it would reduce the salary of any individual whose compensation may not, under section 1 of article III of the Constitution of the United States, be diminished during such individual's continuance in office.".

(2) The analysis of chapter 21 of such title is amended by adding at the end thereof the following new item:

"461. Adjustments in certain salaries.".

(b)(1) Section 5 of title 28, United States Code, relating to salaries of justices of the Supreme Court, is amended to read as follows:

"§ 5. Salaries of Justices

"The Chief Justice and each associate justice shall each receive a salary at annual rates determined under section 225 of the Federal Salary Act of 1967 (2 U.S.C. 351–361), as adjusted by section 461 of this title.".

(2) Section 44(d) of title 28, United States Code, relating to salaries of circuit judges, is amended to read as follows:

"(d) Each circuit judge shall receive a salary at an annual rate determined under section 225 of the Federal Salary Act of 1967 (2 U.S.C. 351–361), as adjusted by section 461 of this title.".

(3) Section 135 of title 28, United States Code, relating to salaries of district judges, is amended to read as follows:

"125. Salaries of district judges

"Each judge of a district court of the United States shall receive a salary at an annual rate determined under section 225 of the Federal Salary Act of 1967 (2 U.S.C. 351–361), as adjusted by section 461 of this title.".

(4) The second sentence of section 173 of title 28, United States Code, relating to salaries of judges of the Court of Claims, is amended to read as follows: "Each shall receive a salary of an annual rate determine under section 225 of the Federal Salary Act of 1967 (2 U.S.C. 351–361) as adjusted by section 461 of this title."

(5) The second sentence of section 213 of title 28, United States Code, relating to salaries of judges of the Court of Customs and Patent Appeals, is amended to read as follows: "Each shall receive a salary at an annual rate determined under section 225 of the Federal Salary Act of 1967 (2 U.S.C. 351–361), as adjusted by section 461 of this title."

(6) The second sentence of section 252 of title 28, United States Code, relating to judges of the Customs Court, is amended to read as follows: "Each shall receive a salary at an annual rate determined under section 225 of the Federal Salary Act of 1967 (2 U.S.C. 351–361), as adjusted by section 461 of this title.".

(7) So much of the first sentence of section 792(b) (relating to salaries of Court of Claims commissioners) of title 28, United States Code, as precedes ", and also all necessary traveling expenses" is amended to read as follows: "Each commissioner shall receive pay at an annual rate determined under section 225 of the Federal Salary Act of 1967 (2 U.S.C. 351–361), as adjusted by section 461 of this title".

(8) The first sentence of section 40a of the Bankruptcy Act (11 U.S.C. 69(a)), relating to compensation of referees in bankruptcy, is amended to read as follows: "Referees shall receive as full compensation for their services salaries to be fixed by the conference, in the light of the recommendations of the councils, made after advising with the district judges of their respective circuits, and of the Director, at rates, in the case of full-time referees, not more than the rate determined for such referee under section 225 of the Federal Salary Act of 1967 (2 U.S.C. 351–361), as adjusted under section 461 of title 28, United States Code, and in the case of part-time referees, not more than one-half of such rate, as so adjusted.".

SEC. 206. (a) Section 225(f)(A) of the Federal Salary Act of 1967 (2 U.S.C. 365(A)), is amended—

(1) by inserting "the Vice President of the United States," immediately before "Senators";

(2) by striking out "and" immediately after "Representatives,"; and

(3) by inserting immediately before the semicolon a comma and the following: "the Speaker of the House of Representatives, the President pro tempore of the Senate, and the majority and minority leaders of the Senate and the House of Representatives".

(b) Until such time as a change in the rate of pay of the offices referred to in the amendment made by subsection (a) of this section occurs under the provisions of the Federal Salary Act of 1967 (2 U.S.C. 351–361), as amended by subsection (a) of this section, such rates of pay shall be the rates of pay in effect immediately prior to the date of enactment of this Act, as adjusted under sections 203 and 204 of this title.

Amend the title so as to read: "An Act to amend title 39, United States Code, to apply to the United States Postal Service cerain provisions of law providing for Federal agency safety programs and responsibilities, to provide for cost-of-living adjustments of Federal executive salaries, and for other purposes.".

The VICE PRESIDENT. Is there objection to proceeding to the consideration of the bill?

Mr. ALLEN. I object.

Mr. GRIFFIN. There was objection.

Mr. MANSFIELD. This is not taking up. This is printing the bill and the report. There was objection to taking up the bill.

NAVAL PETROLEUM RESERVES

Mr. MANSFIELD. Now, Mr. President, I ask unanimous consent that the pending business be laid aside temporarily, and that the Senate turn to the consideration of Calendar No. 329, S. 2173, a bill to fully explore and develop the naval petroleum reserves of the United States and to permit limited production, with revenues derived therefrom to be placed in a special account, and for other purposes, without any action tonight.

This is a bill very close to the heart of the President of the United States.

The VICE PRESIDENT. The bill will be stated by title.

The legislative clerk read as follows:

A bill (S. 2173) to fully explore and develop the naval petroleum reserves of the United States and to permit limited production with revenues derived therefrom to be placed in a special account, and for other purposes.

Mr. McCLURE. Mr. President, parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. McCLURE. Was it correct that the distinguished majority leader had asked unanimous consent that the pending business be laid aside?

The VICE PRESIDENT. Temporarily.

Mr. MANSFIELD. Temporarily.

Mr. McCLURE. Another parliamentary inquiry, Mr. President.

The VICE PRESIDENT. The Senator will state it.

Mr. McCLURE. What is the pending business?

The VICE PRESIDENT. The motion to proceed to Senate Resolution 145.

Mr. HUGH SCOTT. Parliamentary inquiry.

Mr. WEICKER. Do I understand the pending situation is the pending business is Senate Resolution 145, and the distinguished majority leader has made a unanimous-consent request that that be laid aside and that—I do not know the number, but I imagine it is the Elk Hills bill——

Mr. MANSFIELD. S. 2173.

Mr. WEICKER.—Become the pending business?

Mr. MANSFIELD. Not to be taken up tonight, but tomorrow.

The VICE PRESIDENT. Is there objection?

Mr. WEICKER. Reserving the right to object, I wonder if I might, through the Chair, ask what the intention is with the completion of action on Elk Hills, and whether the intention is to return to Senate Resolution 145.

Mr. MANSFIELD. If the Senate so desires. But if it does not we could take up other measures which should come before the Senate before we recess on Friday.

Mr. WEICKER. I suggest the absence of a quorum.

Mr. GRIFFIN. Will the Senator withhold that for a parliamentary inquiry?

Mr. MANSFIELD. For example, S. 391, a bill to amend the Mineral Leasing Act of 1920, and for other purposes, on which there is a time limitation also, or others.

The VICE PRESIDENT. The absence of a quorum has been suggested.

Mr. GRIFFIN. Mr. President, will the Senator withhold that?

Mr. WEICKER. I withhold that.

Mr. GRIFFIN. Mr. President, parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. GRIFFIN. Is the cloture motion at the desk to invoke cloture on Senate Resolution 145 or on the motion to proceed to the consideration of Senate Resolution 145?

The VICE PRESIDENT. It is not at the desk. The Senator from Michigan has it.

Mr. GRIFFIN. I send it to the desk.

The VICE PRESIDENT. Now it is at the desk.

It is a cloture motion on the motion to proceed.

Mr. GRIFFIN. Then in the ordinary course of things there would be a vote on the cloture motion on Wednesday having to do with bringing to a close the question of proceeding to consideration before we would get to Senate Resolution 145 itself; is that correct?

The VICE PRESIDENT. Assuming the Senate is in tomorrow and Wednesday, the answer is yes.

Mr. GRIFFIN. I thank the Chair.

Mr. HUGH SCOTT. Mr. President, parliamentary inquiry. On the pending business, is it debatable?

The VICE PRESIDENT. The motion to proceed is debatable.

Mr. HUGH SCOTT. On the so-called Elk Hills oil bill, is it debatable?

The VICE PRESIDENT. That is a pending unanimous-consent request.

Mr. HUGH SCOTT. Is it under a time limitation?

Mr. MANSFIELD. It is——

The VICE PRESIDENT. No, just that the Senate lay aside the unfinished business, the pending business, excuse me.

Mr. HUGH SCOTT. I thank the Senator.

Mr. WEICKER. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. ROBERT C. BYRD. May we have order in the Senate, Mr. President?

The VICE PRESIDENT. The Senator from Michigan.

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

The PRESIDING OFFICER (Mr. STONE). Senators will take their seats. Senators and staff will clear the aisles and take their seats and cease conversation. Senators wishing to converse will withdraw to the cloakrooms. Senators will take their seats.

Mr. GRIFFIN. Mr. President——

The PRESIDING OFFICER. The Senator from Michigan.

Mr. GRIFFIN. What is the pending question?

The PRESIDING OFFICER. There is pending a unanimous-consent request that the pending question be laid aside temporarily so that the Senate may proceed to the consideration of S. 2173.

Mr. GRIFFIN. If that consent is granted and we do proceed to the bill, is there a time agreement, and what is the time agreement that would be in effect?

The PRESIDING OFFICER. There is a time agreement. There are 2 hours on the bill, 1 hour on amendments, 30 minutes on debatable motions and appeals.

Mr. GRIFFIN. May I ask the Chair, would amendments to the bill have to be germane under the agreement?

The PRESIDING OFFICER. The unanimous-consent agreement does not contain an agreement for germaness.

Mr. GRIFFIN. Mr. President, I ask unanimous consent that amendments to the bill would have to be germane.

The PRESIDING OFFICER. Is there objection?

Mr. GRIFFIN. I think that may have been an oversight.

The PRESIDING OFFICER. Is there objection?

Mr. MANSFIELD. Well, I think that was the way worked out with the distinguished Senator from Arizona—Elk Hills.

Mr. GRIFFIN. Is it all right to have it germane?

Mr. HUGH SCOTT. Elk Hills, yes.

The PRESIDING OFFICER. Is there objection? Without objection——

Mr. MANSFIELD. Will the Senator yield?

The PRESIDING OFFICER. Is there objection?

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Will Senators take their seats. The Senate will be in order.

The Senate will be in order. The Senate will be in order.

The Senator from Michigan.

Mr. GRIFFIN. Mr. President, I wonder if I could suggest to the majority leader that he might modify his unanimous-consent request to provide that under the agreement only germane amendments could be considered?

Mr. MANSFIELD. I thought that had been agreed to.

Mr. GRIFFIN. I think it is pending.

Mr. MANSFIELD. Yes, I would be glad to.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. MANSFIELD. Now, Mr. President, I ask the Senator from Nevada——

Mr. ROBERT C. BYRD. Mr. President, what is the pending question before the Senate?

The PRESIDING OFFICER. The pending question is still the motion to proceed.

Is there objection to laying the pending business aside temporarily and proceeding to S. 2173, is there objection?

Mr. HUGH SCOTT. Mr. President, reserving the right to object, S. 2173 is Elk Hills.

The PRESIDING OFFICER. The request is for S. 2173.

Mr. HUGH SCOTT. There is no objection where Elk Hills is concerned.

Mr. GRAVEL. Mr. President, reserving the right to object, taking it up tomorrow——

Mr. ROBERT C. BYRD. The understanding is that there would be no action on the bill tonight.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The PRESIDING OFFICER. Now, the Senate will proceed to S. 2173.

Mr. ROBERT C. BYRD. Mr. President, I would suggest that Senators not leave yet because the answer to the distinguished Republican leader's question is that there would be no votes on this

measure tonight. We do not know what may happen on a motion to adjourn or recess or——

Mr. HUGH SCOTT. Mr. President, we on this side never do know what is going to happen, but we suspect a lot.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. MANSFIELD. Mr. President, I yield to the Senator from Washington.

TO DIRECT THE PRESIDENT TO ENTER INTO NEGOTIATIONS WITH THE U.S.S.R. RELATING TO LIMITING MILITARY DEPLOYMENTS IN THE PERSIAN GULF AND THE INDIAN OCEAN

Mr. JACKSON. Mr. President, I send a Senate resolution to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The resolution will be stated by title.

The legislative clerk read as follows:

A resolution (S. Res. 224) to direct the President to enter into negotiations with the USSR relating to limiting military deployments in the Persian Gulf and the Indian Ocean.

Mr. JACKSON. I ask for its immediate consideration.

Mr. GRIFFIN. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard. The resolution will go over under the rule.

The resolution (S. Res. 224) is as follows:

S. RES. 224

Whereas the Senate of the United States believes that discussions between the Soviet Union and the United States aimed at limiting naval deployments, bases facilities and land-based air power in the Indian Ocean/Persian Gulf area could be in the interests of the United States, the Soviet Union and the cause of world peace; and

Whereas past expressions by the Congress to this effect have been ignored by the President and the Secretary of State and no discussions aimed at negotiating such limitations have been initiated;

Therefore be it resolved that it is the sense of the Senate that the President is directed to open discussions with the Soviet Union with a view to advancing United States proposals for limitations in the Indian Ocean/Persian Gulf area affecting naval deployments, bases, facilities and land-based air power; and be it further resolved that the President shall report to the Congress on the status of discussions conducted with the Soviet Union prior to the submission of any further request for authority to develop further American facilities at Diego Garcia.

Mr. MANSFIELD. Mr. President, I yield to the Senator from Minnesota.

EXPANSION OF U.S. NAVAL PRESENCE IN THE INDIAN OCEAN

Mr. HUMPHREY. Mr. President, I send a resolution to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The resolution will be stated by title.

The legislative clerk read as follows:

A resolution (S. Res. 225) relating to the expansion of U.S. Navy presence in the Indian Ocean.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

Mr. GRIFFIN. I object, Mr. President.

The PRESIDING OFFICER. Objection is heard. The resolution will go over under the rule.

The resolution (S. Res. 225) is as follows:

S. RES. 225

Whereas the Congress has approved the expansion of U.S. military facilities on the island of Diego Garcia in order to enable the United States to protect its interests in the Indian Ocean area at the lowest possible cost;

Whereas the expansion has been justified as providing the U.S. with a capability comparable to the Soviet Capability to sustain naval operations and maintain the balance of power in the Indian Ocean area;

Whereas the expansion is intended to provide secure logistical support at a reasonable cost, to U.S. forces periodically deployed to the area and preclude the need for a costly increase in naval tankers and other logistic forces; and

Whereas the President has certified that there is not intent to permanently station operational units in the Indian Ocean and that the installation would not imply an increase in the level of U.S. forces deployed to that region: Now, therefore, be it

Resolved, That the Senate declares that its approval of the U.S. facilities on Diego Garcia shall not be considered as constituting approval of substantial expansion of U.S. naval presence in the Indian Ocean or the establishment of a permanent U.S. Indian Ocean fleet.

Mr. KENNEDY. Will the majority leader yield for a half-minute?

Mr. MANSFIELD. I yield.

Mr. KENNEDY. If I could remind my friends, an amendment very similar to this resolution, practically identical, has been introduced by the distinguished Senator from Rhode Island (Mr. PELL) in behalf of himself, myself, and the Senator from California (Mr. CRANSTON), urging these negotiations to take place immediately.

It has been accepted unanimously by the Committee on Foreign Relations and, hopefully, will be on the floor in the next few days. I think it moves a long way.

I have just had a chance to review briefly the resolution of the Senator from Washington. I think the substance of it is incorporated in the Pell-Cranston-Kennedy amendment and I hope we can bring it to the floor very quickly.

Mr. JACKSON. The whole purpose is to expedite this and get it passed as soon as possible with whichever resolution or bill comes out first.

Mr. KENNEDY. I thank the Senator.

Mr. HUMPHREY. Will the Senator yield?

Mr. MANSFIELD. I yield.

POSTAL SERVICE COMPLIANCE WITH OCCUPATIONAL SAFETY AND HEALTH ACT

Mr. MANSFIELD. Mr. President, if the Senator from Connecticut (Mr. WEICKER) does not enter any objection, I would like to lay before the Senate——

The PRESIDING OFFICER. The Senate will be in order. The Senate will give attention to the Senator from Montana.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the pending business be laid aside temporarily—this is the third time—and that the Senate turn to the consideration of Calendar No. 325, H.R. 2559, for a period of not to exceed one-half hour.

The PRESIDING OFFICER. Is there objection?

Mr. HARRY F. BYRD, JR. Mr. President, reserving the right to object, and I do not propose to object, as I understand it this proposal will be discussed this evening but will not be voted on for at least 24 hours.

Mr. MANSFIELD. That is correct. I believe the distinguished Senator from Alabama (Mr. ALLEN) wanted to speak for 20 to 30 minutes on the substance of the bill.

The Senator from Virginia is correct, that this is just a temporary move in this direction.

Mr. McCLELLAN. Is that an appropriation bill?

Mr. MANSFIELD. No, it is from the Post Office and Civil Service Committee and has something to do with raises for Members of Congress and others in the Government based on a formula which I think could perhaps be referred to as indexing, tied to the cost of living.

Mr. GRIFFIN. Reserving the right to object, and I do not intend to object, for information purposes is it correct that while there would be up to 1 hour spent on the bill today——

Mr. MANSFIELD. One-half hour.

Mr. GRIFFIN. There is no time limit on the bill itself and we can go back on it again?

Mr. MANSFIELD. That is correct.

Mr. GRIFFIN. What would be the situation?

ORDER FOR RECOGNITION OF SENATOR ALLEN

Mr. MANSFIELD. First, Mr. President, I ask unanimous consent that if the Senate agrees with my request, the distinguished Senator from Alabama (Mr. ALLEN) be allowed to proceed for from 20 to 30 minutes.

Mr. ALLEN. It will not be that long. About 15 minutes.

Mr. MANSFIELD. For not to exceed 20 minutes.

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

The PRESIDING OFFICER. The bill will be stated by title.

The legislative clerk read as follows:

A bill (H.R. 2559), to amend title 39, United States Code, to apply to the United States Postal Service certain provisions of law providing for Federal agency safety programs and responsibilities, and for other purposes, reported with an amendment.

The PRESIDING OFFICER. Without objection, the Senate will proceed to its consideration.

There being no objection, the Senate proceeded to consider the bill (H.R. 2559) which had been reported from the Committee on Post Office and Civil Service with an amendment to strike out all

after the enacting clause and insert the following:

TITLE I—POSTAL SERVICE

SEC. 101. Section 410(b) of title 39, United States Code, is amended—

(1) by striking out the word "and" at the end of paragraph (5);

(2) by striking out the period at the end of paragraph (6) and inserting in lieu of the period a semicolon and the word "and"; and

(3) by adding immediately below paragraph (6) the following paragraph:

"(7) section 19 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 668).".

TITLE II—EXECUTIVE SALARIES

SEC. 201. This may be cited as the "Executive Salary Cost-of-Living Adjustment Act".

SEC. 202. (a) Subchapter II of chapter 53 of title 5, United States Code, relating to Executive Schedule pay rates, is amended by adding at the end thereof the following new section:

"§ 5318. Adjustments in rates of pay

"Effective at the beginning of the first applicable pay period commencing on or after the first day of the month in which an adjustment takes effect under section 5305 of this title in the rates of pay under the General Schedule, the annual rate of pay for postion at each level of the Executive Schedule shall be adjusted by an amount, rounded to the nearest multiple of $100 (or if midway between multiples of $100, to the next higher multiple of $100), equal to the percentage of such annual rate of pay which corresponds to the overall average percentage (as set forth in the report transmitted to the Congress under such section 5305) of the adjustment in the rates of pay under the General Schedule.".

(b)(1) That part of section 5312 (relating to level I of the Executive Schedule) of title 5, United States Code, immediately below the section heading and immediately above clause (1) is amended to read as follows:

"Level I of the Executive Schedule applies to the following positions for which the annual rate of basic pay shall be the rate determined with respect to such level under chapter 11 of title 2, as adjusted by section 5318 of this title:".

(2) That part of section 5313 (relating to level II of the Executive Schedule) of title 5, United States Code, immediately below the section heading and immediately above clause (1) is amended to read as follows:

"Level II of the Executive Schedule applies to the following positions, for which the annual rate of basic pay shall be the rate determined with respect to such level under chapter 11 of title 2, as adjusted by section 5318 of this title:".

(3) That part of section 5314 (relating to level III of the Executive Schedule) of title 5, United States Code, immediately below the section heading and immediately above clause (1) is amended to read as follows:

"Level III of the Executive Schedule applies to the following positions, for which the annual rate of basic pay shall be the rate determined with respect to such level under chapter 11 of title 2, as adjusted by section 5318 of this title:".

(4) That part of section 5315 (relating to level IV of the Executive Schedule) of title 5, United States Code, immediately below the section heading and immediately above clause (1) is amended to read as follows:

"Level IV of the Executive Schedule applies to the following positions, for which the annual rate of basic pay shall be the rate determined with respect to such level under chapter 11 of title 2, as adjusted by section 5318 of this title:".

(5) That part of section 5316 (relating to level V of the Executive Schedule) of title 5, United States Code, immediately below the section heading and immediately above clause (1) is amended to read as follows:

"Level V of the Executive Schedule applies to the following positions, for which the annual rate of basic pay shall be the rate determined with respect to such level under chapter 11 of title 2, as adjusted by section 5318 of this title:".

(6) The analysis of subchapter II of chapter 53 of title 5, United States Code, is amended by adding the following new item at the end thereof:

"5318. Adjustments in rates of pay.".

(c) Subsections (a) and (c) (1) of section 5305 of title 5, United States Code, relating to annual pay reports, are each amended by adding at the end thereof the following new sentence: "The report transmitted to the Congress under this subsection shall specify the overall percentage of the adjustment in the rates of pay under the General Schedule and of the adjustment in the rates of pay under the other statutory pay systems.".

SEC. 203. Section 104 of title 3, United States Code, relating to the rate of salary of the Vice President, is amended by striking out "$62,500, to be paid monthly." and inserting in lieu thereof "the rate determined for such position under chapter 11 of title 2, as adjusted under this section. Effective at the beginning of the first month in which an adjustment takes effect under section 5305 of title 5 in the rates of pay under the General Schedule the salary of the Vice President shall be adjusted by an amount, rounded to the nearest multiple of $100 (or if midway between multiples of $100, to the nearest higher multiple of $100), equal to the percentage of such per annum rate which corresponds to the overall average percentage (as set forth in the report transmitted to the Congress under section 5305 of title 5) of the adjustment in such rates of pay. Such salary shall be paid on a monthly basis.".

SEC. 204. (a) Section 601(a) of the Legislative Reorganization Act of 1946 (2 U.S.C. 31) is amended to read as follows:

"SEC. 601. (a)(1) The annual rate of pay for—

"(A) each Senator, Member of the House of Representatives, and Delegate to the House of Representatives, and the Resident Commissioner from Puerto Rico (except as otherwise provided in subparagraphs (B) and (C) of this paragraph).

"(B) the President pro tempore of the Senate, the majority leader and the minority leader of the Senate, and the majority leader and the minority leader of the House of Representatives, and

"(C) the Speaker of the House of Representatives,

shall be the rate determined for such position under section 225 of the Federal Salary Act of 1967 (2 U.S.C. 351–361), as adjusted by paragraph (2) of this subsection.

"(2) Effective at the beginning of the first applicable pay period commencing on or after the first day of the month in which an adjustment takes effect under section 5305 of title 5, United States Code, in the rates of pay under the General Schedule, each annual rate referred to in paragraph (1) shall be adjusted by an amount, rounded to the nearest multiple of $100 (or if midway between multiples of $100, to the next higher multiple of $100), equal to the percentage of such annual rate which corresponds to the overall average percentage (as set forth in the report transmitted to the Congress under such section 5305) of the adjustment in the rates of pay under the General Schedule.".

(b) Subsections (a) through (d) of section 203 of the Federal Legislative Salary Act of 1964 (78 Stat. 415), relating to the annual rate of pay of certain legislative officials, is amended to read as follows:

"SEC. 203. (a) The compensation of the Comptroller General of the United States shall be at an annual rate which is equal to the rate for positions at level II of the Executive Schedule of subchapter II of chapter 53 of title 5, United States Code.

"(b) The compensation of the Deputy Comptroller General of the United States shall be at an annual rate which is equal to the rate for positions at level III of such Executive Schedule.

"(c) The compensation of the General Counsel of the United States General Accounting Office, the Librarian of Congress, and the Architect of the Capitol shall be at an annual rate which is equal to the rate for positions at level IV of such Executive Schedule.

"(d) The compensation of the Deputy Librarian of Congress and the Assistant Architect of the Capitol shall be at an annual rate which is equal to the rate for positions at level V of such Executive Schedule.".

(c)(1) Section 303 of title 44, United States Code, relating to the compensation of the Public Printer and Deputy Public Printer, is amended to read as follows:

"§ 303. Public Printer and Deputy Public Printer: pay

"The annual rate of pay for the Public Printer shall be a rate which is equal to the rate for level IV of the Executive Schedule of subchapter II of chapter 53 of title 5. The annual rate of pay for the Deputy Public Printer shall be a rate which is equal to the rate for level V of such Executive Schedule.".

(2) The item relating to section 303 in the chapter analysis for chapter 3 of title 44, United States Code, is amended to read as follows:

"303. Public Printer and Deputy Public Printer: pay.".

(d) Section 4(d) of the Federal Pay Comparability Act of 1970 (84 Stat. 1952) is amended by striking out "level V" and "section 5316" and inserting in lieu thereof "level III" and "section 5314", respectively.

SEC. 205. (a)(1) Chapter 21 of title 28, United States Code, relating to general provisions applicable to courts and judges, is amended by adding at the end thereof the following new section:

"§ 461. Adjustments in certain salaries

"(a) Effective at the beginning of the first applicable pay period commencing on or after the first day of the month in which an adjustment takes effect under section 5305 of title 5 in the rates of pay under the General Schedule (except as provided in subsection (b)), each salary rate which is subject to adjustment under this section shall be adjusted by an amount, rounded to the nearest multiple of $100 (or if midway between multiples of $100, to the next higher multiple of $100) equal to the percentage of such salary rate which corresponds to the overall average percentage (as set forth in the report transmitted to the Congress under such section 5305 of the adjustments in the rates of pay under such Schedule).

"(b) Subsection (a) shall not apply to the extent it would reduce the salary of any individual whose compensation may not, under section 1 of article III of the Constitution of the United States, be diminished during such individual's continuance in office.".

(2) The analysis of chapter 21 of such title is amended by adding at the end thereof the following new item:

"461. Adjustments in certain salaries.".

(b)(1) Section 5 of title 28, United States Code, relating to salaries of justices of the Supreme Court, is amended to read as follows:

"§ 5. Salaries of justices

"The Chief Justice and each associate justice shall each receive a salary at annual rates determined under section 225 of the

Federal Salary Act of 1967 (2. U.S.C. 351-361), as adjusted by section 461 of this title.".

(2) Section 44(d) of title 28, United States Code, relating to salaries of circuit judges, is amended to read as follows:

"(d) Each circuit judge shall receive a salary at an annual rate determined under section 225 of the Federal Salary Act of 1967 (2 U.S.C. 351-361), as adjusted by section 461 of this title.".

(3) Section 135 of title 28, United States Code, relating to salaries of district judges, is amended to read as follows:

"135. Salaries of district judges

"Each judge of a district court of the United States shall receive a salary at an annual rate determined under section 225 of the Federal Salary Act of 1967 (2 U.S.C. 351-361), as adjusted by section 461 of this title.".

(4) The second sentence of section 173 of title 28, United States Code, relating to salaries of judges of the Court of Claims, is amended to read as follows: "Each shall receive a salary at an annual rate determined under section 225 of the Federal Salary Act of 1967 (2 U.S.C. 351-361), as adjusted by section 461 of this title.".

(5) The second sentence of section 213 of title 28, United States Code, relating to salaries of judges of the Court of Customs and Patent Appeals, is amended to read as follows: "Each shall receive a salary at an annual rate determined under section 225 of the Federal Salary Act of 1967 (2 U.S.C. 351-361), as adjusted by section 461 of this title.".

(6) The second sentence of section 252 of title 28, United States Code, relating to judges of the Customs Court, is amended to read as follows: "Each shall receive a salary at an annual rate determined under section 225 of the Federal Salary Act of 1967 (2 U.S.C. 351-361), as adjusted by section 461 of this title.".

(7) So much of the first sentence of section 792(b) relating to salaries of Court of Claims commissioners) of title 28, United States Code, as precedes ", and also all necessary traveling expenses" is amended to read as follows: "Each commissioner shall receive pay at an annual rate determined under section 225 of the Federal Salary Act of 1967 (2 U.S.C. 351-361), as adjusted by section 461 of this ttile".

(8) The first sentence of section 40a of the Bankruptcy Act (11 U.S.C. 68(a)), relating to compensation of referees in bankruptcy, is amended to read as follows: "Referees shall receive as full compensation for their services salaries to be fixed by the conference, in the light of the recommendations of the councils, made after advising with the district judges of their respective circuits, and of the Director, at rates, in the case of full-time referees, not more than the rate determined for such referee under section 225 of the Federal Salary Act of 1967 (2 U.S.C. 351-361), as adjusted under section 461 of title 28, United States Code and in the case of part-time referees, not more than one-half of such rate, as so adjusted.".

SEC. 206. (a) Section 225(f)(A) of the Federal Salary Act of 1967 (2 U.S.C. 365(A)), is amended—

(1) by inserting "the Vice President of the United States," immediately before "Senators";

(2) by striking out "and" immediately after "Representatives,"; and

(3) by inserting immediately before the semicolon a comma and the following: "the Speaker of the House of Representatives, the President pro tempore of the Senate, and the majority and minority leaders of the Senate and the House of Representatives".

(b) Until such time as a change in the rate of pay of the offices referred to in the amendment made by subsection (a) of this section occurs under the provisions of the Federal Salary Act of 1967 (2 U.S.C. 351-361), as amended by subsection (a) of this section, such rates of pay shall be the rates of pay in effect immediately prior to the date of enactment of this Act, as adjusted under section 203 and 204 of this title.

ORDER OF PROCEDURE

Mr. MANSFIELD. Now, Mr. President, for the information of the Senate, I would like to indicate that following disposal of S. 2175, the petroleum reserves bill, it is hoped that we would be able to turn to S. 391, the Mineral Leasing Act of 1920, and maybe following that to S. 963, the diethylstilbestrol bill, upon which some action has been taken, and the so-called red-lined bill, which was discussed briefly on Saturday afternoon.

If the distinguished assistant majority leader has a motion he wants to make about the post office bill, now is the time to do it.

Mr. PASTORE. Will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. PASTORE. How about the State, Justice, and Commerce bill? It has been reported out and is on the calendar. It is an appropriation bill.

Mr. MANSFIELD. The only thing is we had an agreement. We intend to proceed to the State, Justice, and Commerce bill this week.

Mr. President, on behalf of the joint leadership——

Mr. ROBERT C. BYRD. Mr. President, will the distinguished majority leader yield?

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER. The Senate will be in order. Senators will take their seats. If the Senator from West Virginia will suspend for a moment, the Senate will be in order. Senators will clear the well.

Mr. MANSFIELD. Mr. President, on behalf of the distinguished Republican leader——

The PRESIDING OFFICER. The Chair will now entertain a request that the order for the quorum call be rescinded.

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.

TEMPORARY COMMISSION ON THE OPERATION OF THE SENATE

Mr. MANSFIELD. Mr. President, on behalf of the joint leadership, the distinguished Senator from Iowa (Mr. CULVER), the distinguished Senator from Pennsylvania (Mr. HUGH SCOTT), the distinguished Senator from Michigan (Mr. GRIFFIN), the distinguished Senator from West Virginia (Mr. ROBERT C. BYRD), the distinguished Senator from Nevada (Mr. CANNON), the distinguished Senator from Tennessee (Mr. BROCK), the distinguished Senator from Alabama (Mr. ALLEN), the distinguished Senator from West Virginia (Mr. RANDOLPH), and myself, I send to the desk a resolution and ask for its immediate consideration.

The PRESIDING OFFICER. The resolution will be stated.

The assistant legislative clerk read as follows:

A resolution (S. Res. 227) to establish a temporary Commission on the Operation of the Senate.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the resolution?

Mr. ALLEN. Mr. President, let us hear the rest of the resolution, if we may, please. May it be read in full?

The PRESIDING OFFICER. The clerk will read the resolution.

The assistant legislative clerk read as follows:

Resolution to establish a temporary Commission on the Operation of the Senate

Whereas the responsibilities of Members of the Senate and the Senate have increased many-fold in recent years, as have expenditures of Federal funds to sustain these responsibilities;

Whereas the administrative machinery, facilities, and other elements in the structure and practices of the Senate which support the discharge of these responsibilities have been expanded and adjusted in a piecemeal and uncoordinated fashion;

Whereas the support structure, facilities, and administrative practice of the Senate have never been subjected to an over-all independent examination; and

Whereas the modernization and improvement of the cost-effectiveness of the administrative machinery, facilities, practices, and support-services of the Senate can be facilitated by an impartial, over-all study conducted by a group independent of the Senate: Now, therefore, be it

Resolved, That (a) there is hereby established a Commission on the Operation of the Senate (hereafter in this resolution referred to as the "Commission"), which shall be composed of nine members appointed from private life and 2 ex officio members who are presently officers or employees of the Senate and who shall participate without vote. All Commissioners shall be appointed by the President of the Senate upon the joint recommendations of the Majority Leader and the Minority Leader of the Senate.

(b) Any vacancy in the Commission shall be filled in the same manner as the original appointment.

(c) The Commission shall elect a Chairman and a Vice Chairman from among its members.

(d) Five members of the Commission shall constitute a quorum but two members may conduct hearings.

(e) Not more than two former Members of the Senate may serve as members of the Commission and no individual whose relevant experience is preponderantly in the executive branch of the Government shall be appointed as a member of the Commission.

SEC. 2. (a) It shall be the function and duty of the Commission to make a comprehensive and impartial study of the organization and operation of the United States Senate. Such study shall include, but not be limited to—

(1) the functioning of Members, officers, and employees of the Senate in the light of the responsibilities of the Senate in the areas of law-making, representation, and oversight;

(2) conflicts in the programming of business;

(3) office accommodations and facilities;

(4) information resources; and

(5) internal management administrative support structure (including electronic and technical aids, foresight capacity, accommodation for and coverage by the news media, workload, lobbying, pay and allowances, and conflicts of interest).

Such study shall not include an examination of the question of the jurisdictions of the committees of the Senate over subject matter.

(b) The Commission shall also study ways of improving Senate communication, cooperation, and coordination with the House of Representatives and with the executive and judicial branches of the Government, giving due consideration to the separation of powers provided by the Constitution.

SEC. 3. Members of the Commission shall receive, for each day on which they are engaged in the performance of their duties as Members of the Commission, compensation at a daily rate equal to the per diem equivalent of the highest rate of gross compensation which may be paid to an employee of a standing committee of the Senate; and shall be entitled to reimbursement for transportation expenses and to receive a per diem, in lieu of subsistence, at the same rate as is payable to employees of the Senate, for each day on which they are away from their homes or regular places of business or employment and are engaged in the performance of their duties as Members of the Commission or in traveling to or from the place where such duties are to be performed. *Ex officio* members of the Commission shall serve without pay.

SEC. 4. (a) The Commission shall appoint, prescribe the duties and responsibilities of, and fix the compensation of a staff director, an associate staff director, and such other employees as may be necessary to enable it to carry out its functions and duties. The staff director and associate staff director may each be paid at a maximum annual rate of compensation not exceeding the maximum annual rate which may be paid to the two committee employees of a standing committee of the Senate referred to in section 105(e)(3)(A) of the Legislative Branch Appropriations Act, 1968, as amended and modified, and other employees of the Commission may be paid at a maximum annual rate of compensation not exceeding the maximum annual rate which may be paid to the four committee employees of a standing committee of the Senate referred to in such section.

(b) The Commission is authorized to procure the temporary or intermittent services of individual consultants, or organizations thereof, in the same manner and under the same conditions as a standing committee of the Senate may procure such services under section 202(1) of the Legislative Reorganization Act of 1946.

(c) Subject to the provisions of section 7, the Commission is authorized to make such expenditures from the contingent fund of the Senate as may be necessary to carry out its functions and duties.

SEC. 5. (a) The Commission is authorized to utilize the services, information, facilities, and personnel of the Office of the Secretary of the Senate, the Office of the Sergeant at Arms of the Senate, the Office of the Secretary for the Majority, the Office of the Secretary for the Minority, the Library of Congress, and the General Accounting Office; and the Secretary of the Senate, the Sergeant at Arms of the Senate, the Secretary for the Majority, the Secretary for the Minority, the Librarian of Congress, and the Comptroller General of the United States are authorized to furnish such services, information, facilities, and personnel as may be requested by the Commission.

(b) Office space and office furniture, furnishings and equipment shall be provided to the Commission in the same manner as other offices of the Senate.

SEC. 6. (a) The Commission shall submit an interim report to the Majority Leader and Minority Leader of the Senate not later than March 31, 1976, and shall submit a final report to the Majority Leader and Minority Leader of the Senate not later than September 30, 1976, which shall set forth the results of the study made under this resolution, together with its findings and recommendations. The Commission may submit such other reports to the Majority Leader and Minority Leader of the Senate as they may request or as the Commission deems advisable. The Majority Leader and Minority Leader shall transmit to the Senate all reports received by them under this subsection.

(b) Sixty days after the date of submission of its final report under subsection (a), the Commission shall cease to exist.

SEC. 7. The expenses of the Commission, which shall not exceed $500,000, shall be paid from the contingent fund of the Senate upon vouchers signed by the Chairman of the Commission and approved by the Majority Leader or the Minority Leader of the Senate, except that vouchers shall not be required for the disbursement of salaries of employees paid at an annual rate.

Mr. ALLEN. Reserving the right to object, Mr. President, I think a resolution of this sort, this magnitude, and wide scope should go to the Committee on Rules and Administration. If the proponents of the resolution think otherwise, I have to object and let it come over under the rule to be reconsidered on tomorrow. I object.

Mr. MANSFIELD. Mr. President, I can understand the feelings of the Senator from Alabama (Mr. ALLEN). I point out that this was a matter which was discussed at the Democratic Conference. It was agreed to unanimously. It was discussed at the Republican Conference. It was agreed to unanimously.

The joint leadership worked together to try to come forth with some proposition of substance based on the initiative of the distinguished Senator from Iowa (Mr. CULVER). The matter has been discussed in detail with the chairman and the ranking member of the Committee on Rules and Administration, Senator CANNON of Nevada and Senator HATFIELD of Oregon. We thought that it might be better to do it that way, with this approval on the part of both party conferences or caucuses behind us. We did take it up on a joint leadership basis.

I would like to receive immediate consideration so that a study of this sort could get underway. It is going to be a difficult job if something needs to be done.

But if the Senator wishes to object, of course, it will go to the Committee on Rules and Administration, as he well knows.

So, Mr. President, I ask unanimous consent for the immediate consideration of the resolution.

Mr. ALLEN. I object.

The PRESIDING OFFICER. Is there objection?

Mr. ALLEN. I object.

The PRESIDING OFFICER. Objection is heard. The resolution goes over under the rule.

Mr. ALLEN. May I be added as a cosponsor also?

Mr. MANSFIELD. I thank the Senator from Alabama.

I ask unanimous consent that the Senator from Alabama (Mr. ALLEN) be added as a cosponsor.

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

ORDER FOR ADJOURNMENT UNTIL 9 A.M. TOMORROW

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that when the Senate completes its business today it stand in adjournment until the hour of 9 a.m. tomorrow.

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

TEMPORARY COMMISSION ON THE OPERATION OF THE SENATE

Mr. MANSFIELD. Mr. President, I had prepared a statement prior to the introduction of the resolution creating a temporary commission on the operation of the Senate, the so-called Culver commission, and I ask unanimous consent that that statement precede the printing of the resolution in the RECORD.

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

(Pursuant to a subsequent request the foregoing statement is not printed in the RECORD.)

ORDER OF PROCEDURE—TIME ALLOCATION—H.R. 2559

Mr. ROBERT C. BYRD. Mr. President, so that Senators may know whether or not we are going to have any more rollcall votes tonight, I ask unanimous consent that after H.R. 2559, the act to apply to the U.S. Postal Service certain provisions of law providing for Federal agency safety programs and responsibility, that after the time that was agreed to—how much time was agreed to on that bill, Mr. President, tonight?

The PRESIDING OFFICER. Twenty minutes this evening.

Mr. ROBERT C. BYRD. How much?

The PRESIDING OFFICER. Twenty minutes for the Senator from Alabama.

Mr. ROBERT C. BYRD. Very well. I ask unanimous consent that——

Mr. HARRY F. BYRD, JR. Would the Senator permit me to have 5 minutes on the same bill?

Mr. ROBERT C. BYRD. I ask unanimouse consent that the Senate now proceed to the consideration of H.R. 2559 with Mr. ALLEN to be recognized for 20 minutes, Mr. HARRY F. BYRD, JR., to be recognized for 5 minutes, and——

Mr. McGEE. Mr. President, I ask if my name was mentioned there.

Mr. ROBERT C. BYRD. Mr. McGEE to be recognized for how many minutes?

Mr. McGEE. This is tonight?

Mr. ROBERT C. BYRD. Yes.

Mr. McGEE. Ten.

Mr. ROBERT C. BYRD. Ten minutes.

Mr. ALLEN. I would like the distinguished Senator from Wyoming to start off and explain the bill.

Mr. McGEE. Yes.

Mr. ALLEN. And explain the bill and let the Senator from Alabama make inquiries and submit an amendment.

Mr. McGEE. And Senator FONG also.

Mr. FONG. I ask 10 minutes also.

ORDER FOR RECOGNITION OF SEVERAL SENATORS TONIGHT

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the Senate proceed now to the consideration of H.R. 2559 with Mr. McGEE to be allotted 10 minutes, Mr. FONG 10 minutes, Mr. ALLEN 20 minutes, and Mr. HARRY F. BYRD, JR., 5 minutes, after which that measure be laid aside and the Senate proceed to the consideration of the naval petroleum reserve bill, with no action to be taken on that bill tonight, that it just be laid down and it would be the unfinished business tomorrow.

The PRESIDING OFFICER. Is there objection?

Mr. HARRY F. BYRD, JR. Reserving the right to object, and I shall not object, as I understand the request of the Senator from West Virginia, there is no unanimous-consent involved for tomorrow insofar as that.

Mr. ROBERT C. BYRD. None whatsoever, none in connection with H.R. 2559.

Mr. THURMOND. There would not be a vote on that.

The PRESIDING OFFICER. Is there objection?

Without objection, so ordered.

Mr. ROBERT C. BYRD. Mr. President, I wonder if the distinguished assistant Republican leader, the distinguished Senator from Alabama (Mr. ALLEN), and I could assure our colleagues there would be no more rollcall votes tonight.

Mr. ALLEN. Yes.

Mr. ROBERT C. BYRD. Very well.

There will be no more rollcall votes tonight, Mr. President.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. BROCK. Mr. President, I ask unanimous consent that I be added as a cosponsor of the resolution.

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

Mr. McGEE addressed the Chair.

The PRESIDING OFFICER. The Senator from Wyoming.

The Senate will be in order.

Mr. McGEE. Mr. President, I hesitate to ask what the pending business is. I will say what is the parliamentary situation?

The PRESIDING OFFICER. The Clerk will state the pending business for the information of the Senate.

The pending business is H.R. 2559.

POSTAL SERVICE COMPLIANCE WITH THE OCCUPATIONAL SAFETY AND HEALTH ACT

The Senate proceeded to consider the resolution (H.R. 2559), an act to amend title XXIX, United States Code, to apply to the U.S. Postal Service certain provisions of law providing for Federal agency safety programs and responsibilities, and for other purposes.

Mr. McGEE. Mr. President, I suggest the absence of a quorum, and I ask unanimous consent that the time consumed in calling the quorum does not come out of anyone's time. It is just allotted here as a courtesy for one of the Senators.

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

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. McGEE. Mr. President, by our agreement here this evening, we will discuss the proceedings that have been taking place for several months in the Committee on Post Office and Civil Service, the companion group in the House of Representatives, with the Comptroller General of the United States, with the President of the United States, and with the Chief Justice of the United States.

With the burden of this collection of discussions, that have now run since early February of this year, we have united on a very simple legislative proposal for this body, recognizing that our earlier legislation did not anticipate or at least did not foresee the impact of double-digit inflation on the reforms that were made in earler years, both in the comparative law for the civil service employees and for the Salary Reform Act of 1967.

We have sought other ways of trying to readjust the inequities in the system. We could obtain no agreement on when or to what levels we should proceed on salary readjustments. But one thing that all segments in the Government have agreed upon is that a basic reform is necessary, that prior reform is too short-sighted and should be corrected, and that all employees of the Government of the United States should be subject to what has loosely come to be called the cost-of-living adjustments.

That procedure, sometimes called comparability, is undertaken by an agent representing the President of the United States, which takes a reading in the spring on what the cost-of-living factors should be; and after their finding, they submit it to the President for his consideration.

To illustrate: This year, the President's agent reported that the cost-of-living change since a year ago was about 8.6 percent. Under the existing law, the next step is this: The President then has to decide whether to allow the recommendation of the Presidential agent in this instance or to reduce the figure. He cannot increase it, but he decides whether he is to decrease the figure or leave it alone.

We have had no firm indication from President Ford yet as to what he will do. He earlier indicated that he is likely to allow a 5-percent figure, rather than the 8.6 percent that the agent reported.

I use that by way of illustration, Mr. President, for the simple reason that all the pending measure does is to put under the same mechanism, without any exemptions or exceptions—in other words, there are no sleepers anywhere in this—those persons at the executive level, the supergrades, and the judiciary and the legislative branches of the Federal Government. The theory is that the cost of living affects everybody; and this is for the future, down the road ahead, and does not include any retroactive consideration of the facts.

A very small group is so affected, but it is a leadership group in the Government, and not without the problems attendant upon the current status of the economy of our country.

The total cost for this reform, for this year, is estimated to be approximately $34 million if the President's judgment is a 5-percent cost-of-living factor. It would be slightly higher than that if he allowed the full 8.6 percent.

I have in my hand a letter from the President of the United States to the Vice President, who is the Chairman of the President's panel on government pay, and thus presented to us in his behalf, in which the President stresses that while he believes that other corrections must be made when our economic picture is improved and when the Nation's priorities are better sorted out, he believes that it is indispensable that this one reform correction be made without delay now.

Mr. President, I also hold in my hand a joint letter signed by the majority and minority leaders of the Senate, in which they beseech the Committee on Post Office and Civil Service to examine the necessary steps that should be taken in order to update the existing mechanism as a reform move, simply in terms of adjusting to the cost-of-living readings for the future—not retroactively.

Mr. MANSFIELD. Mr. President, will the Senator forgo the word "beseech" for "request"?

Mr. McGEE. Request. I am sorry for my loose English. The rest of us were waiting to be beseeched because we thought we had been besieged so long by the encroachment of the cost of living. We appreciate whatever little crumbs are tossed to us as we go along. I am very grateful to the Senator.

TEMPORARY COMMISSION ON THE OPERATION OF THE SENATE—SENATE RESOLUTION 227

Mr. MANSFIELD. Mr. President, I offered a resolution this evening on behalf of the leadership. I had thought that when it was objected to, it would go on the calendar along with other proposed legislation. I am informed that it goes on "Resolutions and Motions Over, Under the Rule."

I do not wish a Senate matter of that nature to become a part of the New Hampshire situation, so I ask unanimous consent that the resolution and my remarks pertaining to it be withdrawn.

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

Mr. MANSFIELD. Mr. President, I ask unanimous consent for the immediate consideration of that resolution.

The PRESIDING OFFICER. The clerk will report.

Mr. ALLEN. I object, Mr. President.

Mr. MANSFIELD. I ask unanimous consent that under the rule it be read

twice and that it go over and be placed on the calendar.

Mr. ALLEN. I object. That is not the case with respect to a resolution. That is only the case with respect to bills.

Mr. MANSFIELD. The Senator objects to its being placed on the calendar?

Mr. ALLEN. I object.

Mr. MANSFIELD. And the Senator would much prefer to have it under "Resolutions and Motions Over, Under the Rule," at which time, it would follow four resolutions having to do with a vacancy in the office of U.S. Senator from New Hampshire for the term commencing January 3, 1975?

Mr. ALLEN. It would not take long to dispose of those, if we faced up to the issues.

Mr. MANSFIELD. Mr. President, the resolution is no longer included under "Resolution and Motions Over, Under the Rule." Is that correct?

The PRESIDING OFFICER. That was the status prior to the unanimous-consent request being made, and objection was heard.

Mr. ALLEN. I object to the immediate consideration.

Mr. MANSFIELD. So it is no longer under the heading "Resolutions and Motions Over, Under the Rule"?

Mr. ALLEN. It is.

The PRESIDING OFFICER. If the Senator now withdraws it, or has withdrawn it, it would not be.

Mr. MANSFIELD. Mr. President, I thought I had withdrawn it. Then I had made another motion, asking that it go on the calendar, and that was objected to.

The PRESIDING OFFICER. That is correct.

Mr. MANSFIELD. I did not think that brought it back under "Resolutions and Motions Over, Under the Rule."

Mr. President, again I ask unanimous consent that the resolution which I offered under the joint leadership and the majority and minority conferences, which has been placed under "Resolutions and Motions Over, Under the Rule" be withdrawn, and I hope I will be accorded that courtesy.

The PRESIDING OFFICER. Is there objection?

Mr. ALLEN. I certainly allowed the majority leader to do that a moment ago; and if he wishes to do that again, he certainly has my permission.

Mr. MANSFIELD. I do.

The PRESIDING OFFICER. Objection not being heard, the resolution is withdrawn.

POSTAL SERVICE COMPLIANCE WITH THE OCCUPATIONAL SAFETY AND HEALTH ACT

The Senate continued with the consideration of the bill (H.R. 2559) to amend title 39, United States Code, to apply to the U.S. Postal Service certain provisions of law providing for Federal agency safety programs and responsibilities, and for other purposes.

Mr. McGEE. Mr. President, I urge affirmative action on H.R. 2559, a bill reported by the Committee on Post Office and Civil Service to correct mechanisms in the pay adjustment formula for all Federal employees.

This bill would only provide that the annual pay adjustment made for the bulk of Federal employees in the general schedule and other statutory salary systems would be applied at the same time and at the same percentage rate to the salaries of those officials and employees who have received no pay raises since March of 1969.

H.R. 2559 as amended would take one step, small but substantive, toward the solution of a Federal personnel problem which has been neglected too long. It is a problem which becomes more pressing as, month by month, the Consumer Price Index mounts higher. It is a problem which demands attention now. The heart of the matter is the fact that these officials have not had a pay raise in 6 long years and more.

The salaries of the Government's key personnel, including Cabinet officers, other Presidential appointees, Members of Congress, the Federal judiciary from the Chief Justice down, and approximately 14,000 other employees covered by statutory pay systems are frozen. Most of these salaries have been frozen since March 1969.

Between March 1969, and May 1975, the Consumer Price Index rose by 47.5 percent, seriously eroding the purchasing power of the officials involved and creating a horrendous pay logjam as the compensation of statutory employees rose to the lowest sub-Cabinet level and stopped there at $36,000, creating inequities and dissatisfaction, and prompting early retirement.

By May 1975, Cabinet-level officials have lost since 1969 almost a third of the purchasing power of their 1969 salaries. A level V official, still compensated at the rate of $36,000 a year, would have to earn about $53,000 a year now, just to maintain the same standard of living he had in 1969.

Since March 1969, the salaries of statuory Federal employees not subject to the salary compression logjam have been increased under the comparability principle, more than 40 percent. During that period, non-Federal pay, constantly prodded by inflation, has increased by the same percentage amount.

Enactment of this bill is of paramount importance because it will indicate that at last Congress recognizes and is willing to deal with pay inequities which have been allowed to become more and more serious each year. H.R. 2559 is indeed a modest proposal. It does not reimburse the officials involved for the purchasing power they have lost since 1969. It makes no effort to provide a "catch up" pay increase for anybody. But it does meet what the Comptroller General of the United States has called "a critical need." And it would provide some relief to the increasing numbers of senior civil service employees in the general schedule held down by the $36,000 ceiling in effect now for 76 months.

The bill provides a new method for the annual adjustment of pay rates for each level of the executive schedule. Members of Congress, and judges and officials of the judicial branch. The adjustment would become effective whenever a comparability increase is made in the statutory pay systems, usually in October of each year. The amount of the adjustment would be equal to the percentage comparability increase, rounded to the nearest $100.

Last year the comparability increase was 5.5 percent. In 1973, the increase was 4.8 percent—modest incremental adjustments matching the increase in pay of comparable position outside of Government. Yet if the law had permitted these increases to be applicable to the top Government officials involved, a 1969 salary of $42,500 would over the years have been increased to $63,869 today.

H.R. 2559 does nothing to interfere with the mechanism by which the pay percentage adjustment is arrived at. That mechanism sets the pay of some 1.3 million statutory Federal employees whose annual payroll is $17 billion. Their pay follows the pay of similar positions in private industry in accordance with the principle of equal pay for equal work. Each spring, the Bureau of Labor Statistics conducts comparability surveys in the private sector. Data from these surveys are used as the basis for recommendations to the President for pay adjustments. By law, his proposals to the Congress become effective in October of each year unless Congress intervenes. Since 1969 there have been seven of these adjustments.

The law also provides that the President may send to Congress an alternative pay plan if he believes that a national emergency or economic conditions warrants a departure from the general comparability rule. Congress may or may not accept his alternative plan. It may, instead of accepting his plan, disapprove it. In that case, the comparability percentage derived from the BLS survey becomes effective.

It is our understanding that the President believes economic conditions this year necessitate a 5-percent ceiling on Federal pay. We do not know whether or not he will submit an alternative pay plan pegged at 5 percent; nor do we know whether or not Congress would reject such a plan and insist upon the 8.6 percent which the BLS survey indicates. In any event, this bill is totally silent on the amount of the increase, and the applicable percentage increase under this measure would be the one finally accepted by the Congress.

Mr. President, the record will show that this is not my first appearance here as an advocate of measures to break the pay-compression logjam and provide some relief for all those who have endured the long pay freeze since 1969. In midsummer of 1973, the Post Office and Civil Service Committee reported S. 1989, a bill to provide for biennial rather than quadrennial review and adjustment of top-echelon legislative, executive, and judicial pay. Inflation was rampant, and it was clear that consideration of pay every 4 years was not frequent enough. That bill was passed by the Senate but failed in the House of Representatives.

Again last year, I strongly advocated a resolution reported by the committee which would have permitted, with one

exception, all pay increases proposed by the President upon the basis of the recommendation made to him by his Quadrennnial Pay Commission. The excetion was congressional pay. The committee believed that the Congress might be willing to face up to the pay-compression problem if it could escape the onus of voting itself a pay raise, however small. On March 6, 1974, however, the Senate amended the resolution to disapprove all of the President's recommendations and thus rejected the entire proposal.

Those congressional rejections are regrettable, in my opinion. Had either the 1973 or 1974 measures been enacted, it would not now be necessary for us again to seek solutions to a problem that just will not go away.

It is my hope and belief that, this year, the advocates of affirmative action on pay will be successful. We have strong allies. Senators MANSFIELD and SCOTT have written to me as Post Office and Civil Service Committee chairmen urging an early effort to lift the 6-year ban on pay increases. Their letter, advocating legislation almost identical to H.R. 2559, reads in part:

> The type of authorization [advocated] would at least serve to keep pace with the inflationary spiral from now on. It is not our intention to recommend nor do we advocate any initial lump sum adjustment to "catch up" on the more than 40 percent which has already been denied. But, henceforth, the adjustment will at least afford this group equal treatment with all other employees of the Government.

Mr. President, I ask unanimous consent that the full text of the letter from Senators MANSFIELD and SCOTT be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. McGEE. Mr. President, as ranking Republican member of the committee, Senator FONG joined me in discussing this issue with President Ford and Vice President ROCKEFELLER, who is Chairman of the President's Panel on Federal Compensation, a special pay study group appointed to review all aspects of Government pay. The President and Vice President endorse legislation to halt the erosive effect of inflation upon top-echelon Federal compensation, and the President believes that further action to bring equity in this area should await the findings of the Panel headed by the Vice President. Title II of H.R. 2559 provides the pay relief recommended by the President.

Mr. President, I ask unanimous consent that a letter from the President of the United States bearing directly on this matter be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 2.)

Mr. McGEE. Mr. President, perhaps a review of the pay-setting procedures for top echelon officials of the three branches would be in order here. Salary adjustments for these officials are provided for under the Federal Salary Act of 1967, which authorizes a Commission on Executive, Legislative, and Judicial Salaries. The Commission which is appointed every 4 years, studies and reviews the compensation of the officials affected and reports its recommendations to the President no later than January 1 of the year following the fiscal year in which the Commission is appointed to make its quadrennial review.

The President, using the recommendations of the Commission, proposes pay adjustments to the Congress in his budget message. His proposal on pay becomes effective 30 days after it is delivered unless Congress enacts a conflicting law or specifically disapproves all or part of his proposal.

The last pay adjustment provided for under the Federal Salary Act of 1967 took effect in March 1969. The most recent Commission was appointed by then President Nixon in December 1972, too late for it to conclude a review and make a report by January 1, 1973. Thus, that report was delayed a year, being submitted to Congress on February 4, 1974. The Committee considered the President's proposal and reported the resolution which I described earlier. The resolution, endorsing the raises for all officials except Congress, was defeated in the Senate on March 6, 1974.

H.R. 2559 does nothing to interfere with this present pay-setting mechanism. The quadrennial Commission will be appointed in fiscal year 1977 and will make its recommendations to the President in December of that year. Some Members of the Senate believe that H.R. 2559 does not go far enough. Some want a "catchup" pay raise. Others do not believe the yearly percentage increase provided will prove to be sufficiently high when considered in the light of the 6-year freeze. These Members I would urge to wait until 1977, when the quadrennial Commission will report, for a more substantial increase. H.R. 2559, as I have stated, now enjoys broad bipartisan support in both Houses, and the pay section of the bill is endorsed by the White House. It is my belief that attempts to liberalize the bill by amendment would imperil its chances of enactment.

Mr. President, a concluding word about the critical situation which this bill would ameliorate. The four top grades of the general schedule suffer from the $36,000 ceiling. The pay rates for GS-18 and the top step of GS-17 reached the ceiling in January 1971. With each annual comparability increase, the ceiling has progressively penetrated into the lower grades. Last October, the salaries of 14,700 employees were limited by the ceiling. A GS-18, now limited to $36,000, would now be making $46,336 if he had been allowed the comparability step increases which the law says are due him under the "equal pay for equal work" policy principle. The ceiling has now reached into grade GS-15 and the penetration into GS-14 will continue and may accelerate.

The risk of losing some of our most able career executives increases each year. More than 1,000 supergrades are eligible to retire. Approximately 300 of them become eligible in 1975. By remaining in Government, these executives are foregoing cost-of-living annuity increases they would have received if they had elected to retire. Annuities were raised almost 12 percent in 1974. In the absence of pay relief, career officials are electing to retire on annuities adjusted upward as the cost of living goes up and by accepting more remunerative positions outside Government.

Robert E. Hampton, Chairman of the Civil Service Commission, has written an extremely perceptive article, which appears in the Federal Times of July 30, 1975, describing the effect on Government of the early retirements prompted by the $36,000 ceiling. He characterizes this effect as "a danger to the continuity of effective management of Government operations." I ask unanimous consent that his article be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 3.)

Mr. McGEE. Mr. President, I ask unanimous consent that a comparison of executive compensation in the largest private enterprise firms and the Federal Government be printed in the RECORD.

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

(See exhibit 4.)

Mr. McGEE. Mr. President, we are told that recruitment and retention at the sub-Cabinet level is becoming increasingly difficult because the compensation offered by the executive schedule compares so unfavorably with pay outside Government. These are the officials who effectuate Federal policy as established by the Congress and by the President. The country needs top level men and women in these positions, and we must pay them adequately.

The pay of Federal judges—men and women who stand as the central figure in the administration of justice in this country—is encouraging more resignations now than at any time in our history. In the judicial branch, top classified employees as well as judges are frozen in their present salaries. Referees in bankruptcy, U.S. magistrates, clerks of court, and probation officers who are at the top of their grades can no longer receive increases in salary as long as the district judge's salary remains static. New law school graduates this year are being employed at a starting salary of $20,000 by law firms in big cities, while a district judge's salary is pegged at $40,000.

Since 1969, the salaries of State chief judges have increased 44.2 percent. Until recently, Federal judicial salaries have been higher than top salaries in almost all State systems, but that pattern is changing. In 1969, only one State, New York, paid its judges more than a U.S. district judge. Now 20 States pay their judges at rates equal to or more than Federal district court judges are paid.

Enactment of H.R. 2559 would mark a vital first step in correcting these inequities.

Mr. President, the pay provisions I have described appear as title II of H.R.

2559. Title I of that measure brings the Postal Service under the provisions of the Occupational Safety and Health Act, so that the Postmaster General would be required by law to maintain an effective and comprehensive safety and health program for the Postal Service. The Postal Service now complies with that act under its agreement with the national postal unions. The committee believes the safety program of the Postal Service would be improved if compliance were required as a matter of law. I urge favorable consideration of H.R. 2559.

I yield the floor, Mr. President.

In a moment some questions will be raised, but I think Senator FONG, the ranking minority member, should take some time now, and then we will answer questions.

EXHIBIT 1

U.S. SENATE,
OFFICE OF THE MAJORITY LEADER,
Washington, D.C., June 11, 1975.

Hon. GALE W. MCGEE,
Chairman, Committee on Post Office and Civil Service, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: The almost daily reminders of the inflation brings to our attention, once again, the group of officials in the Federal Government who have had their salaries frozen, effective March 1, 1969, for a period of more than six years. In very simple terms, this means that the pay of these positions has been cut 42.98% in terms of purchasing power since that is the amount of pay increases that have been authorized for Government employees since March 1, 1969. This is an average reduction of more than 7% each year.

The Comptroller General of the United States in his report to Congress, dated February 25, 1975, relative to the subject of the critical need for a better system for adjusting salaries of higher Federal officials, including judges and Members of Congress, stated that anyone at a salary of $36,000 on March 1, 1969 had a purchasing power in December, 1974 of $27,600 and without relief, this would drop to $24,200 by January 1977.

Just recently, a local newspaper reported that the possibility of another automatic pay adjustment as high as 10% for Government employees on October 1, 1975 is very likely. If this occurs, it would then mean a total of at least 53% rise in salary increases covering eight separate adjustments in a period of six and one-half years. It would average out to an increase of at least 8% per year. This would create an even greater loss to the small segment of officials of the Federal service who are excluded from the pay adjustments.

It is also generally recognized that many officials and employees in positions of high responsibility are prematurely retiring because of the limitation on the salary of their positions. We cannot overlook the fact that a principal reason for early departure from Government service, in all probability, is the salary freeze.

Along with judges, higher executives of agencies, some Members of the Congress have also expressed themselves on this subject. Those with young families and little or no income other than their salary are experiencing the same financial pinch. The obligations of a Member of Congress are in many respects, more demanding than anyone else in Government service. As for others, the President of the United States on his 1975 budget message containing recommendations for executive, legislative and judicial salary adjustments stated that a very serious and adverse effect has occurred in the areas of recruiting, retention, and incentive for advancement throughout the Federal service.

Therefore, it is our joint recommendation that this matter be dealt with in a straightforward fashion and that legislation be presented to the Congress that would extend the same cost of living percentage increase for the positions listed on the attached schedule as is provided for employees of the Government generally.

In our judgment, the legislation should be handled with dispatch so that the authorization for the heretofore excluded positions will be included in the next cost of living increase which is scheduled to go into effect October 1, 1975.

This type of authorization would at least serve to keep pace with the inflationary spiral from now on. It is not our intention to recommend nor do we advocate any initial lump sum adjustment to "catch up" on the more than 40% which has already been denied. But, henceforth, the adjustment will at least afford this group equal treatment with all other employees of the Government.

We attach herewith proposed legislation to accomplish this recommendation and suggest that you and Senator Fong, the ranking Minority Member of your Committee, meet and discuss with Senator Ernest Hollings, Chairman, and Senator Richard Schweiker, ranking Minority Member of the Subcommittee on Legislative Appropriations of the Committee on Appropriations, the most expeditious and best possible legislative vehicle for early enactment.

For your information, we are also addressing a letter to Senator Hollings with the same suggestion for a meeting and discussion of our recommendation with you and Senator Fong.

With best wishes, we are

Sincerely yours,

HUGH SCOTT, *Republican Leader.*
MIKE MANSFIELD, *Majority Leader.*

Enclosure.

THE IMPACT OF THE $36,000 SALARY LIMITATION

The Civil Service Commission has been gathering data from agencies on the effect the $36,000 limitation on pay is having on the executive branch's efforts to recruit and retain a high-quality managerial and professional workforce.

The data reveals that almost all agencies are faced with similar problems. Hundreds of the Federal Government's most valuable officials are quitting their jobs or retiring early because of the $36,000 salary limitation. The result is that many key positions are being left vacant and important services performed by the Government are beginning to suffer. The growing size of the problem is shown by these official figures: The rate of resignations among professional employees has doubled since 1970. Retirements increased by 50 percent in the single year from 1973 to 1974. Early retirements of executives are plaguing many Government agencies. The Internal Revenue Service reports, for example, the average age of its retirees has gone from 62.4 years in 1969 to 56 years currently.

Many critical and important jobs are going unfilled for months. For example: The position of chief actuary of the entire Social Security system has been vacant for 15 months. The GS-18 position of Director of the National Institute on Aging at the National Institutes of Health has been vacant since it was established in May 1974. The positions of Program Director for Chemotherapy and Program Director for Cancer Centers in the National Cancer Institute have been vacant for months. Only three out of 15 vacant positions (due to early retirement) of administrative law judges have been filled at the National Labor Relations Board. The list goes on and on. In all cases it is clear that the $36,000 salary limitation is a major reason why positions requiring outstanding qualifications and capabilities, in addition to the assumption of awsome responsibilities, are so difficult to fill.

Another aspect of the problem involved the refusal of key employees to move into positions of greater responsibility. Aside from the assuming of greater responsibilities at no increase in salary, it also generally involved moving to a different part of the country, uprooting of family and in addition bearing the expense that moves generally entail. Even the most dedicated employees must consider this very carefully. For example: The Project Manager for the Apollo Soyuz Test Project refused the Directorship of the Kennedy Space Center, indicating that he could not afford to absorb the cost of moving his family to Florida. At the National Weather Service, a GS-16 employee declined a promotion to the GS-17 position of Associate Director for Systems Development. At the Department of Transportation a GS-17 Regional Director refused reassignment to the position of Associate Administrator for Airports since it would involve moving to Washington, bearing the cost of the move and the disadvantage of living in a high-cost area without any additional compensation. Once again, the examples cited are just a very small fraction of an ever-growing list.

Perhaps the greatest impact of the $36,000 limitation is felt when attempting to attract outstanding candidates from the private sector to fill top level vacancies. This is especially true in the legal, medical and scientific areas. Applicants who are curious enough to apply, or who are solicited because they are currently in similar positions in the private sector, are quickly turned off by the $36,000 salary or with the prospect that it represents the end of the road as far as salary is concerned. In most cases, these people are already making far more money in their current jobs.

The general higher level of compensation in the private sector for positions similar in nature and scope of the executive levels in government not only serves as a barrier for halting the flow of executive level types from industry into the government, but at the same time serves as a gateway for government executives to leave government employment for the greener pastures of private enterprise. At the Commerce Department, the Chief Economist of the Bureau of Economic Analysis, GS-16, resigned to take a higher-paying position in private enterprise. At the National Cancer Institute the Clinical Director resigned to accept a higher-paying position at a University. At the Justice Department, a Supervisory Trial Attorney at the GS-16 level resigned to accept a position in private industry at a substantially increased salary. At the Department of Agriculture, the GS-17 Director of Automated Data Systems resigned to take a $70,000 position in private industry.

At the same time, at HEW, a candidate rejected the GS-18 position of Director of the Office of Child Development because she was currently making $50,000 in private industry. At the Department of Interior, a candidate declined the position of Deputy Assistant Secretary for Energy and Minerals to accept a position with a consulting firm paying over $50,000. At the Commerce Department, a candidate declined appointment to a GS-16 Associate General Counsel position to accept a position paying $50,000. At the Small Business Administration, a candidate declined the position of Associate Administrator for Finance and Investment because it would involve a loss of $14,000 of his current salary in the private sector.

The Civil Service Commission itself has been hit by premature retirements among its top staff. Many of these key persons retired within months after becoming eligible

for retirement. For example: An Executive Director at age 55, A Deputy Executive Director at age 57, a General Counsel, age 55, An Assistant Executive Director, age 55, A Regional Director, 55, Two Bureau Directors, 55 and 56, and two Deputy Bureau Directors at 55. These executives had valuable experience and skills and the ability to render additional valuable service for perhaps five or ten more years. Many of them, in fact, are still working full-time outside of the Federal service.

It is apparent that if the situation remains static, that is, if the $36,000 limitation remains and at the same time the level of compensation in the private sector remain free to adjust in an open market, we are sure to see the problems of attracting and retaining quality executives become even more pronounced.

EXHIBIT 2

THE WHITE HOUSE,
Washington, July 26, 1975.

Hon. NELSON A. ROCKEFELLER,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: As you are aware from discussions we have had over the past few months, a serious problem has been developing in the recruitment and retention of senior-level executives and judges in the Federal Government.

This problem has now reached the critical stage. Essentially, it stems from the fact that there has been no pay raise for executive level managers or judges for six years. As a result:

Notwithstanding the clear intent of our Federal pay system that the varying levels of responsibility should be reflected in salaries, we now have a situation where some 15,000 employees in top grades (Executive Level V, GS-18, GS-17, GS-16 and even GS-15) all receive the same pay. The reason is that, as employees have received pay increases over the past six years, more and more of them come up against the six-year-old statutory pay ceiling of Executive Level V.

More than 20 percent of the Government's top officials are either quitting their jobs or retiring early. From 1969 to the present, the rate of executive resignations and retirements has more than doubled. In fact, employees whose salaries are frozen are retiring early at three times the rate of all Government employees, mostly in the 55-59 age range, depriving the Government of five or ten years of additional service by these experienced workers.

Several dozen of the Government's top posts are unfilled at this time simply because many of the executives we want to bring into Federal Service cannot, in fairness to their families, accept the huge cut in compensation that would be involved.

Key Government officials are turning down offers to move into Federal positions of greater responsibility in new localities. They cannot afford to uproot their families and bear the expense of moving at no increase in salary. There are hundreds of instances of this problem.

Since March, 1969, when pay for upper echelon Federal employees was last adjusted, the salaries of those *not* subject to the freeze have risen 50 percent. During this same period, a rise in the cost of living of 47.5 percent has reduced the purchasing power of those with frozen salaries by nearly one-third.

The same problem applies to the judicial and legislative branches. The Chief Justice advises me that as a result of such frozen compensation schedules, a number of Federal judges have left the bench to return to private law practice and many others are planning to do so.

While the salaries fixed in 1969 quite understandably seem more than adequate to many, we must face the fact that such salaries are today far out of line with comparable salaries in the private sector—and indeed in a growing number of State and local governments—for skilled, experienced administrators, senior professionals and judges. Actually, executive pay in the private sector and earnings of private attorneys have both increased by about 44 percent since 1969.

The Civil Service Commission has conducted an extensive survey and I am enclosing a summary of its report which contains specifics on this problem. I urge you to read it.

As you know, the Senate Civil Service Committee has reported out H.R. 2559 to extend to employees of the Executive, Judicial and Legislative branches whose pay has been frozen so long, increases commensurate with those granted to other employees whose salaries are not frozen.

This statutory change will not result in any "catch-up" for the last six years and will not solve all of the inequities we now have. But I feel we must move at once in this direction. I consider H.R. 2559 as a vital first step. Further action to solve the problem will be addressed by the Panel on Federal Compensation which I established recently and by the next Quadrennial Commission on Executive, Legislative and Judicial salaries.

The added cost of the compensation adjustments of H.R. 2559 will come to a fraction of one percent of the Federal payroll. In my judgment, this action is essential if we are to recruit and retain qualified and competent senior-level people to conduct our Government's business. I, therefore, urge the Congress to enact this bill promptly.

Sincerely,

GERALD R. FORD.

EXHIBIT 3

[From the Federal Times, July 30, 1975]

THE CEILING ON SALARIES IS HURTING NATION

(By Robert E. Hampton)

The freeze on executive salaries is becoming an absurdity—and a danger to the continuity of effective management of government operations.

Competent career managers, at the peak of their performance, are finding it financially more rewarding to retire than to continue working. And each time one leaves, government and the people are losing invaluable leadership and management know-how which simply cannot be spared.

To be very personal about it, my agency, the Civil Service Commission, can't stand much more of the brain drain that has been occurring in recent months.

We pride ourselves on thinking and planning ahead, and on developing the managers we will need in the future. But enough is enough! Since last December, we have lost or are in the process of losing:

An extremely able executive director, at the age of 55.

A distinguished deputy executive director, at the age of 57.

A general counsel who has excelled in numerous areas of personnel law, individual rights, freedom of information, and privacy, at the age of 55.

An assistant executive director who has done more for equal employment opportunity than anyone I know, at age 55.

A top-notch regional director in Philadelphia, at the age of 55.

Each of these executives has the know-how, the skill, the experience, and the intellect that we need, very badly, for another five to ten years.

Yet we lost them, and as I will point out later, our experience in this one small agency is typical of the tragedy that is occurring throughout the federal government.

What is the problem that is leading to this exodus of talent? It is a two-bladed saw that is ripping both ways. One blade is an executive pay law that has failed to meet expectations. The other blade is inflation itself. And while the executive pay law has proved to be a failure another law designed to protect federal pensioners against the ravages of inflation is working exactly as it was intended. The irony is that while the well-intended, completely justifiable and proper law for keeping annuities abreast of inflation is working well for pensioners, it is serving as an unintended and completely undesirable magnet to draw frozen-salaried executives away from active service at the prime of their working lives.

Government's highest level executives, in what we call the Executive Schedule, ranging from Level I (members of the Cabinet) through Level V (our executive director) have not had a pay adjustment since early 1969, even though executive pay adjustments are supposed to be made every four years. During that time, salaries for top executives in the private sector have increased by 44 percent.

The salary at Executive Level V, now $36,000, establishes a ceiling for career executives because there is a statute which says that a civil servant's pay may not exceed the pay of a Level V executive.

Under the law that provides annual pay adjustments for general schedule workers and others who are linked to the general schedule, all GS-18's and a few GS-17's bumped their heads against the salary ceiling in January 1971.

As pay adjustments have been made annually for civil servants, more and more GS employees have hit the ceiling. At present, there are 15,000 members of the "Asterisk Club," so named because the rates of pay they should be receiving under comparability with private industry are indicated by asterisks on pay tables, with a footnote indicating their actual earnings are limited to $36,000.

While the freeze already affects many GS-15's in the upper three steps of the grade, the asterisk is expected to cover still more GS-15's and even some GS-14's when the October 1975 pay adjustment is made. This will increase the membership in the Asterisk Club to something in excess of 20,000 persons.

Frozen salaries for this critical group of people impact on the individual in two ways—erosion of purchasing power and reduction of computed annuity.

In a study sent to Congress on February 25, the Comptroller General reported that the 1969 salary of $60,000 for a cabinet member had been eroded by inflation to a purchasing power of $41,700 as of last December, and that it will have been reduced to $36,570 by January 1977. At Level V, the $36,000 salary established in 1969 had dwindled in purchasing power to $25,020 in December of 1974 and was headed for $21,942 in 1977. The GS-18's salary of $36,000, established in January 1971, nearly two years after Level V, had decreased in purchasing power to $27,600 in 1974 and will decrease to about $24,200 by January 1977.

And here is how a salary freeze affects the individual's retirement: Civil service pensions are computed under a complex formula that keys primarily on highest annual salary averaged over three consecutive years, and on length of service. The employee whose salary is frozen does not receive any pay raises, any "step increases," or any monetary benefit from promotions, for the salary is the same from the top of grade 15 through Level V.

Thus, with no dollar increases to improve his or her earnings, the only advantage in remaining on active duty is that the pension is increased two percent for each year the employee continues to serve. In other

words, only one of the computation cylinders is working.

Having established the adverse impact of frozen salaries upon purchasing power and pension computations, now let us turn to that feature of the retirement law which permits increases in pensions every time the Consumer Price Index increases by three or more percent.

Since June of 1971, this law has provided pension increases of 4.5 percent, 4.8, 6.1, 5.5, 6.4, 7.3, and to become effective August 1, another 5.1 percent increase in pensions.

With pension increases of 10 percent or more per year, coupled with salaries which have been frozen for as long as six and a half years, we now have five Executive Branch annuitants who retired in 1971 and 1972 at earnings of $36,000 per year who are drawing more in annuity than they would be drawing in salary if still employed!

Perhaps the greatest tragedy of it all is the age at which salary frozen executives are retiring. A recent commission study showed that the retirement rate for frozen-salary executives in the 55–59 age bracket was three times the normal rate for employees in that age group.

As salary-frozen executives leave government through early retirement or through resignations to take higher paying jobs in the private sector, their agencies are experiencing great difficulty in obtaining top-quality replacements.

Some agencies have reported that career executives in the field, already frozen at lower grades, have declined reassignments to higher-graded but not higher-paying jobs in Washington, because they felt the move would result in a pay cut, in the form of higher living costs, rather than a pay raise for assuming greater responsibility.

By the same token, critical jobs in government have gone unfilled because private sector executives drawing far more money have been unwilling or unable to take a major cut in salary to come into government, even though they were strongly motivated toward public service.

Difficulties in recruiting and retaining high-caliber executives is measurable, but the effect of lost managerial talent on the quality of government is more difficult to quantify.

An official in the Office of Management and Budget nailed one dimension of it when he said the manager of a billion-dollar operation, managing at only 98 percent of capacity, conceivably could cost the taxpayers two percent of a billion dollars or $20 million in the course of a year.

The director of the National Cancer Institute would have more difficulty in measuring the cost of missing research scientists, but in my view the cost would be profound.

To me, the cost is a more personal thing, for it grieves me to the very roots to see valuable employees, like those I identified earlier, leave the government at the prime of their lives. I'd be thrilled to know that I would not receive another invitation to a retirement party in the next two years, for I have said farewell to altogether too many able people in recent years. And I believe I am expressing the sentiments of every agency head in the government when I say this.

What we need is relief from an arbitrary salary ceiling on top executives, which in and of itself establishes a companion ceiling on career managers. Not just a one-time, Band-Aid type of remedy, but an enduring procedure which will insure that the present conditions of salary compression do not recur.

EXHIBIT 4

COMPARISON OF EXECUTIVE COMPENSATION IN LARGEST PRIVATE ENTERPRISE FIRMS AND THE FEDERAL GOVERNMENT

(Source: private enterprise compensation data drawn from Business Week/Peat, Marwick, and Mitchell study published in May 12, 1975, issue of Business Week)

The heads of nine of the Nation's largest banks receive compensation (salaries plus bonuses) averaging $277,000, while the Secretary of the Treasury receives $60,000, the Chairman of the Board of Governors of the Federal Reserve receives $42,500, and the Comptroller of the Currency receives $40,000.

The heads of three of the Nation's largest wood products firms receive compensation averaging $249,000, and the heads of five of the largest paper companies average $316,000. The head of the U.S. Forest Service receives $36,000.

The heads of nine of the largest food product companies in the country receive compensation averaging $294,000, while the Secretary of Agriculture receives $60,000.

The heads of three of the country's large retail store chains receive an average of $311,000, while the General Services Administration's Commissioner of the Federal Supply Service receives $36,000.

The heads of five of the country's largest airlines receive an average of $239,000 in compensation, and the heads of four large railroads receive an average of $309,000. The Secretary of Transportation receives $60,000, the Administrator of the Federal Aviation Administration receives $42,500, and the Administrator of the Federal Railroad Administration receives $40,000. The Chairmen of the Civil Aeronautics Board and the Interstate Commerce Commission each receive $40,000.

The heads of eight of the country's large power companies receive compensation averaging $188,000. The Chairman of the Federal Power Commission receives $40,000, as does the Chairman of the Board of Directors of the Tennessee Valley Authority. The Administrator of the Bonneville Power Administration receives $36,000.

The heads of twelve of the country's largest oil companies receive average compensation of $429,000. The Administrator of the Federal Energy Administration receives $42,500.

The heads of five of the country's largest communications companies receive compensation averaging $441,000. The Chairman of the Federal Communications Commission receives $40,000.

The heads of five of the largest aircraft manufacturing companies receive an average of $348,000, and the heads of the four major automobile makers average $292,000. The heads of the seven largest steel companies average $337,000. The Secretary of Defense receives $60,000.

The heads of four of the Nation's large publishing companies receive average compensation of $238,000. The Public Printer of the United States receives $40,000.

The heads of six of the Nation's largest mining companies receive average compensation of $316,000. The Secretary of the Interior receives $60,000, and the Director of the Bureau of Mines receives $36,000.

Mr. FONG. Mr. President, title I of H.R. 2559 brings the Postal Service under the Occupational Safety and Health Act of 1970. The Postal Service is presently complying with that act.

Title II was added by the Senate Post Office and Civil Service Committee as an amendment to H.R. 2559 in order to provide a new method for the annual adjustment of pay rates for each level of the executive schedule, Members of Congress, and judges and officials of the judicial branch.

The adjustment would become effective whenever a comparability adjustment is made in the statutory pay system, usually in October of each year. On October 1 last year, the increase was 5.5 percent. This year, the increase is expected to be between 8 and 9 percent.

Mr. President, the time has come when we must take action to bring relief to hard-pressed Federal officials in the upper echelons whose salaries have been frozen since March 1969.

The salary rates that are now in effect for the Government's leaders were last adjusted more than 6 years ago.

Since then, the cost of living has risen 48 percent. Salaries for top management in private enterprise have gone up over 44 percent. Pay rates for the Government's lower level general schedule employees have gone up more than 50 percent, following wage movements for comparable workers in private enterprise.

Despite all these increases in the cost of living and in pay rates throughout the rest of the economy, the salaries of senior Federal officials have remained frozen at their 1969 level.

This salary freeze has been doubly unfair, for it has been unfair not only to the affected 17,000 public servants—the great majority of them career employees—but it is also unfair to the rest of the Nation's citizens, for it is rapidly eroding the great store of skills and talents our country has developed in its corps of senior public servants.

The Government as an employer does not operate in a vacuum. We must compete for talent with other employers in the economy. Some may say that there are many people who would leap at the chance for a $36,000 salary, and that is certainly true, but we are not talking about jobs that just anyone can fill. There is a tremendous scarcity of skilled, experienced administrators and senior professionals in this country today, and whether we like it or not, these people are going to work for those employers who will appreciate and reward their skills and abilities.

Last year, the Civil Service Commission made a survey of private industry pay for work equivalent to the Government's supergrades. That survey showed that private industry, a year ago, was paying an average of $45,146 for GS–16 work, $56,011 for GS–17 work, and $71,076 for GS–18 work. Today these salaries would be 8 to 10 percent higher, yet the Government pays only $36,000 for each of these levels of responsibility.

With this kind of disparity between Government and private industry pay rates, is it any wonder that the agencies are having more and more trouble attracting qualified managers and professionals? We may not feel that the Government can, or should, fully match private enterprise pay at the executive levels, but how great a financial sacrifice can we expect talented individuals to make in order to come to work for the Government?

The General Accounting Office compiled a major study of the executive pay problem in February of this year. In that report, the Comptroller General pointed out case after case where outstanding candidates refused Government positions because they could not afford the drastic salary cuts they would have had to take. And many of these cases were not even private industry executives—they were university faculty members or officials of State or local government.

The Comptroller General is deeply concerned that our inability to compete for

skilled managers is making it increasingly difficult for the Government to administer its programs economically and efficiently. I think we all have to share this concern.

On top of our inability to compete in the labor market for qualified managers and professionals from outside the Government, we are losing at an increasing rate those trained senior career civil servants we now have. It is certainly easy to understand why the Government's managers and professionals feel frustrated and even embittered by the executive pay freeze.

A 1969 salary of $36,000 is only worth $24,200 in constant dollars today. This means that a 1969 $36,000 employee who has not had a salary increase since then has had a one-third reduction in his purchasing power and in his standard of living, and he is helpless to do anything about it—unless he leaves the Government and takes a job outside.

Another aspect of this problem is the impact of salary compression. Salary compression is what happens when there are employees in two or more levels of an organization—a chief and his deputy, for example—receiving the same salary.

In the executive branch, we now have five levels—GS-15, GS-16, GS-17, GS-18, and executive level V—all at the same pay rate of $36,000. And with the next Federal pay raise this October, salary compression may even reach down into GS-14.

This salary compression problem is resulting in agencies having trouble filling their key jobs, even from within, because they cannot give a pay increase of a single dollar, despite the tremendously increased duties and responsibilities that are involved in promotions at these levels. Even worse are the problems when an agency wants one of its executives to relocate, yet cannot offer a pay increase to offset the many costs of moving.

This executive pay freeze problem is resulting in the early retirement of many of the Government's most capable executives. Under the civil service retirement law, annuities are increated as the cost-of-living increases. However, these annuity increases go only to those who are actually on the annuity rolls, or who retire before the next cost-of-living increase.

This results in a situation where some employees who remain in the service can end up with smaller annuities than they would have had if they had retired earlier. This problem is particularly bad in the case of frozen salary employees, since these employees have not been benefiting from the normal increase in their high 3 years of basic pay, one of the factors in the computation of their annuities.

These frozen salary employees see their potential annuities rapidly falling behind the annuities of those who have already retired. At the present time, there are five former employees on the annuity rolls who retired several years ago from $36,000 positions and are now receiving annuities of more than $36,000.

Faced with this problem of their future economic security, the Government's executives are retiring at an ever-increasing rate. Frozen-salary employees are retiring at almost three times the normal rate, with the highest rate being among those 55 to 59 years of age, the youngest retirement eligibles, who still have a number of valuable years ahead of them.

This executive pay problem has been getting worse and worse for several years, and has now reached a point where we are going to see a disastrous decline in the quality of Federal management, when the agencies can neither hire new managers nor keep the ones they have.

The only solution to this problem is a pay raise for Federal managers and professionals. These people have suffered long enough from congressional inaction, and the time has come when we must act, despite the controversy that may ensue.

In order to provide the proper level of pay for the Government's top managers and professionals, true comparability should be restored. The executive schedule should be adjusted upward to eliminate the compression of the general schedule supergrades. And legislative and judicial salaries should be raised accordingly. We will never solve this problem until we adjust the top salaries adequately. This bill before us will not accomplish this.

I realize there is a reluctance to make a major effort at this time to adjust the top level salaries, even though such adjustment is long overdue and even though simple justice and equity demand such adjustments.

Speaking for myself, I am disappointed and distressed that we are not moving more actively to try to bring proper relief to the Federal managers and professionals. In acting on the bill before us today, we are taking only a limited—though necessary—step forward to ease the pressure on the upper echelon officials who have been denied any pay increase for such a long period of time. It is far from an adequate solution, but it is the only step which appears to have a reasonable chance of being enacted into law at this time.

I call upon my colleagues to join in speedily approving the bill before us. If enacted, the measure would provide the same percentage pay increase to the Government's top officials as the white collar employees below them and members of the military. Of course, the increase would be far from sufficient to bring it to the level where it should be. It would only help to prevent their pay scale from becoming more distorted and their financial standing from deteriorating further.

Let us act swiftly and decisively to bring this small measure of relief to the hard-pressed executives of our Government. Let us act to show our appreciation for their valuable services. Let us not allow them to be denied even the very limited help they would receive under the bill before us.

Mr. HARRY F. BYRD, JR. Mr. President, the pending legislation and the committee report have this title: "Postal Service Compliance With the Occupational Safety and Health Act." Mr. President, that is a very small part of this total piece of legislation. I think it is unfortunate that the major part of this legislation is not identified at all, insofar as the title of either the committee report or the act is concerned. The major part of this legislation deals with the salaries of the Vice President of the United States, the Federal judges, the Members of the Senate and the House of Representatives, and the supergrades in the executive branch of Government.

It occurs to me that the public would have more confidence in Congress if we would handle these salary matters in a more forthright way. Yet they are buried in an entirely extraneous piece of legislation dealing with the Postal Service compliance with the Occupational Safety and Health Act.

As a matter of fact, Mr. President, there is no need for the legislation putting the Postal Service under the Occupational Safety and Health Act. I have no objection to it but there is no need to do that, as page 3 of the report points out. In a letter signed by W. Allen Sanders, Assistant General Counsel, Legislative Division of the U.S. Postal Service, the last paragraph of the letter says this:

> Since the Postal Service already necessarily complies fully with section 19 of OSHA, we see no need for, but have no objection to, legislation proposed by H.R. 2559 to make that compliance a specific requirement of title 39.

Mr. President, that is the feeling of the Senator from Virginia. It is perfectly satisfactory to pass this legislation in regard to putting the Postal Service under the Occupational Safety and Health Act, but it is of no consequence either way because the Postal Service is already complying.

That dramatizes, to my mind, that the real purpose of this bill is something entirely different, namely, to put under the cost-of-living increases the supergrade levels of the executive branch, all of the Federal judges, the Vice President, and all of the Members of the Congress of the United States.

This is coming at a time when just today the Government announced that the deficit for the past fiscal year, which ended this past June 30, was the highest deficit the Government has had in 30 years. The deficit approached—was in round figures—$45 billion. The estimate for the current fiscal year is $70 billion.

I think there is a matter of policy involved in this legislation. Is it wise to make applicable the cost-of-living increases to the Members of Congress?

The PRESIDING OFFICER (Mr. PHILIP A. HART). The 5 minutes available have expired.

Mr. McGEE. I ask unanimous consent that the Senator have another 4 minutes.

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

Mr. HARRY F. BYRD, JR. What this tends to do is this insulates Congress against inflation. And yet, in my judgment, Congress is the major cause of the inflation we are facing today. Congress is the major factor in this because it is Congress that has created these huge Government deficits, and the Government deficits are the major cause of the inflation.

So I am very doubtful about the princi-

ple of putting Congress under this automatic cost-of-living increase. The Members of Congress then will be, insofar as they are personally concerned, insulated from inflation because every time inflation goes up their salaries automatically will go up also.

I am not certain of the exact figures, but my recollection and understanding are that of all the laboring people of this country only about 15 percent are involved in the cost-of-living increase. In other words, only about 15 percent of all the working people have available to them an automatic increase in their own salaries whenever the cost-of-living goes up.

So I think it unfortunate that a matter of this importance is buried in a bill dealing with an entirely different subject.

I am glad the Senate will not vote on this measure tonight. I think it would be a great mistake to bring it up and immediately bring it to a vote, but that will not be done. I think it is certainly an appropriate procedure that it not be done.

I say again I have grave doubts about the aspect of the bill which puts Congress under, gives to Congress an automatic increase in the cost-of-living whenever another Federal agency, under the chairmanship of the Vice President, asserts that the cost of living has gone up x percent. It insulates Congress against the inflationary pressures, and yet it is Congress, in my judgment, which is the major factor in causing the inflation.

Mr. McGEE. Mr. President, what is the time situation on the earlier allotment of time?

The PRESIDING OFFICER. The Senator from Wyoming has 2 minutes; the Senator from Alabama, 20.

Mr. McGEE. Mr. President, I yield myself 2 minutes.

Mr. President, I want to say to my friend from Virginia in the order in which he brought up the questions that he legitimately raises, first of all, H.R. 2559 is a very legitimate piece of legislation, as he knows best of all, for the reason that our problem with the executive branch often is that what the branch chooses to give on Tuesday they can take away a year from Tuesday or a week from Tuesday.

We wanted to make sure that the intent of Congress was clear on this. We had another bill up today involving the Bureau of the Census in which this same issue was at stake, in which they make available data on the growth matters that affect communities that are dependent upon or having as part of their budgetary problem revenue sharing, and they do it now. But every once in a while they lapse and do not do it, and it is not very helpful to the communities. So we simply wanted to make sure in this piece of legislation the intent of Congress was abundantly clear.

Now the Senator's second question is why did you put this complicated little amendment involving, cluing, Congress and the judiciary and the executive branches, and so on, into the comparability procedures under the already existing salary laws of the country.

The answer is very simple, Mr. President. There is no deviousness here, and I think my colleague may be being unfair to the committee.

We did not choose the device of going through allowances or deductions or other various ways that legislators of the past have indulged in.

We laid it out exactly like it is, with no subterfuge. The catch is that at the time we finally arrived at an agreed procedure with the President and the House and the Chief Justice, by that time we were already locked in an impasse here in this body so that the origination of a bill with this title was no longer a matter of feasibility.

Mr. President, I ask unanimous consent that I may have 2 more minutes.

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

Mr. McGEE. Therefore, the only way in a parliamentary sense that we could attempt it, with the leadership on both sides and the time schedule the Senate had allotted for it, was to attach it to a noncontroversial bill so far as the two Houses of Congress were concerned in order to bring it publicly before this body, and I stress publicly. It was released over the weekend as soon as the committee was able to clear it by its own judgment. The report was filed, and it has been filed since Friday, and it is a matter of public knowledge since the filing of the report.

So I hope that my good friend from Virginia would at least give us the credit of trying to be forthright about it and yet trying to abide by the parliamentary procedures that are available at this stage in this particular phase of the session.

Having said those two things, Mr. President, I would only add that my colleagues here, I think, are not unmindful of the inflationary forces in the land and that has no validity or connection or relationship to whatever may be happening to the budget.

The members of the three groups I have just described have not received any cost-of-living adjustment, or anything else, since 1969, and by all measures the Consumer Price Index is now 47.5 percent higher, and the salary that the higher echelon people are receiving is now compressed, as it is in the supergrades, to the same level of the employees over which they preside.

We are trying to make some equitable adjustments there for the future, so it does not get into that bind again. The legislative branch is in the same kind of boat.

It would not have happened that way if we had been looking ahead to this prospect of double-digit inflation when we made past salary efforts that were constructive and ongoing by all standards that exist in most private sectors of industry. We just left out the inflationary factor.

We do not strike in these bodies and never will, must not, should not, but of all other forms of labor, with all due respect to the Senator's figure, about the only group left in this country that have had no commensurate adjustment in the cost of living are the three groups mentioned here.

To be sure, this would put them under the heading that would make them subject to the estimates given the President automatically on an annual basis, but those fluctuate and there will come that time, I presume, when the economy will level off. Everybody takes his chance.

But do not say of this body that they are unmindful of the inflationary forces at loose in the land, those forces are very considerable and many Members of this body can attest to that.

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

Mr. McGEE. This is one of the constructive reforms in the mechanism that is designed for nothing else. There is no attempt to restructure salary schedules and that sort of thing.

Mr. President, I yield the floor.

The PRESIDING OFFICER. Under the order, the Senator from Alabama is recognized.

Mr. ALLEN. I thank the Chair.

Mr. President, I oppose this bill as a whole and I oppose it insofar as it grants an increase in salary to the Members of Congress, House and Senate.

I have been impressed, Mr. President, since coming to the Senate that there seems to be a tendency on the part of Members of Congress to avoid, whenever possible, the taking of a stand and a direct vote on a salary increase.

I came to the Senate in 1969. In 1967, I believe under the sponsorship of Mr. UDALL, over in the House, this Federal Salary Commission was set up that provided that this Commission would set the salaries and turn it over to the President. He could grant that, or suggest that raise, or cut it down and then submit it to the Congress, and Congress, one House or the other, had to veto the raise or it would go into effect.

Ever since that time, those who are pushing for a raise for Members of Congress have sought to avoid an up-and-down vote on a salary raise.

I want to express my admiration for the distinguished Senator from Wyoming (Mr. McGEE) and to express my appreciation to him for advising me that this bill was going to be brought up and the nature of the amendment that is contained in the bill, he knowing that I have been opposed to the salary raises for Members of the Congress.

If the Congress wants to raise the salary of its Members, they have a perfect right to pass a statute to that effect. That is the last thing they want to do. They want to, more or less, come in the back door, and I do not believe that we should follow this around.

I do not believe at a time when inflation is abroad in the land, when the savings of our people are being eroded by inflation, when the wages and salaries of our people are being eroded through inflation, that now is the time under this device, shall I say—we have had device mentioned a whole lot in recent debate—but under this device to provide for an-

nual increases in salary for the Members of Congress.

Another thought occurs to me, and the distinguished Senator from Virginia came very near suggesting it, he suggested that Congress would have a built-in insulation or cushion against inflation.

I am thinking, too, that if they are lumped in with the rest of the Federal employees and the President refuses to allow the full amount of the raise, if the cost of living goes up 10 percent and the President sets it at 5 percent and submits it to Congress, Congress, it would seem to me, would have a conflict of interest in this regard because they would, if I understand the procedure correctly, and if I do not I am sure the distinguished Senator from Wyoming will correct me, but as I would understand that procedure, the Congress would have a right to say whether the full amount of the raise went into effect or only the part that the President assessed.

So I would think that would set up a conflict of interest on the part of the Congress, having an interest in this raise that all the Federal employees would be getting, and they would be more inclined, it would seem to the Senator from Alabama, to vote for a full increase inasmuch as they would participate in it, and it might not be in the best interests of the country to grant the entire raise.

I do not believe that we would be acting in the best interests of the image of Congress at this time of recession and inflation to rush in and set up a builtin annual salary increase for Members of Congress.

Another aspect of the whole bill which occurs to me is that it is all out of line, these salaries, in that, for instance, the Chairman of the Board of Governors of the Federal Reserve System, possibly the most powerful man in the country, certainly over the country next to the President, would receive as a base his present $42,500 and yet a Deputy Secretary of Defense, two of those, receive the same amount.

The Deputy Secretary of State would receive $42,500. I think a member of the Cabinet receiving $60,000, members of the Supreme Court—and that is the worst illustration of salaries that are out of line because the members of the Supreme Court receive $60,000 a year and, without paying in one single penny to a retirement system, on his retirement from the bench he receives an annual retirement of $60,000.

To say that a man in that position, without paying into the retirement system, is guaranteed $60,000 the rest of his life, and to say that he needs a cost-of-living increase is just absolutely ridiculous, Mr. President. I hope we will not go along with this.

If Members of Congress want to raise the salaries of Members, I would like to see them put in a bill saying that the salaries of Members of Congress shall be so much per year and let it stay at that until such time as the Congress raises it. But do not go in the back door and provide a builtin annual salary without Congress doing a thing. I think Congress ought to review these situations every now and then. Congress would not have to take any action at all. These recommendations would come in from the President, and if we did not like what the President raised everybody, we would see that the full raise was granted. I do not believe it is right.

Just for starters, Mr. President, I have at the desk and I am going to ask that it be reported—there will be no vote on it—an amendment which would strike out the Members of Congress. If we get this amendment passed and the Members of Congress eliminated from this salary raise, I think you are going to see this enthusiasm for the bill greatly damaged. I do not believe there will be a whole lot of enthusiasm for the bill once this amendment is adopted.

I would like to have it stated.

Mr. HARRY F. BYRD, JR. Will the Senator yield to me first?

Mr. ALLEN. Yes.

Mr. HARRY F. BYRD, JR. Is the understanding of the Senator from Virginia correct that if this legislation is enacted the Members of the Congress each year, assuming there is any inflation, would get an automatic increase in salary?

Mr. ALLEN. If inflation continues. It may be that it would come twice a year. I am not sure. The distinguished floor manager of the bill could answer that. I believe it is twice a year with the Federal establishment.

Mr. McGEE. No. It is once a year and only in the event of a continued inflationary process.

Mr. ALLEN. I imagine, though, if we start into a real recession when the cost of living is going down, that these persons who are pressing for this legislation might want a revision then if the salaries are going down. I do not know, but I do not look for that any time soon.

Mr. HARRY F. BYRD, JR. If the Senator will yield, I do not believe there is any chance of a noninflationary atmosphere in this country with the Congress appropriating enough funds, $1 billion a day, $365 billion this year, which will represent a deficit of at least $70 billion. Yet, the Congress, even though it is the one which is taking that action, will have automatic pay increases. depending upon what the inflationary rate is, while 85 percent of all the working people of this country will be unprotected.

Mr. ALLEN. If the Senator's statistic is correct on the 15 percent covered by cost-of-living increases, that would be right. I say one of the worst features of the bill is adding cost-of-living increases to members of the Federal judiciary who are well cared for under the present law.

Mr. HELMS. Will the Senator yield?

AMENDMENT NO. 832

The PRESIDING OFFICER. The Senator from Alabama has offered an amendment. The amendment will be stated.

The legislative clerk read as follows:

AMENDMENT

On page 6 beginning with line 6, strike all over to and including line 6 on page 7.

Mr. ALLEN. This does effectively, I believe, eliminate the Members of Congress from this raise. As I suggested, if this amendment is adopted I believe the bill will sort of die on the vine somewhere along the line between now and final enactment. I yield to the Senator from North Carolina.

Mr. HELMS. I thank the distinguished Senator for yielding. I fully agree with the Senator. I would like to ask him if he will do me the honor of allowing me to be a cosponsor of his amendment.

Mr. ALLEN. Yes. I ask unanimous consent that the distinguished Senator from North Carolina (Mr. HELMS) be added as a cosponsor.

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

Mr. HELMS. The distinguished Senator from Virginia mentioned the figure of 15 percent of the workers of America being covered by cost-of-living increases in their compensation.

Mr. McGEE. If the Senator will yield, automatic cost-of-living increases. Most all labor groups have cost-of-living allowances every year by negotiations.

Mr. HELMS. Will the clerk insert the word "automatic" at the proper place?

There is an interesting relationship between that 15 percent and the 15 percent of the American people, according to the latest polls, who approve of the way the Congress is being operated. It seems to me, I will say to the distinguished Senator, that next year we will observe the Bicentennial of this great Nation. If this sort of legislation is approved by the Senate it comes to my mind that we may have another American revolution 1 year earlier prior to the Bicentennial. I commend the Senator on his comments, and also the distinguished Senator from Virginia.

Mr. ALLEN. I thank the distinguished Senator from North Carolina. I yield back the remainder of my time.

Mr. HARRY F. BYRD, JR. Will the Senator from Wyoming yield for a question?

Mr. McGEE. I will yield for a question through whatever time we can mobilize through unanimous consent.

I ask unanimous consent for an additional 10 minutes.

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

Mr. HARRY F. BYRD, JR. May I say to the Senator from Wyoming, I took this report home over the weekend and studied it but I left a marked copy at home. I do not have that one with me. I have another copy of the report.

As I recollect, somewhere in this committee report, and I cannot find it at the moment, is a statement that some 600 military officers would be included?

Mr. McGEE. It is a group of 600 officers who are under the same ceiling, at the top.

Mr. HARRY F. BYRD, JR. Perhaps the Senator from Wyoming will clarify this. The 600 officers, are they lieutenant generals, generals, major generals, with corresponding ranks in the Navy?

Mr. McGEE. In the Pentagon it is wherever the $36,000 ceiling automatically took effect.

Mr. HARRY F. BYRD, JR. Where does that take effect?

Mr. McGEE. It takes effect at the level of $36,000.

Mr. HARRY F. BYRD, JR. I know, but what rank?

Mr. McGEE. I cannot tell the Senator what rank without getting from the Pentagon the report of those over the $36,000 ceiling. Those vary. The Senator knows that. He is on the Armed Services Committee.

Mr. HARRY F. BYRD, JR. I know it varies. That is why it seems to me it would be well if we had that information here when we are considering this bill. There are 600 military officers involved who will benefit by this proposal. I think we ought to know what their rank is, what the purpose is that is involved, and all of that.

Mr. McGEE. With all due respect, I do not see the relevance of their rank if they are under the ceiling of $36,000. With all due respect, it is the ceiling that is the controlling factor. The Pentagon determines its ranking officers and their level in relative terms of their pay; $36,000 at one time covered the differentiation, but with the other grades that have gone up in their salaries that has been closed and those at the top, in the highest administrative ranks, are the ones that are affected, the 600. There are 10,000 of them in the supergrades.

Mr. HARRY F. BYRD, JR. I am speaking of uniformed personnel, at the moment.

Mr. McGEE. I am saying we do not have their ranks.

Mr. HARRY F. BYRD, JR. It just occurs to me to be something that would be of help to the Senate if the committee could get that information.

Mr. McGEE. I will make sure that we have the report directly from the Pentagon before we return to this question tomorrow. The Senator will have to give us this evening to get the report; we did not request that, because it is automatically controlled by the $36,000 figure. But we will request that first thing in the morning.

Mr. HARRY F. BYRD, JR. Then this new proposal would apply to all individuals who receive $36,000 or more at the present time, as I take it.

Mr. McGEE. That is correct. Those who come under that ceiling.

Mr. HARRY F. BYRD, JR. And is it not correct that some uniformed officers receive higher pay than the Members of Congress? Of course, they would be involved in this also.

Mr. McGEE. Some members of the Government, such as Cabinet members and——

Mr. HARRY F. BYRD, JR. No, some members of the uniformed services.

Mr. McGEE. I cannot answer that without seeing the list from the Pentagon.

Mr. HARRY F. BYRD, JR. Anyway, I thank the Senator for ascertaining that information for the benefit of the Senate.

Mr. McGEE. We will procure that overnight.

Mr. President, I just want to stress here, in the remaining few moments of this last segment of the time, that the President of the United States, in his communication to us, expressed one thing: that we are talking about, to quote him, "an insignificant sum, a tiny fraction of 1 percent of the Federal payroll," to borrow the President's precise language. A tiny fraction of 1 percent of the Federal payroll. And this action is important. As the two leaders in this body and the President have all three stressed, the issue here is not giving them an equitable salary; it is not trying to give them incentive in competition with another segment of the private economy in our country. It is rather to permit them to stay on as proven experts in administration, only by keeping up with the costs that they have incurred, that they have already taken on, like kids in college, as an illustration, or payments on a house.

They are interested in holding those who have proved their competence as successful administrators. They are the ones also who are being lost. And since the President made something of a point of that factor, I use it to illustrate that the whole emphasis on this question has nothing to do with the salary infrastructure in the Federal Government; it has only to do with trying to make sure that we hold those people we can, without any adjustment in salary per se. And I stress once more that what this is is an adjustment based on the readings and other statements on the cost of living.

The Senator from Alabama rightfully raised the question he put to me as to whether or not there might be a conflict of interest on the part of Members of Congress, since they would be involved here, and under the law that now exists, when the cost of living rating is made, 8.6 percent for this year, the council has reported, if the President does not allow that, would not the Congress run pell-mell into increasing that to the full amount, 8.6 percent?

Mr. McGEE. Well, we have a couple of times overridden the Preisdent's decision on that matter, because the Federal employees were behind the cost of living and all other sections of labor.

So the question now is, what would Congress be likely to do? I honestly cannot tell the Senator what Congress would be likely to do. It would be my judgment that Federal employees would just as soon Congress was not in on the act, because they are more restrained in going that route, rather than more gung ho, and they would be better off if Congress were not a part of it.

Mr. ALLEN. Suppose a Member of Congress says, "I do not want the full amount for myself but I have got to take care of these other employees; therefore, I would raise it up to the limit."

Mr. McGEE. The Senator may be suggesting a convenient approach for a speech for some Members of Congress, but I think it is a matter of record that a rollcall vote is required under those circumstances; there is no end run, sticky bat, or anything else, and this is where they stand and be counted, and be judged.

Mr. ALLEN. Does not the Senator see, though a built-in conflict of interest?

Mr. McGEE. I would suppose, as long as we have a body with legislative duties and governing responsibilities, we could not avoid a conflict of interest unless we asked our neighbors in Canada or Mexico, perhaps, to make that judgment; because somewhere, as Harry Truman used to say, the buck has to stop. It stops here, and I think we have to take the responsibility and the risk that goes with it, whichever way the decision would be made.

Mr. ALLEN. There is one point I do not believe the Senator has made clear. These $60,000 Supreme Court judges and $60,000 cabinet people, when would their first increase come if this bill should become law, say, by the 1st of August?

Mr. McGEE. It would come, under the present law——

Mr. ALLEN. No, under this law.

Mr. McGEE. Under this law, as being amended here, it would come at the regular time that it does under the existing law now, and that is by October 1. If the President does not act at all it goes into effect automatically. If he does act, then, without an alternative plan being proposed by Congress, that goes into effect.

Mr. ALLEN. Would they get a full year's inflationary increase, or would they get only that portion of the year from the date of the enactment of this bill to October 1?

Mr. McGEE. I would assume that it was the full year of inflationary impact.

Mr. ALLEN. So it would seem that possibly an increase of 10 percent would be in the offing for these high-paid Federal officials from October 1.

Mr. McGEE. It would be the same 8.6 percent that everybody else is getting.

Mr. ALLEN. 8.6?

Mr. McGEE. 8.6 percent, if it were the top figure. But the President's recommendation may be 5 or 6 percent, if that were to prevail.

Mr. ALLEN. Then Congress would have before it the question of whether to raise it to 8.6 percent or leave it at the 5 percent that it is believed that the President is going to recommend, is that right?

Mr. McGEE. That is right.

Mr. ALLEN. I see. I believe that is of considerable interest.

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

Mr. McGEE. I am glad to yield to my colleague from Hawaii.

Mr. FONG. If this bill does not pass, we will have to wait until 1977 before any of these classes of government officials will get relief; is that correct?

Mr. McGEE. That would be a good guess, since I am running in 1976.

Mr. FONG. In 1977 we will have the quadrennial review by the Commission on executive, legislative, and judicial salaries.

Mr. McGEE. That is right.

Mr. FONG. Which will convene in 1976 and report to the President, and the President will then notify Congress the first part of 1977 what that increase would be?

Mr. McGEE. That is right. This is under the Salary Act of 1967, where the President's Commission reexamines the whole salary structure.

Mr. FONG. And if we do not do anything now, and do not give them relief, it will be 8 years before they will get any kind of an increase, from 1969?

Mr. McGEE. It will be two years worse than now, is what it really will be.

Mr. FONG. Yes.

Mr. McGEE. Yes, that is correct.

Mr. FONG. And they are already behind the lower Federal employees by 50 percent in the last few years? From 1969 to the present, the Government employees under the GS schedule have received an increase of 50 percent in their salaries?

Whereas these employees have been frozen at $36,000, and have not received one penny of increase?

Mr. McGEE. Not a penny, that is correct.

Mr. FONG. And whereas in 1969 the consumer price index was 108, in May of 1975 it stood at 159.3, or a 47.5-percent increase?

Mr. McGEE. That is correct.

Mr. FONG. And these employees have not received a single cent of increase, is that correct?

Mr. McGEE. That is correct.

Mr. FONG. And since 1969 the salaries of top management in private industry have increased 44 percent?

Mr. McGEE. Yes.

Mr. FONG. And since 1969 attorneys' salaries have been raised by 43.9 percent, in the private sector?

Mr. McGEE. Yes.

Mr. FONG. And since 1969 the salaries of the chief judges of the various States have been raised by 44.2 percent?

Mr. McGEE. Yes.

Mr. FONG. Whereas none of our Federal judges has received an increase; is that correct?

Mr. McGEE. That is correct.

Mr. FONG. If we do not do anything now, the salaries which we are paying at the level of $42,500 will recede if the same inflation rate continues to $22,500.

Mr. McGEE. At the present rate.

Mr. FONG. That was the salary which was received way back in 1960.

Mr. McGEE. That was about 1959.

Mr. FONG. We would be going back to that salary in constant dollars.

Mr. McGEE. That is right.

Mr. FONG. So we must do something to keep our employees, because many of them are retiring at a very young age because they feel that by retiring and getting that cost-of-living increase for retirees, they will exceed what they are receiving now. In fact, several of the retirees are now receiving more than $36,000 because of the cost-of-living increase.

Mr. McGEE. Yes; that is correct.

Mr. FONG. So, therefore, we have to do something to keep these many employees, to try to encourage other employees to come in to take the jobs which are now vacant, and to keep our Government going, because it is really the people at the GS–18, 17, 16, 15, and 14 levels who really run the Government. They are the brains of our Government.

Mr. McGEE. They are the continuity in Government because of their expertise and their experience.

Mr. FONG. When you consider an assistant secretary in the Cabinet level only stays there 22 months, there is no continuity. So it is the supergrade employees who really run our Government, and these people have been lured away by private industry because the Government cannot pay them more than $36,000.

Mr. McGEE. That is correct. I say, if the Senator will yield for 30 seconds there, a real point is these people are not out looking for the same salaries they could get in the private sector; they simply want to be able to pay the commitment they have taken on when they launched their kids in college or when they took on payments for a house, or whatever their requirements are here living in the Nation's Capital. If they cannot meet that, they have to leave.

Mr. FONG. And they have not been able to meet that commitment, because their $36,000 salary, which they received in 1969, in May of 1975 is only worth $24,408 in constant dollars.

Mr. McGEE. That is right.

Mr. FONG. Whereas they have lost approximately one-third in their salaries from 1969 to 1975.

Mr. McGEE. The Senator has put it very well, and that is the real crunch that is on. Our question is whether we can be responsible legislators, or whether we can duck that hoping that it will go away. I just think it is time to quote a famous person, that we bite the bullet.

Mr. FONG. This is actually not a cost-of-living allowance. It is based on comparability. The Government employees receive this increase every year on the principle of comparability.

Mr. McGEE. That is right.

Mr. FONG. When the Bureau of Labor Statistics goes out, surveys the community, and sees what private industry has given to the employees, then the President will recommend the amount of increase on the basis of comparability.

Mr. McGEE. That is correct.

Mr. FONG. So, therefore——

The PRESIDING OFFICER. All time has expired.

Mr. McGEE. I ask unanimous consent to yield 3 more minutes.

Mr. ALLEN. I have one further question I would like to ask.

Mr. ROBERT C. BYRD. Reserving the right to object, and I will not object, could I get some understanding how much longer this debate is going to require?

Mr. ALLEN. I have one more question that will take 3 minutes.

Mr. McGEE. I have one more question. I was going to make a very earthy statement about something that was just said, and I lost track of what it was at the present time.

Let us say 5 minutes.

Mr. ROBERT C. BYRD. Very well.

The PRESIDING OFFICER. Five additional minutes.

Mr. FONG. So, actually, what we are doing is bringing in these employees to the comparability section of that law which gives to Government employees comparable salary with private industry, but because we have not been able to give all these employees an increase that we wanted to give them, we have brought them in under this comparability statute?

Mr. McGEE. That is correct.

Mr. FONG. It is not a cost of living.

Mr. McGEE. Lest comparability may be a little misleading there, the comparability factor, since the mid-sixties, has been a catching up catch up game with the cost of living because in the private sector the adjustments have come through negotiations to compensate for increased cost of living. That means that Federal employees have had to catch up with that fact of life. So that the net consequence has been a cost of living, even though it is comparability to keep up with the private sector.

Mr. FONG. The GS 18's, 17's, and 16's, and pretty soon the 15's, have not been able to get an increase.

Mr. McGEE. Half of the 15's are now so compressed.

Mr. FONG. In $36,000?

Mr. McGEE. That is correct.

Mr. FONG. And have not been able to get an increase?

Mr. McGEE. They have had absolutely nothing.

Mr. FONG. So it is very important, if we want to keep our employees on the job, we will have to give them something, and this is about the least we can give them.

Mr. McGEE. It is the very least that can be done that seems equitable, without worrying about the inequities in salary structures that have been lost in the last 6 or 7 years. The Senator and I worked for 10 years to try establish this.

Mr. ALLEN. Mr. President, will the Senator yield for one further question?

Mr. McGEE. I am glad to yield.

Mr. ALLEN. This bill seems to be permanent, this whole statute seems to be permanent legislation, and I see no ceiling provided for any of these positions. If we continue to have inflation, say, at a 10-percent rate, it would, with compounding and cumulative forces, only take about 8 years before the $60,000 salaries of the Cabinet would be $120,000 and the $60,000 salaries of the Supreme Court would be $120,000. Is that correct?

Mr. McGEE. If one accepts the hypothesis that the Senator projected there at the outset, that would be correct, of course. But that is the worst of all possible worlds. We hope someone gets busy here and gets this thing slowed down. We have been through inflationary periods before. They ultimately fortunately level off. We have all had to change our concepts. The important thing is that we not forfeit responsible government to try to take the action that experienced leadership would permit by surrendering to a force here that is at the moment somewhat out of control.

Mr. ALLEN. But this does not provide for any automatic review of the situation if nothing more is done affirmatively, where the salaries could continue escalating on top of each other.

Mr. McGEE. Before that happened. I say to the Senator, I assume what would happen is that the quadrennial commission that advises the President every fourth year, referred to and explained by our colleague, that that commission itself would have to come to grips with the whole structuring edifice of salaries if inflation ran like it did in mainland

China, for example, after their revolution in 1948 and 1949.

There are other places in Europe right now where the inflation is many times ours, and their legislative bodies have doubled, tripled, quadrupled, with 400 percent salary increases in instances, because that is the plight in which they find themselves, but they have to stay afloat if they are going to keep the processes of responsible leadership going.

One cannot wipe that away and just say, "OK, go ahead and die of starvation, do not make it, and get out."

We have to keep at least the chin above the water, as the Senator I am sure appreciates, and there is a real question here.

Mr. ALLEN. There is really nothing to prevent any Member of the Senate or any Member of Congress, or the Cabinet, or the Supreme Court, to go into these other fields if they so desire, where the salaries are so much larger, supposedly, then they are in the Federal service. There is nothing to prevent that, is there, under the present law.

Mr. McGEE. No, there is nothing to prevent a Senator, who receives this, and is entitled to this salary, to give it back to the Government. He does not have to take it. He can be unselfish about it and turn it in.

There are some Senators, and each Senator has to run his household with his wife and try to manage the budget and keep it under control, and some of us are in a real bind, and it is not easy.

I only wish our wives could be here tonight, sit in the galleries up there, and attest to the real crunch that is on.

It is a very serious one. It is really no joke. We ought not even to be smiling about it, because there are pinchers here.

Mr. ALLEN. Does the Senator think they might collect their fee in behalf of the legislation?

Mr. McGEE. I think stronger than that.

I have Members here who tell me that they do not dare go home because they voted against a salary increase bill 3 years ago, 2 years ago, when it was up.

Mr. ALLEN. I thank the distinguished Senator.

Mr. McGEE. They have never heard the last from their wives since they said no.

Mr. HELMS. Mr. President, will the Senator yield for one brief question?

Mr. McGEE. I yield.

Mr. HELMS. I wonder if the Senator here is prepared to give me an estimate of how many of the working American taxpayers would be willing to swap jobs and income with these beleaguered $36,000-a-year bureaucrats he is talking about.

Mr. McGEE. I suspect I can give the Senator an estimate on that. I think most of them would.

But that is not the issue. The issue is that not anyone can fill these jobs. These are experienced personnel who have risen through the ranks through promotion.

Mr. HELMS. I am not talking about that.

Mr. McGEE. You get what you pay for, and you cannot run into a bargain basement forever without finally ending up with a lot of trash.

Mr. HELMS. We do not have a bargain basement as it stands now.

The PRESIDING OFFICER. The time has expired.

NAVAL PETROLEUM RESERVES

The PRESIDING OFFICER. The Senate will now resume consideration of S. 2173, which will be stated by title.

The legislative clerk read as follows:

A bill (S. 2173) to fully explore and develop the naval petroleum reserves of the United States and to permit limited production with revenues derived therefrom to be placed in a special account, and for other purposes.

The PRESIDING OFFICER. S. 2173 will be made the pending business.

ADDITIONAL ROUTINE MORNING BUSINESS

The following additional routine morning business was transacted today by unanimous consent:

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Heiting, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session, the Acting President pro tempore (Mr. FORD) laid before the Senate a message from the President of the United States submitting the nominations of Robert O. Aders, of Ohio, to be Under Secretary of Labor, which was referred to the Committee on Labor and Public Welfare.

APPROVAL OF BILL AND JOINT RESOLUTION

A message from the President of the United States announced that he had approved and signed the bill (S. 435) to amend section 201(b)(7) of the Agricultural Adjustment Act of 1938, as amended, to change the marketing year for wheat from July 1–June 30, to June 1–May 31; and the joint resolution (S.J. Res. 102) amending section 5(c) of the Home Owners' Loan Act of 1933 to clarify the authority of Federal savings and loan associations to act as custodians of individual retirement accounts.

MESSAGE FROM THE HOUSE

At 12:05 p.m., a message from the House of Representatives delivered by Mr. Berry, one of its reading clerks, announced that the House disagrees to the amendments of the Senate to the bill (H.R. 8597) making appropriations for the Treasury Department, the U.S. Postal Service, the Executive Office of the President, and certain independent agencies, for the fiscal year ending June 30, 1976, and the period ending September 30, 1976, and for other purposes; agrees to the conference requested by the Senate on the disagreeing votes of the two Houses thereon; and that Mr. STEED, Mr. ADDABBO, Mr. ROYBAL, Mr. SIKES, Mr. BOLAND, Mr. FLYNT, Mr. PATTEN, Mr. LONG of Maryland, Mr. MAHON, Mr. MILLER of Ohio, Mr. MCEWEN, Mr. ARMSTRONG, and Mr. CEDERBERG were appointed managers of the conference on the part of the House.

The message also announced that the House agrees to the amendment of the Senate to the bill (H.R. 83) to exclude from gross income gains from the condemnation of certain forest lands held in trust for the Klamath Indian Tribe, with an amendment in which it requests the concurrence of the Senate.

The message further announced that the House has passed the bill (H.R. 5900) to protect the economic rights of labor in the building and construction industry by providing for equal treatment of craft and industrial workers, in which it requests the concurrence of the Senate.

At 3:10 p.m., a message from the House of Representatives delivered by Mr. Hackney, one of its reading clerks, announced that the House had agreed to, without amendment, the following concurrent resolutions:

S. Con. Res. 35. A concurrent resolution approving a bilateral commercial agreement between the United States and the Socialist Republic of Romania; and

S. Con. Res. 54. A concurrent resolution providing for a conditional adjournment of the Congress from August 1, 1975, until September 3, 1975.

The message also announced that the House agrees to the amendments of the Senate to the bill (H.R. 6219) to amend the Voting Rights Act of 1965 to extend certain provisions for an additional 10 years, to make permanent the ban against certain prerequisites to voting, and for other purposes.

ENROLLED BILLS SIGNED

At 5:40 p.m., a message from the House of Representatives delivered by Mr. Hackney announced that the Speaker has signed the following enrolled bills:

H.R. 5327. An act to reserve a site for the use of the Smithsonian Institution;

H.R. 6219. An act to amend the Voting Rights Act of 1965 to extend certain provisions for an additional 7 years to make permanent the ban against certain prerequisites to voting, and for other purposes; and

H.R. 7731. An act to suspend the duty on open-top hopper cars exported for repairs or alterations on or before June 30, 1975.

The enrolled bills were subsequently signed by the Vice President.

COMMUNICATIONS FROM EXECUTIVE DEPARTMENTS, ETC.

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

IMPACT OF THE $36,000 SALARY LIMITATION

A communication from the President of the United States relating to the committee amendment to the bill (H.R. 2559) to extend

to employees of the Executive, Judicial, and Legislative branches certain increases. Ordered to lie on the table.)

CHANGE OF REFERENCE—S. 1395

Mr. THURMOND. Mr. President, I ask unanimous consent that the Senate Committee on the Judiciary be discharged from further consideration of S. 1395, relating to the defense of certain malpractice and negligence suits and that the bill be referred to the Senate Committee on Armed Services. This bill amends title 10 and relates to malpractice suits against military members or civilian employees of the military. Therefore, it falls more appropriately within the jurisdiction of the Armed Services Committee.

Also, a similar House-passed measure, H.R. 3954, was referred to the Armed Services Committee. This request has been discussed informally with the Judiciary Committee, and they concur in this action.

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

HOUSE BILL REFERRED

The bill (H.R. 5900) to protect the economic rights of labor in the building ing construction industry by providing for equal treatment of craft and industrial workers, was read twice by its title and referred to the Committee on Labor and Public Welfare.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. ROBERT C. BYRD (for himself and Mr. ALLEN):

S. 2187. A bill to amend the Internal Revenue Code of 1954 to increase the exemption for purposes of the Federal estate tax to increase the estate tax marital deduction, and to provide an alternate method of valuing certain real property for estate tax purposes. Referred to the Committee on Finance.

Mr. ROBERT C. BYRD. Mr. President, I am introducing today a bill aimed at taking some of the Federal estate tax burden off widows and widowers of modest means and to allow the family farm to remain in existence following the death of the owner, rather than forcing its sale in order to pay the Federal estate taxes on its current market value.

My bill would amend section 2052 of the Internal Revenue Code of 1954 by raising the exemption for purposes of the Federal estate tax from $60,000 to $200,000.

This exemption would apply across the board to all Federal estate tax filings.

The original intent of the exemption was to avoid depriving the surviving spouse and children of the means to support themselves and to grant a reasonable exemption before the Federal estate taxes would apply, so that the surviving family would not be subjected to compulsory poverty by an excessive Federal estate tax which would substantially deplete the estate.

The $60,000 exception was signed into law on October 21, 1942, nearly 33 years ago.

During those years inflation has diminished greatly the desired effect of the deduction. The Consumer Price Index for 1942 was 48.8. In May of 1975 the Consumer Price Index stood at 159.3. Translated into 1975 dollars, the original $60,000 Federal estate tax exemption would be $195,860 as of May 1975.

My bill would raise the $60,000 exemption to $200,000 and would actually only be keeping pace with the inflation rate, in order to maintain the same level of protection for the surviving family as was originally intended by the 1942 figure.

My bill would also give protection to the surviving heirs who inherit a family farm.

Under the present law, if the family farm is located in an area where development has increased the market value of the neighboring land, the effected farm is taxed, for Federal estate tax purposes, at current market value for land in the area, rather than at a rate based on its value as an operating farm. The practical effect of this taxation in many cases is to force the heirs to sell the farm in order to pay the Federal estate tax on the property.

One need only to drive a few minutes away from the center of Washington, D.C., into the countryside of nearby Maryland and Virginia to see the effect of this taxation. One sees beautiful farmland intersected by subdivisions where the surviving heirs could not afford to pay the enormous tax burden caused by their farm's valuation at current market value for the surrounding property.

My bill would allow the executor to elect to have the property valued for tax purposes by its value as farm property rather than by current market value of the surrounding property if the property had been substantially devoted to farming—including, but not limited to, the production of agricultural commodities and the raising of livestock—for a period of 5 years prior to the death of the decedent.

The bill would also give a similar election for the protection of woodland and scenic open space as it does for farmland.

The qualifying estate would get a credit against the Federal estate tax for an amount equal to the excess of fair market value over qualified use value. A lien equal to the amount of the credit would be imposed on the land, and would accrue interest at the rate of 4 percent per year. If the farm property should be converted to a nonfarming use within 5 years after the estate tax return is filed, the person converting the land or portion thereof pays the lien on the land or portion thereof plus the interest. If no one converts the property within 5 years after the estate tax return is filed, the lien is abated and the interest ceases to be payable.

This bill would prevent the forced sale of the family farm where the heirs would like to continue it as such, but are unable to pay the Federal estate tax on the property at fair market value and are forced to sell the farm in order to pay the tax.

The bill would also adjust the old 1942 $60,000 exemption for Federal estate tax to $200,000 which, in 1975 dollars, is of the same value as the original exemption. This would give the same protection to the surviving family as was originally intended by the law.

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

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

S. 2187

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 2052 of the Internal Revenue Code of 1954 (relating to exemption for purposes of the Federal estate tax) is amended by striking out "$60,000" and inserting in lieu thereof "$200,000".

(b) Section 6018(a)(1) of such Code (relating to estate tax returns) is amended by striking out "$60,000" and inserting in lieu thereof "$200,000".

SEC. 2. The amendments made by the first section of this Act shall apply to the estates of decedents dying after the date of enactment of this Act.

SEC. 3. INCREASE IN ESTATE TAX MARITAL DEDUCTION.—

(a) Section 2056(c) of the Internal Revenue Code of 1954 (relating to limitation of aggregate marital deduction) is amended by inserting after "shall not exceed" in paragraph (1) "the sum of $100,000, plus".

(b) The amendment made by subsection (a) shall apply with respect to decedents dying after the date of enactment of this Act.

SEC. 4. ALTERNATIVE VALUATION OF CERTAIN REAL PROPERTY.—

(a) Part II of subchapter A af chapter 11 of the Internal Revenue Code of 1954 (relating to credits against estate tax) is amended by adding at the end thereof the following new section:

"SEC. 2017. CREDIT FOR PART OF VALUE OF CERTAIN REAL PROPERTY.

"(a) IN GENERAL.—If the executor of an estate so elects, the tax imposed by section 2001 shall be credited with the amount of the excess, if any, of the amount of tax imposed on the transfer of the estate under this chapter over the amount of the tax which would have been imposed on the transfer of the estate under this chapter if the value of any property included in the gross estate which is qualified real property had been determined, for purposes of this chapter, by its value as qualified real property determined on the basis of the value of the property for the use by which it is determined to be qualified real property.

"(b) DEFINITION OF QUALIFIED REAL PROPERTY.—For purposes of this subsection, the term 'qualified real property' means real property substantially all of which is, and, for the 60 months preceding the date of death of the decedent, has been, devoted to—

"(1) farming (including the production of agricultural commodities and the raising of livestock);

"(2) woodland (including land use for the commercial production of trees and land used for scenic and recreational purposes), or

"(3) scenic open space.

"(c) ELECTION REQUIREMENTS.—An election under this section shall be filed with the Secretary or his delegate at such time and in

such form and manner as he may prescribe and shall contain, in addition to any other matter, the name, address, and taxpayer identification number of the person to whom the property passes under the terms of the decedent's will or by operation of law.

"(d) CROSS REFERENCES.—

"For lien against property where credit is taken, see section 6324(a)(4).

"For interest payable on amount of lien, see section 6601.".

(b) Section 6324(a) of such Code (relating to liens for estate tax) is amended by adding at the end thereof the following new paragraph:

"(4) UPON QUALIFIED REAL PROPERTY.—

"(A) LIEN IMPOSED.—If the executor of an estate elects to take the credit against the estate tax allowed by section 2017, the amount of that credit is a lien upon the qualified real property (as defined in section 2017(b)) with respect to which the credit was claimed. If the credit relates to more than one piece of qualified property, a lien is imposed under this paragraph on each piece of such property in an amount which bears the same ratio to the total amount of the credit allowed under section 2017 as the value of that piece of property (for purposes of chapter 11) bears to the value of all the property to which the credit relates.

"(B) RELEASE OF LIEN.—

"(i) IN GENERAL.—The lien imposed by subparagraph (A) on any qualified real property may be released by the payment to the Secretary or his delegate of the estate tax reduction amount attributable to that property.

"(ii) TERMINATION OF LIEN.—The Secretary or his delegate may not take any action to obtain payment of the estate tax reduction attributable to any qualified real property until the close of the calendar year in which the property is substantially converted to a use inconsistent with its use as qualified real property. The Secretary or his delegate shall take any action necessary to obtain payment of such amount at the earliest date possible under the preceding sentence. If the lien is not released within sixty calendar months after the month in which it is imposed on any qualified real property, the lien shall abate, and, for purposes of this title, shall be considered satisfied and released.

"(C) DEFINITION OF ESTATE TAX REDUCTION AMOUNT.—For purposes of this paragraph, the term, 'estate tax reduction amount' means, with respect to any qualified real property, the amount of the credit allowed under section 2017 for that property.

"(D) CROSS REFERENCE.—

"For interest payable on estate tax reduction amount, see section 6601(b).".

(c) Section 6601 of such Code (relating to interest on underpayment, nonpayment, or extensions of time for payment, of tax) is amended by redesignating subsection (j) as (k), and by inserting after subsection (i) the following new subsection:

"(j) ESTATE TAX REDUCTION AMOUNT.—If the executor of an estate elects to have the provisions of section 2017 (relating to credit for part of value of qualified real property) apply, interest shall be paid at the rate of 4 percent on the amount of the credit allowed under that section. The interest shall run from the date prescribed by section 6151(a) for the payment of the tax imposed by chapter 11 on the transfer of the estate, without regard to any extension of time for such payment under section 6161(a)(2), 6163, or 6166. The interest shall be paid by the person paying the estate tax reduction amount under section 6324(a)(4) at the time such amount is paid. Upon the abatement of the lien imposed on any qualified real property under section 6324(a)(4)(A) because of the provisions of the last sentence of section 6324(a)(4)(B)(ii), any interest which would have been payable under this subsection with respect to the credit attributable to such property shall be waived.".

(d) The table of sections for part II of subchapter A of chapter 11 of such Code is amended by adding at the end thereof the following new item:

"Sec. 2017. Credit for part of value of certain real property.".

SEC. 5. The amendments made by section 4 of this Act shall apply with respect to the estates of decedents dying after the date of enactment of this Act.

By Mr. HATFIELD:

S. 2188. A bill to amend the Federal Energy Administration Act of 1974 in order to discourage the use of electricity and natural gas in large amounts and to provide minimal rates for small users. Referred to the Committee on Commerce.

S. 2189. A bill to require the Interstate Commerce Commission to establish nondiscriminatory rates and charges for the transportation of recyclable and recycled solid waste materials. Referred to the Committee on Commerce.

S. 2190. A bill to direct the Secretary of Transportation to make an investigation and study to determine a National Transportation Policy which will result in maximum energy efficiency in our national transportation system. Referred to the Committee on Commerce.

S. 2191. A bill to amend the Federal Energy Administration Act of 1974 to provide for a study of conservation measures applicable to building construction and of the extent to which agencies of the Federal Government are encouraging energy conservation in such construction, and for other purposes. Referred to the Committee on Banking, Housing and Urban Affairs.

SOME ELEMENTS OF A STRATEGY FOR LONG-RANGE ENERGY CONSERVATION

Mr. HATFIELD. Mr. President, neither the administration nor the Congress is setting forth the kind of comprehensive energy program that will achieve the long-term changes we must make in our energy consumption patterns if we are to become less dependent upon foreign energy sources and at the same time maintain a quality domestic environment. Instead, we continue to focus on emergency, stopgap measures that, if implemented, would not be acceptable to most Americans for very long.

It is clear from any realistic energy supply scenario one cares to examine, that conservation efforts must play a key role in our energy future, yet the conservation mechanisms being discussed today are generally schemes to create artificial energy shortages. Such policies as absolute quotas on imports, allocation or rationing of scarce supplies, mandatory closure of service stations on Sundays, and the like are obviously not the course to steer for the long run. They should be considered only as stand-by measures to be implemented in an emergency. Even over a short period of time, such measures would be destructive—they would add to unemployment, further wound industries that rely on key petroleum supplies, devastate recreation and tourism, and cause new citizen frustration with gasoline waiting lines or rationing regulations. Such heavy-handed programs inevitably produce unnecessarily severe distress and dislocations relative to what gets accomplished.

Indeed, we had an embargo. And we could have another one. But our answer to this immediate threat should not also serve as our long-term energy conservation strategy. We should be planning and legislating today for long-term changes in our energy consumption patterns—changes that will move us away from energy-intensive technologies and that will institute a conservation ethic throughout our economy. Turning this corner on consumption will take some time, for long-range programs cannot do overnight what quotas can do. But programs that do not rely on devices like the petroleum allocation system will be more sure, more true, more in the direction we want to go, and will have a staying power that emergency patchwork policies lack. If there is anything this country needs right now, it is an energy program that meets these criteria—firm and unwavering and consistent with our basic principles of a free economy.

I am offering four bills today that address this problem of long-range energy conservation policy. By no means do they preempt the field, but they should generate actions that will draw needed attention to the general problem.

The first two require immediate policy changes—the inversion of electricity and natural gas rate schedules, and the prohibition of freight rates that discriminate against recyclable solid waste materials. The former would require that, in the pricing of electricity and natural gas to the ultimate consumer, rates would increase as consumption increases. A minimal rate, at or below the actual cost of delivery, would apply to the first relatively small block of electrical power or natural gas consumed in a given month—or year—and increasing rates would apply to each additional block consumed. Consumption in large amounts is obviously discouraged by such a scheme.

The latter bill would require the Interstate Commerce Commission to investigate the rates charged by carriers of recyclable materials and to issue orders to prevent unfair, unreasonable, or discriminatory treatment of such materials. The energy consumption involved with the manufacture of an item from virgin materials in almost all cases exceeds that involved in manufacture from recycled materials. In some cases recycling actually displaces the need for a certain amount of manufacturing activity—as in the case of beverage containers. And, of course, recycling of nonrenewable resources is also desirable from the standpoint of materials conservation.

The third and fourth bills launch investigations that should provide guidance for energy policy in transportation and construction. In transportation I believe we should develop a national strategy that recognizes certain modes of freight transport as being more energy efficient than others for the movement

of certain types of freight between certain points. Generally speaking, it takes six times more energy to move 1 ton of freight 1 mile by truck than by rail. And rail is usually less efficient than water transport. Where the systems—the waterways and rail roadbeds—exist, they should be utilized much more for long-haul transport. Yet, sadly, the rails are being left to deteriorate today.

In construction I believe we should investigate the extent to which we can employ materials that require less energy to manufacture, construction methods that are less energy consumptive, and designs that will enable the completed structure to operate more efficiently. Attention has been focused recently only on the last of these problems. However, aluminum and cement have been displacing steel as construction materials over the last 30 years, and we are now to the point where production of aluminum, cement, and chemicals consumes 30 percent of the industrial use of electrical power in the United States. Light metals during this period have also been displacing forest products, which are made from a renewable resource produced by solar energy in a natural cycle.

The texts of these two bills are self-explanatory, and I ask unanimous consent that they, together with the first two bills, be printed in the RECORD.

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

S. 2188

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5 of the Federal Energy Administration Act of 1974 is amended by inserting at the end thereof the following:

"(c)(1) In order to more effectively carry out the purposes of subsection (b)(6) of this section the Administrator shall, not later than 90 days after the effective date of this subsection, prescribe such regulations as are necessary to require that State regulatory agencies, city councils, county governments, utility boards of directors, and any other bodies with authority to set or approve rates for the pricing of electricity or natural gas to the ultimate consumer not approve any rate structure for such electricity or naural gas unless it provides—

"(A) for minimal rates at cost of service or less for the first block of electricity or natural gas used in residential dwellings;

"(B) for increasing rates for additional blocks of electricity or natural gas used in residential dwellings above the initial block; and

"(C) for increasing block rates for industrial and commercial customers, regardless of whether service delivery is considered retail or wholesale.

"(2) The Administrator shall within such 90 day period also prescribe regulations requiring any Federal agency furnishing electricity to the ultimate consumer to meet the requirements of clauses (A), (B) and (C) of paragraph (1).".

S. 2189

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Interstate Commerce Commission shall, within six months after the date of enactment of this Act and on a continuing basis thereafter—

(1) investigate and formally identify all rates charged by transportation carriers subject to its jurisdiction for the transportation of recyclable or recycled materials and shall, in each case, determine whether the rates charged and the terms and conditions of transportation for such materials are fair and reasonable and whether they unjustly discriminate against the movement or shipment in interstate or foreign commerce of recyclable or recycled materials and in favor of competing virgin natural resource materials or commodities;

(2) issue appropriate orders in all cases where the rates charged or terms and conditions of transportation applicable to recyclable or recycled materials are found to be unfair, unreasonable, or discriminatory pursuant to which such rates and conditions of transportation will be effectively canceled and repealed and replaced by rates, tariffs, and conditions of transportation which are found to be fair, reasonable, and nondiscriminatory; and

(3) file annual and terminal reports with the President and the Congress regarding the results of such investigations and all actions taken to establish fair, reasonable, and nondiscriminatory rates for the transportation of recyclable or recycled materials.

(b) For the purposes of this Act "fair, reasonable, and nondiscriminatory rates" for recyclable and recycled materials may include rates which are less than those for similar virgin materials in any case where it is in the national interest to encourage the use of any such recyclable or recycled material.

S. 2190

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Secretary of Transportation shall make a full and complete investigation and study for the purpose of determining (1) a National Transportation Policy which will promote the maximum use of each mode of transportation in the type of transportation which will result in the maximum energy efficiency for the Nation, and (2) a strategy for achieving the ultimate aims for such policy. Such study shall include all modes of passenger and freight transportation, a determination of their energy efficiency for long and short haul purposes, and such other matters as the Secretary deems appropriate.

(b) The Secretary shall report the results of such investigation and study, together with any recommended legislation necessary to put such policy and strategy into effect, within six months after the date of enactment of this Act.

SEC. 2. There is authorized to be appropriated such amount as is necessary to carry out the provisions of this Act.

S. 2191

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 15 of the Federal Energy Administration Act of 1974 is amended by adding at the end thereof the following new subsection:

"(f) The Administrator shall carry out a study to determine—

"(1) the feasibility of establishing new or modifying existing Federal standards to require designated minimum levels of energy efficiency in the construction of new residential and other buildings; and

"(2) the extent to which other departments and agencies of the Federal Government are encouraging energy efficient building construction pursuant to standards promulgated under existing law.

Not later than 6 months after the date of enactment of this subsection, the Administrator shall submit a report to the President and the Congress containing his findings and recommendations for legislation or administrative action to increase energy efficiency in building construction."

By Mr. HATFIELD:

S. 2192. A bill to amend the Internal Revenue Code of 1954 to provide a tax credit for contributions to a neighborhood corporation and to provide other financial assistance to such corporations organized under State law to furnish their own neighborhood services. Referred to the Committee on Finance.

THE NEIGHBORHOOD GOVERNMENT ACT OF 1975

Mr. HATFIELD. Mr. President, I am today introducing legislation which could provide an alternative political philosophy to the dominant pattern of government centralization. It is a philosophy which I feel will be appealing to the poor, the dispossessed, citizens alienated from their Government and from democracy, conservatives and liberals, and all those who believe in the fundamentals of democratic life.

To many, in recent years, it has seemed that true democracy has been lost, that we have become a nation whose people have been forgotten amidst the vast institutions of power that govern our lives. I would hope that the bill I introduce today, the Neighborhood Government Act of 1975, will help to rekindle the spirit which gave birth to the struggles of 1776, a spirit which must find life again if we are to insure that our democratic liberties survive in our third century of existence.

Mr. President, I would like to explain the political philosophy which prompts this legislation, to add to the thoughts I expressed in introducing similar legislation on October 1, 1973.

The Neighborhood Government Act of 1975 is an attempt to restore political power and democratic representation to the citizens of this republic, citizens who are willing to chart a new course in participatory democracy.

For those determined to gain political control over their lives again, for those who are willing to take on the responsibilities of self-government, for those who have given up hope that Government alone can effectively deal with immediate human problems, this bill offers an alternative where none now exists.

This act would encourage the development of neighborhood corporations throughout the country by providing a Federal income tax credit for funds contributed by an individual to a duly recognized neighborhood corporaton. In the historical tradition of the New England town meetings, community assemblies could then be formed in which the problems of the neighborhood could be discussed and translated into positive political action.

Herein lies one alternative to the 20th century American political system, burdened with an intricate Federal, State, and local political mechanism that has produced alienation and cynicism among the people of this country. The bill will provide neighborhood associations with the power to chart their political course in clear and open debate.

In a complex maze of political and economic centralization the Neighborhood Government Act represents a return to simplicity, to smallness in design, to giving the democratic process human size, allowing for both the frail-

ties and the genius of man. I can think of nothing more fitting, as we approach the celebration of 200 years of liberty, than to begin a movement back to the people of this Nation, in a celebration of representative democracy and true political participation, as our forefathers envisioned.

If we do not begin to offer alternatives to the policies of the past, the fundamentals of our society and democracy will be continuously endangered by the growth of our institutions. The extent of centralized government in Washington has been startling, and it grows daily. The fundamental questions to be asked are twofold: Why this growth has occurred, and what it can mean to a democratic government.

Between 1930 and 1974 the gross national product, GNP, increased 15 times—from $90.4 billion to $1,396 trillion. During the same period of vast expansions, however, Federal expenditures increased over 106 times—from $2.8 billion to $298.6 billion. This growth was seven times faster than the increase in GNP. On the other hand, State and local expenditures increased 24 times or almost twice as fast as the increase in GNP—$8.3 billion in 1930 and $206.6 billion in 1974.

In the case of taxes, Federal receipts have increased 97 times—from $3 billion to $291.1 billion in that same period of time. This is over six times as fast as the increase in GNP. State and local tax receipts have had similar dramatic increases above and beyond the economic prosperity level of this country.

What this means is that we have turned toward Government, in a dramatic fashion, to solve more of our problems. More specifically, we now go first and primarily to the vast complex of the Federal Government to solve our problems, rather than to our communities, to our local institutions, or, most importantly, to ourselves.

Mr. President, Eric Fromm, the famed psychoanalyst, has noted the dangerous trend in our institutions. We have not heeded his warning. He has spoken of the dangers of our modern and complex system. We are an alienated people and we are in danger of losing touch with the historic traditions that have made us great:

> Alienation as we find it in modern society is almost total, it pervades the relationship of man to his work, to the things he consumes, to the state and to his fellow man, and to himself. Man has created a world of man-made things as it never existed before. He has constructed a complicated social machine to administer the technical machine he built. The more powerful and gigantic the forces are which he unleashes, the more powerless he feels himself as a human being. He is owned by his own creation, and has lost ownership of himself.

The forces that have carried this Nation to the center of global power and responsibility in the short span of 200 years are still at work. The evidence is everywhere. Footprints in the dust of the Moon, the creation of life in antiseptic test tubes, and the intermingling of cultures and the inevitable, growing demand for increased complexity and size that challenges our seemingly limitless ambitions.

But now, 200 years later, we must look beyond our vast technological and material success to see what we have become, and where we are being led by these economic and political forces of chilling power and enormous complexity. Our success as a nation has carried with it great ironies. The United States was a nation dedicated to peace, and yet we have been engaged in nearly a century of war. We are dedicated to economic prosperity and yet inflation, recession and international instability balance thinly on the edge of crisis. In 1776, we were a Nation of small political and economic units, and now we have incorporated our power in a vast symbiotic cartel. Our task since the revolution has been to insure that liberty overwhelms tyranny, that peace abolishes war, that reason overpowers irrationality. And yet tyranny, war, and irrationality still threaten our freedoms.

Have we lost a portion of our freedoms? Undeniably, we have. But the loss has gone largely unnoticed in a frenetic, technological age. What are the modern chains that enslave us? They are, for the most part, systems of control that regulate our lives and detract from our liberties. They are involvements in wars, never declared; they are promises of plenty and happiness, never realized; they are a type of modern fear, apathy and disillusionment that cannot be dealt with effectively by the institutions and bureaucracies of our own creation.

In order to initiate the great programs of our past, the New Deals, the Great Societies and Wars on Poverty, the New Federalisms and New Populisms, we chose to sacrifice individual responsibility through the creation of centralized, Federal bureaucracies. Officials proceeded on the assumption that these great citadels of paper and people would be the most practical way of overcoming the problems of welfare for the disadvantaged, economic opportunity for the unemployed, and a fair distribution of wealth. These assumptions have in many instances proven wrong. And we are left with the dinosaurs of these misconceptions—huge buildings that line the street of Washington whose inhabitants attempt to carry out the Nation's business. And their failure is being felt.

This failure cannot be computed; it can be sensed. One need only ask people if they feel the Federal Government can solve their problems. Most think that it cannot.

They believe the Federal Government has grown too big; that it spends far too much money; that what it does spend it frequently wastes; that it has lost touch with the citizens; that it employs too many ineffective bureaucrats; and that it blunders on, not in control of itself, nor controlled by others. And they are right.

The phrases "Federal Government" and "bureaucratic Washington" have become code words for people's dispair, disillusionment, distrust, and even disgust. People see tax dollars flowing to Washington in a torrent and returning in a meager dribble. Today, Mr. President, I would like to propose a first step toward the rebirth of responsibility and participation among people, a concentrated effort to bring the Government of America back to its people.

The Neighborhood Government Act would, I believe, go far in arresting the growing feeling of frustration and alienation that plague the American voter and his feeling of powerlessness. Fromm described this well when he wrote:

> Seen through the eyes of the average voter, the whole world is so alienated that nothing makes real sense or carries real meaning. He reads of billions of dollars being spent, of millions of people being killed; figures, abstractions which are in no way interpreted in a concrete, meaningful picture of the world. . . . Everything is unreal, unlimited, impersonal. Facts are so many lists of memory items, like puzzles in a game, not elements on which his life and that of his children depend.

The establishment of voluntary neighborhood governments could restore liberty, dignity, and true democracy to the heartland of America—its towns and communities.

But beyond this, what would the Neighborhood Government Act accomplish? With its economic incentives, up to 80 percent of Federal income tax dollars being funneled into neighborhood organizations, I can see America revitalized once again. With the power to deal with their own money in their own way, local day care centers, drug abuse programs, and out-patient clinics could be established to meet community needs. Parks and recreation centers, welfare programs, cooperative stores, credit unions, and local police forces and fire departments are all possible if communities are given control of money that are now so obviously wasted.

This movement, no doubt, will begin quietly and with forbearance, but with success it can grow to become a vital political alternative in American life. Again, the voice of all Americans will be heard and what they said would make a difference. No longer would their cries fall on a massive and plodding Federal bureaucracy that cannot feel their pain, sense their hunger, or offer them hope.

There is nothing more American than community-based self-government. The town meeting, the voluntary organizations, the PTA, the neighborhood associations—such have been the historic, tangible expressions of self-determination for the American. Such groups must become options for genuine political power once again.

Neighborhoods should have some right and power to decide whether and where a city's freeways are built. Local communities in the midst of urban sprawl must assume the powers to determine how their land should be utilized and how their ecology should be protected.

Towns should give their citizens the option of choosing whether industries that would cause pollution or manufacture unwanted products, should be allowed to reside there.

Also, localized, decentralized government must assume the responsibility of caring for the dispossessed and meeting the social needs in their midst.

If, for example, every church and synagogue were to take over the responsibility of caring for 10 people over the age of 65 who are presently living below the poverty level, there would be no present welfare programs needed for the aged. If each church and synagogue took over the responsibility of 18 families who are eligible for welfare today, there would not be any need for Federal or State welfare programs to families. If each church and synagogue cared for less than one child each, the present day care programs supported by Federal and State funds would be totally unnecessary. Our religious institutions—the historical focus of community activity—could thus be directed toward meeting the human needs of one's fellow man.

Our problems are great, but they are not unconquerable. If only we begin again to rely on the spirit and self-reliance of our people—and not on the sterile institutions of the past—our future can be bright and exciting.

The movement back to communities is beginning. The Sto-Rox Community near Pittsburg—working with little or no outside Federal assistance and against entrenched political machinery, has incorporated. It has established a community health center, a senior citizens clinic and a counseling center. It serves the community well because the people know the community problems first hand.

In Washington, D.C., the Adams-Morgan Organization is in the process of developing community self-sufficiency. A community technology center has been established which has built fish tanks that can be placed in the basements of the neighborhood, each of which will produce 400 pounds of rainbow trout a month. Hydrophonic greenhouses have been proposed that could be community-owned and would provide the food needs of every member of the neighborhood. They have created plans for harnassing wind and solar energy to run the kitchens and heat the water of every home in the community.

These are only examples. Neighborhood corporations exist in the United States today that are developing new ideas, new initiatives and new ways of solving local problems—and they are doing it on their own. They are exercising genuine political liberty. They are confronting human conflicts and problems on human terms and they are succeeding in the battle because they have imagination and compassion. There is no task any greater than humanizing our systems in order to renew a sense of individuality and integrity that will allow for both the frailties and the genius of men.

It is my hope that in the future political systems will anticipate change because it will be an integral part of the neighborhoods and communities of America—where change is first felt. People will be able to stand up, speak their mind and be heard and what they say will make a difference in the way they live. For once, the cries that reflect their frustration and powerlessness will not fall on machinery that cannot compute the sound of their voices or the depth of their alienation.

In the future, in these small community meetings, I would expect much waving of hands, many shouts to be heard and a great deal of carrying on—and I welcome all these things. They are the sounds of people acting together again; they are the sounds of life and political rebirth. They are what we need to cope with the future, and to energize anew the American political experience.

There will be great difficulties. There will be people who fear change—who fear the power that they might have over their lives and their destinies once again. This fear is not unknown to us.

If we cannot change our institutions, if we are irrevocably wedded to the past, we may face an Orwellian future of our own making. The Orwellian future would be a simple one, devoid of personal response and initiative. The people are neither adventuresome, courageous, imaginative nor capable of joy. They are as dead as their leaders, and they embody a society that has no future.

It must be remembered that tyranny need not be overt, it need not take the form of a screaming madman appealing only to the weakest traits of men. Tyranny can be subtle, silent, pursuasive—and yet still be deadly. The quantum growth of institutional power in the political world of 20th century America breeds alienation. And alienation, in turn, breeds the tyranny of authoritarianism.

This, however, need not be our destiny. We can break the chains that entangle our bodies and our minds and we can flourish in new liberties and reconstructed hopes. Or we can go our same way and let forces impassively push us toward a future that we do not know, and may not care to know.

We must act to return to our citizens the control over their lives and their destinies. We must lead ourselves away from the direction modern history is taking—toward the slow suffocation of our freedom—and direct our course instead toward the service of mankind. The massive trend toward defacto institutional oppression must be stopped. It has shackled the freedom of men for too long and it is destroying their spirit. We cannot live with it, nor can our children. Through this act, I believe Congress can take an invaluable step toward the betterment of life, toward the rebirth of opportunity, of community, and of imagination. Only by renewing the spirit of man, in a strangely spiritless age, can America move into its third century of life with optimism—looking forward to a future that can again be filled with the promise and fascination of freedom.

By Mr. MUSKIE:

S. 2193. A bill to amend the Fish and Wildlife Act of 1956 in order to authorize the Secretary of Commerce to make loans to U.S. fishermen to cover the costs of damages to their vessels and gear by foreign vessels. Referred to the Committee on Commerce.

FISHING VESSEL CLAIMS OF 1975

Mr. MUSKIE. Mr. President, I am introducing legislation to amend the Fish and Wildlife Act of 1956 to expedite the payment of claims by U.S. fishermen for damage caused by foreign vessels. Specifically, this legislation would require the Federal Government within 30 days to assume financial responsibility for losses to U.S. fishermen caused by foreign vessels, pending international negotiations to recover the loss from the foreign government involved. In cases where there is reason to believe that damage or destruction did in fact occur as a result of foreign fishing activities, documented claims would be paid by the Secretary of Commerce in the form of a noninterest-bearing loan from the Fisheries Loan Fund set up under the Fish and Wildlife Act of 1956.

Congress created this fund expressly to finance or refinance the cost of purchasing, constructing, equipping, maintaining, or operating commercial fishing vessels or gear. The loan would be made in an amount equal to the replacement value of the damaged or destroyed property and the market value of the fish lost on board or in the damaged gear. After the Secretary of Commerce has completed an investigation of the incident—an investigation which must be completed within 6 months after the loan application has been filed—the loan would be converted to a grant if it were found that the American fisherman was not at fault.

If, however, the Secretary found that the damage or destruction resulted from a natural cause such as a storm, the noninterest-bearing loan would be converted into a loan with interest at a rate set by the Secretary.

If the American fisherman were found to be at fault because of negligent or fraudulent activity, the Secretary would require the immediate repayment of the loan at an interest rate he deemed appropriate; and the fisherman would be subject to criminal prosecution. Government responsibility would be retroactive to January 1, 1972, since most of the serious damage done to American fishermen's gear has been done during the past 3 years.

Mr. President, I would like to add that this legislation is not only simple in its intent and construction, but if enacted, it could be administered in a straightforward and relatively inexpensive manner. With the enactment of this measure, I would not, for example, foresee the need to expand the bureaucracy or to set up any new administrative organization to handle claims filed by U.S. fishermen against foreign vessels. I believe the National Marine Fisheries Service, as presently structured, could handle any increased demands made upon it as a result of this legislation.

Furthermore, the few million dollars currently in the fisheries loan fund should provide more than enough money to take care of any immediate claims filed pursuant to this measure. So it will not be necessary for Congress to authorize any new moneys for the implementation of this bill.

Mr. President, identical legislation was approved by the House and the Senate late last Congress as an amendment to the maritime authorization bill, which was vetoed by the President. In announcing his veto, President Ford objected specifically to the provision for fishermen

claims recovery. As the author of this provision, I was particularly distressed at the President's action.

The primary objection raised by President Ford in his veto message was that "It would be difficult to establish responsibility for any damage caused." This difficulty is precisely the reason I introduced the amendment. Moreover, the President implied in his veto message that existing international settlement procedures are adequate when in fact they are not.

For many years, fishermen off both the east and west coasts have suffered serious and often disastrous economic losses as a result of damage to their gear caused by foreign fishermen. There are international procedures for making claims against foreign vessels which damage or destroy fishing gear. But current procedures are slow, cumbersome, and seldom effective, with the result that most American fishermen do not even bother going through the laborious process of filling out the necessary claims forms. And in a given case, even if the claims process is eventually successful, the individual fisherman with a median income of $8,000 per year is forced to carry the financial burden of between $2,000 and $4,000 for several months or longer.

Mr. President, this legislation is designed to get the fisherman back on the job while the international negotiations are going on by providing him with immediate compensation.

Last summer, there was a series of incidents of damage to the fixed gear of fishermen off the Maine coast. The destruction was wanton and apparently deliberate. Strong evidence indicated that West German ships were responsible, yet our fishermen were left with only the most uncertain claims. Under existing procedures, the most likely result of recovery efforts is that nothing will happen.

Mr. President, as things stand today, most American fishermen do not regard the existing procedures as adequate: They feel that filing claims is hardly worth the time, money, and trouble since there is such a high probability that pursuit through the claims process will prove fruitless. It is bad enough that we are allowing foreign fishermen to deplete our offshore stocks and to threaten the health of the U.S. fishing industry. We must not continue to allow foreign fishing vessels to add to that injury by destroying the gear of American fishermen.

It is imperative that the Federal Government initiate new measures to reform the existing claims process. The bill I am offering today—providing the individual fisherman with the capital he needs to get back in business while the Government negotiates with the responsible foreign governments for reimbursement—offers, I feel, a reasonable approach to this problem. I urge my colleagues to support this legislation.

Mr. President, I ask unanimous consent that a section-by-section analysis and the legislation be printed in the RECORD.

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

S. 2193

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 "Fishing Vessels Claims Act of 1975."

SEC. 2. Section 4 of the Fish and Wildlife Act of 1956 (16 U.S.C. 742c; 70 Stat. 1121), as amended, is further amended by adding the following new subsection:

"(f) (1) The Secretary of Commerce is authorized, under such terms and conditions as he may prescribe by regulation to use funds appropriated under this section to compensate owners and operators whose fishing vessels or gear have been destroyed or damaged by the actions of foreign fishing vessels operating in waters superjacent to the Continental Shelf of the United States as defined in the Convention on the Continental Shelf.

"(2) Upon receipt of an application filed by an owner or operator pursuant to this subsection after the effective date of this subsection by the owner or operator of any vessel documented or certificated under the laws of the United States as a commercial fishing vessel and after determination by the Secretary that there is reason to believe that such vessel or its gear was destroyed or damaged while under the control of such owner or operator in waters superjacent to the Continental Shelf of the United States by the actions of a vessel (including crew) of a foreign nation, the Secretary shall, as soon as practicable but not later than thirty days after receipt of an application, make a non-interest-bearing loan to such owner or operator from the fisheries loan fund created under subsection (c) of this section. Any such loan, as determined by the Secretary shall be in an amount equal to the replacement value of the damaged or destroyed property and the market value of fish. If any, onboard such vessel and within such gear which are lost or spoiled as the result of such damage or destruction. Any such loan shall—

(A) be conditional upon the owner or operator of such damaged or destroyed property assigning to the Secretary of Commerce any such rights of such owner or operator to recover for such damages;

"(B) be subject to other requirements of this section with respect to loan which are not inconsistent with the subsection; and

"(C) be subject to other terms and conditions which the Secretary determines necessary for the purposes of this subsection.

"(3) The Secretary of Commerce shall, within one hundred and eighty days of receipt of a loan application, investigate each incident as a result of which a loan is made pursuant to this subsection and—

"(A) if he determines in any such case that the destruction or damage was caused solely by a vessel (including crew) or a foreign nation, he shall cancel repayment of such loan and refund any principal paid thereon prior to such cancellation and seek recovery from such foreign nation;

"(B) if he determines that the damage or destruction was not caused solely by a vessel (including crew) of a foreign nation or solely by the negligence or international actions of the owner or operator of the vessel, he shall require such owner or operator to repay such loan at a rate of interest determined by him, pursuant to subsection (b) of this section, which rate shall be retroactive to the date the loan was originally made; or

"(C) if he determines that the damage or destruction was caused solely by the negligence or international actions of the owner or operator, he shall require the immediate repayment of such loan at a rate of interest determined by him, pursuant to subsection (b) of this section, which rate shall be retroactive to the date the loan was originally made.

"(4) The Secretary of Commerce and the Secretary of State shall, with the assistance of the Attorney General, take steps to collect any claim assigned to him under this subsection from any foreign nation involved. Amounts collected on any such claim shall be desposited in the fisheries loan fund.

"(5) This subsection shall apply with respect to damages or destruction or vessels or gear occurring on or after January 1, 1972."

EXPLANATION OF FISHING VESSELS CLAIMS ACT OF 1975

DESCRIPTION

This measure establishes a special loan program to expedite the payment of compensation to U.S. fishermen whose vessels or gear are damaged or destroyed as a result of foreign fishing activities on the U.S. Continental Shelf. It adds a new subsection to section 4 of the Fish and Wildlife Act of 1956 (16 U.S.C. 742c; 70 Stat. 1121) which created a more general loan program for financing or refinancing the cost of purchasing, constructing, and equipping, maintaining, repairing or operating commercial fishing vessels or gear.

It is the intent of the sponsors of this bill that the "fisheries loan fund" provided for in subsection (c) of section 4 be the source of funds for the loans made pursuant to this amendment. Currently, the fund contains $4,000,000. However, because of past administrative difficulties the Administration has imposed a moratorium on the use of this loan program, although these difficulties may soon be resolved. Since the purposes of this bill do not involve past difficulties with the general loan program and since it is tied to a compensation program which will keep the fund replenished, this moratorium should not apply to the program created by this measure. The funds to be used should not exceed $250,000 per year.

Paragraph (2) of the new subsection outlines the procedures and states the basic conditions of the loan/compensation program. These procedures begin with an application by a fisherman claiming to have had his vessel or gear either damaged or destroyed by the actions of a foreign vessel or its crew. After receiving the application, but not more than 30 days after it is filed, the Secretary of Commerce determines whether there is reason to believe that damage or destruction did in fact occur as a result of foreign fishing activities. To establish a *prima facie* case, a fisherman should submit the following: (1) a copy of the vessel's log showing the location of the vessel and the location, quantity, and type of gear alleged to be lost, damaged, or destroyed; (2) a statement by an appropriate government official (e.g. someone from the U.S. Coast Guard) that foreign vessels were known to be in the area at the approximate time the gear was lost, damaged, or destroyed; and (3) an affidavit of the owner or operator of the vessel that, to the best of his knowledge, the damage or destruction of the gear or vessel was not caused by (a) his negligence or intentional acts; (b) natural causes; or (c) other U.S. fishing vessels, and that he was not operating his vessel or employing his gear in violation of any applicable laws or regulation. To knowingly falsify such statements will subject the applicant to the penalties contained in 18 U.S.C. 1001 relating to false statements.

After being satisfied that any fisherman has a bona fide case according to the above guidelines, the Secretary is to make a non-interest bearing loan to each such fisherman from the fisheries loan fund. The loan would essentially cover "out-of-pocket" losses of the vessel owner. It would be made in an amount equal to the replacement value of the dam-

aged or destroyed property and the market value of fish proved to be onboard a damaged or destroyed vessel or within lost, damaged or destroyed fishing gear.

The loan will be made subject to the following conditions: (1) assignment to the Secretary of Commerce of any right to recover for damages caused by foreign fishing activities; (2) the other requirement of section 4 relating to loans to the extent they are not inconsistent with the purpose of this bill (e.g. no other source of assistance, such as private insurance or bank loans, are reasonably available); and any other conditions determined by the Secretary to be necessary.

As soon as he receives an application, the Secretary must begin a thorough investigation of the incident alleged to have taken place. Although this investigation may be completed before a loan is made (which is unlikely), it must be completed within six months after the loan compensation application is filed. In this time frame it is believed an adequate investigation can be efficiently completed.

If the Secretary finds that the damage or destruction was indeed the result of foreign fishing activities, he is required to cancel repayment of the loan made and to seek recovery from the foreign nation involved. If, however, despite the fisherman's truthful sworn statement, the Secretary finds that the damage or destruction was caused by natural events (storms, waves, etc.), the non-interest bearing loan is to be converted into one with interest at a rate determined appropriate by the Secretary. In addition, if the fisherman is at fault because of negligence or intentional actions, the Secretary is to require the immediate repayment of the loan with interest.

Paragraph (4) directs and authorizes the Secretaries of State and Commerce, with the help of the Attorney General if need be, to seek recovery of damages from the foreign nation whose fishermen are found to be at fault.

Paragraph (5) states that this amendment is retroactive to January 1, 1972.

By Mr. NUNN (for himself, Mr. PERCY, Mr. JAVITS, Mr. JACKSON, Mr. CHILES, Mr. ROTH, and Mr. BROCK):

S. 2195. A bill to establish a National Center for Productivity and Quality of Working Life; to provide for a review of the activities of all Federal agencies including implementation of all Federal laws, regulations, and policies which impede the productive performance and efficiency of the American economy; to encourage joint labor, industry, and Government efforts to improve national productivity and the character of working conditions; to establish a Federal policy with respect to continued productivity growth and improved utilization of human resources in the United States; and for other purposes. Referred to the Committee on Government Operations.

NATIONAL PRODUCTIVITY AND QUALITY OF WORKING LIFE ACT OF 1975

Mr. NUNN. Mr. President, today I introduce, together with Senators PERCY, JAVITS, JACKSON, CHILES, ROTH, and BROCK, the National Productivity and Quality of Working Life Act of 1975.

This bill has already been considered in detail by the Committee on Government Operations, which has ordered it to be introduced and reported on the same day. I will file a report on the bill later today.

The bill is the product of extensive hearings held by the committee, and it combines many features of two bills which Senator PERCY and I introduced earlier this year, S. 765 and S. 937, respectively. In addition, there were many contributions made by other members of the committee, especially by Senator JAVITS who has been interested in the subject matter of this legislation for a number of years.

The committee also considered legislation which was recommended by the Ford administration. That measure was introduced in the House of Representatives as H.R. 6078 but has not been introduced in the Senate.

The committee's report on the bill, which I will file later today, explains the bill in detail.

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

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

S. 2195

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Productivity and Quality of Working Life Act of 1975".

TITLE I—FINDINGS, PURPOSE, AND POLICY; DEFINITIONS

SEC. 101. The Congress finds that—

(1) the rate of productivity growth in the United States has declined during four of the past six years;

(2) the decline in the rate of productivity growth has contributed to inflation, to economic stagnation, and to increasing unemployment;

(3) since 1965, the rate of productivity growth of the United States has been consistently lower than that of many industrial nations in the world, adversely affecting the competitive position of the United States in world markets;

(4) growth in productivity of the economy of the United States is essential to the social and economic welfare of the Amercan people, and to the health of the world economy;

(5) growing in the productivity of the Nation's economy is essentail to maintain and increase employment to stabilize the cost of living and to provide job security;

(6) mounting worldwide materials shortages and their consequent inflation results make increased efficiency in the utilization of these resources of urgent importance;

(7) sharing the fruits of productivity gains among labor, management, and owners may considerably influence productivity;

(8) the continued development of joint labor-management efforts to provide a healthy environment for collective bargaining can make a significant contribution to improve productivity and foster industrial peace;

(9) factors affecting the growth of productivity in the economy include not only the status of technology and the techniques of management but also the role of the worker in the production process and the conditions of his working life;

(10) there is a national need to identify and encourage appropriate application of capital in sectors of American economic activity in order to improve productivity;

(11) there is a national need to identify and encourage appropriate application of technology in all sectors of American economic activity in order to improve productivity;

(12) there is a national need to identify and encourage the development of social, economic, scientific, business, labor, and governmental contributions to improve productivity growth, and increased economic effectiveness in the public and private sectors of the United States; which objectives can best be accomplished through maximizing private sector and State and local development of such contributions;

(13) there is a national need to identify, study, and revise or eliminate the laws, regulations, policies, and procedures which adversely affect productivity growth and the efficient functioning of the economy;

(14) there is a national need to increase employment security through such activities as manpower planning, skill-training and retraining of workers, internal work force adjustments to avoid worker displacement, assistance to workers facing or experiencing displacement, and all other public and private programs which seek to minimize the human costs of productivity improvement, thereby diminishing resistance to workplace change and improving productivity growth;

(15) there is a national need to develop new technologies for the more effective production of goods and services;

(16) there is a national need to encourage and support efforts by qualified institutions of higher learning to identify and inaugurate programs which will improve productivity;

(17) there is a national need to develop precise, standardized measurements of productivity; and

(18) there is a national need to gather and disseminate information about methods and techniques to improve productivity.

STATEMENT OF PURPOSE

SEC. 102. It is the purpose of this Act—

(1) to establish a national policy which will encourage productivity growth consistent with needs of the economy, the natural environment, and the needs, rights, and best interests of management, the work force, and consumer; and

(2) to establish as an independent establishment of the executive branch a National Center for Productivity and Quality of Working Life to focus, coordinate, and promote efforts to improve the rate of productivity growth.

POLICY

SEC. 103. (3) The Congress, recognizing the profound impact of productivity on the interrelations of all components of the national economy, declares that it is the continuing policy of the Federal Government, in cooperation with State and local governments, to use all practicable means and measures, including financial and technical assistance, to stimulate a high rate of productivity growth.

(b) It is the continuing responsibility of the Federal Government to use all practicable means to improve and coordinate Federal plans, functions, programs, and resources to carry out the policy set forth in this Act.

(c) The laws, rules, regulations, and policies of the United States shall be so interpreted as to give full force and effect to this policy.

DEFINITIONS

SEC. 104. For the purposes of this Act—

(1) the term "Center" means the National Center for Productivity and Quality of Working Life;

(2) the term "Board" means the Board of Directors of the Center;

(3) the terms "productivity growth" and "improved productivity" shall be interpreted to include, but not be limited to, improvements in technology, management techniques, and the quality of working life; and

(4) the term "quality of working life" shall be interpreted to mean the conditions of work relating to the role of the worker in the production process.

TITLE II—NATIONAL CENTER FOR PRODUCTIVITY AND QUALITY OF WORKING LIFE ESTABLISHED

SEC. 201. There is hereby established as an independent establishment of the executive

branch of the Government the National Center for Productivity and Quality of Working Life.

BOARD OF DIRECTORS

SEC. 202. (a) The Center shall have a Board of Directors, to be comprised of not more than twenty-five members, as follows:

(1) a Chairman, appointed by the President, by and with the advice and consent of the Senate;

(2) the Secretary of the Treasury;

(3) the Secretary of Commerce;

(4) the Secretary of Labor;

(5) the Director of the Federal Mediation and Conciliation Service;

(6) the Executive Director of the Center;

(7) not less than three members who shall be appointed by the President, by and with the advice and consent of the Senate, from among qualified private individuals in manufacturing and service industries;

(8) not less than five members who shall be appointed by the President, by and with the advice and consent of the Senate, from among qualified private individuals from labor organizations;

(9) not less than two members who shall be appointed by the President, by and with the advice and consent of the Senate, from among qualified individuals in State or local governments;

(10) not less than one member who shall be appointed by the President, by and with the advice and consent of the Senate, from among the general public;

(11) not less than one member who shall be appointed by the President, by and with the advice and consent of the Senate, from among qualified individuals associated with leading institutions of higher education; and

(12) such other qualified members from the public or private sectors whom the President may deem appropriate who shall be appointed by the President, by and with the advice and consent of the Senate.

When unable to attend a meeting of the Board, a member appointed under clauses (2), (3), (4), and (5) shall appoint an appropriate alternate from such member Department or agency to represent such member at that meeting.

(b)(1) The members of the Board appointed under clauses (7), (8), (9), (10), (11), and any private sector members appointed pursuant to clause (12) of subsection (a) shall be appointed for a four-year term coterminous with the term of the President. Members other than members appointed under such clauses, with the exception of the Chairman, shall serve as long as such member is head of the department or agency represented on the Board. No person shall serve as an acting or temporary member in positions requiring Senate confirmation including that of Chairman, for a period in excess of three months.

(2) The President shall appoint a Chairman for a term of four years coterminous with the term of the President. In appointing a Chairman, the President may appoint an individual who is an officer of the United States. If that officer has been appointed to his current position, by and with the advice and consent of the Senate, or if such individual is the Vice President of the United States, such individual may be appointed chairman by the President without the requirement of confirmation by the Senate.

(c) Any member appinted to fill a vacancy occurring before the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of that term.

(d)(1) Each member of the Board appointed under clauses (7), (8), (9), (10), (11), and any private sector members appointed pursuant to clause (12) of subsection (a) may be compensated at the daily rate provided for GS-18 of the General Schedule under section 5332 of title 5, United States Code, including travel time, for each day such member is engaged in the performance of his duties as a member of the Board and shall be entitled to reimbursement for travel, subsistence, and other necessary expenses incurred in carrying out the functions of the Board.

(2) Other members of the Board, with the exception of the Chairman, and the Executive Director of the Center shall serve without additional compensation but shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in carrying out the functions of the Board.

(3) The Chairman shall be compensated as set forth in paragraph (1) of this subsection, except if the Chairman holds some other position in the Federal Government such individual shall be compensated as set forth in paragraph (2) of this subsection.

(e)(1) The Chairman shall appoint an Executive Committee of the Board, not to exceed seven members, including the executive director of the Center.

(2) The Executive Committee of the Board shall meet at the call of the Chairman, but in no case less frequently than once every ninety days.

EXECUTIVE DIRECTOR; DEPUTY DIRECTOR

SEC. 203. (a) The Center shall have an Executive Director, who shall be appointed by the President by and with the advice and consent of the Senate, without regard to political affiliation and solely on the basis of fitness to perform the duties and functions of the office. No person shall serve as acting or temporary Executive Director for a period in excess of three months.

(b) The Executive Director shall appoint a Deputy Director, who shall perform such functions as the Executive Director may prescribe. The Deputy Director shall act for and exercise the powers of the Executive Director during the absence or disability of the Executive Director.

(c) The Executive Director shall be responsible for the exercise of all powers and the discharge of all duties of the Center. The Executive Director shall have authority over and control of all of the staff of the Center and their activities. The Executive Director shall maintain budgets and allocate available funds as appropriate in carrying out the provisions of this Act.

(e) The Executive Director shall be compensated at a rate not to exceed that provided for Executive level IV under section 5315 of title 5 of the United States Code as determined by the President, and shall have no other employment, public or private, during the tenure of his appointment.

FUNCTIONS OF THE CENTER

SEC. 204. The Center shall—

(1) develop and establish, in consultation with the appropriate committees of the Congress and with the appropriate departments and agencies of the executive branch, a national policy for productivity growth in the public and private sectors of the United States consistent with the purposes of this Act:

(2) seek, stimulate, and encourage maximum active participation of—

(A) the private sector of the Nation's economy, including labor organizations, associations and confederations, business enterprises and associations, institutions of higher education, foundations and other philanthropic organizations and research centers and institutes; and

(B) the public sector of the Nation's economy, including Federal, State, and local governments and agencies thereof, including institutions of higher education,

in efforts to improve the rate of productivity growth in all sectors of the Nation's economy;

(3) seek, stimulate, and encourage maximum active participation of the public agencies and private organizations identified in clause (2) of this section through identification and encouragement of selected research and demonstration programs implemented by public agencies and qualified private organizations which will—

(A) increase the rate of productivity growth in the public and private sectors of the National economy through improved and innovative utilization of technological and human resources; and

(B) develop, refine, and apply accurate and reliable measurement techniques to evaluate changes in productivity;

(4) to identify, study, and review—

(A) existing Federal, State, and local statutes, regulations, and fiscal policies which adversely affect productivity growth or the economic performance of the public and private sectors of the United States;

(B) incentives to encourage industry and labor initiatives in the development of methods, techniques, and systems for the improved utilization of technological and human resources in the public and private sectors;

(C) existing and new programs, plans, and other methods, including advanced warning systems, retraining programs, retirement and separation programs, designed to counteract threats to job security which may result from efforts to improve productivity;

(D) jointly, with the Civil Service Commission, the impact of Federal personnel policies, statutes, and regulations affecting the productivity of Federal agencies and the quality of working life of Federal employees; and

(E) the need and feasibility of providing, directly to potential users, public or private, various Center services in return for payment to the Center, and methods by which charges for such services will be established;

(5) recommend to the President, the Congress, the appropriate agencies and departments of the Federal Government, and State and local governments, any legislation, revisions of regulations, policies, practices, and procedures which result from the activities carried out under clause (4) of this section;

(6) encourage, support, and initiate efforts in the public and private sector specifically designed to improve cooperation between labor and management in the achievement of continued productivity growth: *Provided, however,* That no activities of the Center involving consideration of issues included in labor-management agreements shall be undertaken without the consent and cooperation of the parties to that agreement;

(7) encourage departments and agencies of the Federal Government to initiate, stimulate, and support efforts in both the public and private sectors of the United States to improve the rate of productivity growth;

(8) coordinate all activities referred to in subsection (7) of this section in order to eliminate interagency duplication of effort and cost, to insure that Center activities will not unnecessarily conflict or overlap with such other activities, and to maximize the effectiveness of all such Federal programs and activities;

(9) coordinate and consult with the departments and agencies of the Federal Government in the obligation and expenditure of funds for activities and projects in both the public and private sectors to improve productivity growth;

(10) identify, develop, and support activities, programs, systems, and techniques in the various departments and agencies of the Federal Government for measuring produc-

tivity growth within such departments and agencies;

(11) collect and disseminate relevant information obtained by the Center or other public agencies institutions of higher education, or private organizations engaged in projects under this Act, including information related to new or improved methods, systems, technological developments, equipment, and devices to improve and stimulate productivity growth, and to develop and implement a public information program designed to inform the public of the meaning and importance of productivity, and productivity growth;

(12) encourage and coordinate the efforts of State and local governments, and institutions of higher education, to improve productivity;

(13) maintain liaison with organizations, both domestic and foreign, involved in efforts to improve productivity; and

(14) determine the Nation's needs for productivity-related management and analytical skills and to encourage and facilitate the development of training programs in such skills.

POWERS

SEC. 205. In carrying out its functions, the Center is authorized—

(1) to enter into contracts or other funding arrangements, or modifications thereof, in order to carry out the provisions of this Act;

(2) to organize and conduct, directly by contract or other funding arrangements with other public agencies or private organizations, conferences, meetings, seminars, workshops, or other forums for the presentation and dissemination of relevant information generated or collected pursuant to the provisions of this Act;

(3) to make such studies and recommendations to the President and to Congress as may be necessary to carry out the functions of the Center;

(4) to implement a program and secure necessary facilities for the collection, collation, analysis, and interpretation of data and information as required in order to carry out the public information functions under this Act; and

(5) to undertake such other studies, reviews, activities, and to make such recommendations and reports as may be required to carry out the functions of the Center.

CONTRACTS AND OTHER FUNDING ARRANGEMENTS—CONDITIONS

SEC. 206. (a) No contracts or other funding arrangements may be entered into under this Act unless—

(1) such contracts or other funding arrangements will be consistent with the policies and purposes of this Act and of potential benefit to other users in the public or private sectors;

(2) provisions are made to evaluate the demonstration program and maintain improvement data, such evaluation either to be implemented by the participating parties in accordance with specifications established by the Center, or to be implemented by or on behalf of the Center; and

(3) the participating parties agree that all information relating to any innovation or achievement generated in the course of any Center-funded demonstration program shall be public information.

(b) No contract or other funding arrangement shall be made or entered into pursuant to the provisions of this Act for a period of more than three years.

(c) Any non-Federal share of a project may be in cash or in kind, fairly evaluated, including, but not limited to, plant, equipment, or services.

CONTRACT AND OTHER FUNDING ARRANGEMENTS—CRITERIA

SEC. 207. (a) The Center shall prescribe by regulation, after consultation with appropriate agencies and officials of Federal, State, and local governments, basic criteria for the participating parties under this Act.

(b) If the Center determines, on the basis of information available to it during any fiscal year, that a portion of the funds provided to a participating party for that fiscal year will not be required by the party or will become available by virtue of the application of regulations established by the Center to govern noncompliance by a participating party, that portion shall be available for reallocation under this section.

(c) The Center shall by regulation prescribe the basic criteria for determination of noncompliance by participating parties including appropriate provisions for notice and hearing with respect to such determination.

ANNUAL REPORT

SEC. 208. (a) No later than December 31 of each year, the Center shall report to the President and to the Congress on activities pursuant to the provision of this title during the preceding fiscal year; such reports shall include a detailed statement of all public and private funds received and expended together with such recommendations as the Center deems appropriate. Such report shall include an analysis of the extent to which each agency of the Federal Government which has significant responsibilities for assisting in the improvement of productivity is carrying out such responsibilities consistent with the provisions of this Act, including (A) an accounting of all funds expended or obligated by such agencies for activities and projects to improve productivity growth, (B) an assessment of the extent to which such expenditures or obligations have furthered the policies of the Center, and (C) the Center's recommendations on how these expenditures and obligations can be better coordinated to accomplish the purposes of this Act.

(b) Each report required to be submitted to the Congress by this Act shall be referred to the standing committee or committees having jurisdiction over any part of the subject matter of the report.

TITLE III—FEDERAL AGENCY COORDINATION AND LIAISON WITH CENTER

SEC. 301. (a) Each department, agency, and independent establishment of the Federal Government shall designate a qualified individual to serve as liaison with the Center and to assist the Center in carrying out its functions pursuant to this Act.

(b) Each department, agency, and independent establishment of the Federal Government shall keep the Center currently informed of its programs, policies, and initiatives to improve productivity which relate to the responsibilities of the Center, and shall consult with the Center prior to the obligation or expenditure of funds for activities or projects to improve productivity growth.

(c) Each Federal department, agency, and independent establishment of the Federal Government is authorized and directed to furnish or allow access to all relevant materials and information required by the Center to carry out its functions under this Act.

INTERNAL REVIEW

SEC. 302. Each department, agency, and independent establishment of the Federal Government, in coordination with the Center, shall study and review the promulgation and implementation of its statutory authority, policies, and regulations, and shall identify such statutes, policies, and regulations which adversely affect productivity growth in the public or private sectors of the United States, or those which impede the efficient functioning of the Nation's economy, and shall recommend to the President and the Congress, or implement where appropriate, alternative statutes, policies, and regulations which will contribute to the achievement of the purposes of this Act.

SUPPORT OF EXTERNAL ACTIVITIES

SEC. 303. Each department, agency, and independent establishment of the Federal Government, in coordination with the Center, shall, to the extent appropriate make available to State and local governments, labor organizations, industry, public institutions, and other qualified organizations advice, information, and support, including financial and other assistance, designed to maintain, promote, and enhance sustained productivity growth in the public and private sectors of the United States.

INTERNAL PRODUCTIVITY

SEC. 304. Each department, agency, and independent establishment of the Federal Government shall identify, develop, initiate, and support appropriate programs, systems, procedures, policies, and techniques to improve the productivity of such departments and agencies, including the implementation, where desirable, of specific programs recommended, supported, or implemented by the Center.

EFFECT ON PRIOR PROVISIONS

SEC. 305. Nothing in this title affects any specific statutory obligation of any Federal agency (1) to coordinate or consult with any other Federal or State agency or (2) to act, or to refrain from acting, contingent upon the recommendations or certification of any other Federal or State agency.

TITLE IV—ADMINISTRATIVE PROVISIONS

SEC. 401. The Executive Director is authorized to—

(1) prescribe such regulations as are deemed necessary to carry out the purposes of this Act;

(2) receive money and other property donated, bequeathed, or devised, or remitted in payment for services rendered, without condition or restriction other than that it be for the purposes of the Center;

(3) receive (and use, sell, or otherwise dispose of, in accordance with clause (2)) money or other property donated, bequeathed, or devised to the Center, except for such money and other property which includes a condition that the Center use other funds of the Center for the purpose of the gift, in which case two-thirds of the members of the Board of the Center must approve such donations;

(4) appoint and fix the compensation of such personnel as may be necessary to carry out the provisions of the Act in accordance with the provisions of title 5, United States Code, governing appointments in the competitive service, and the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates;

(5) obtain the services of experts and consultants in accordance with the provisions of section 3109 of title 5, United States Code, at rates for individuals not to exceed the maximum daily rate prescribed for GS-18 under section 5332 of title 5, United States Code;

(6) accept and utilize the services of voluntary and noncompensated personnel and reimburse them for travel expenses, including per diem as authorized by section 5703 of title 5, United States Code;

(7) utilize, on a reimbursable or nonreimbursable basis the services, equipment, personnel, and facilities of any other department or agency of the United States;

(8) establish one or more task forces to assist and advise the Center, composed of individuals who, by reason of experience, are qualified for such service. Each member of any such task force who is not an officer or employee of the Federal Government may receive an amount not to exceed the maximum daily rate prescribed for GS-18 under section 5332 of title 5, United States Code, for each day such individual is engaged in the actual performance of duties (including traveltime) as a member of such a task force. Members may be reimbursed for travel, subsistence, and necessary expenses incurred in the performance of their duties; and

(9) make advances, progress, and other payments deemed necessary under this Act without regard to the provisions of section 3648 of the Revised Statutes, as amended (21 U.S.C. 529).

TITLE V—EVALUATION BY THE COMPTROLLER GENERAL

SEC. 501. (a) The Comptroller General of the United States shall audit, review, and evaluate the implementation of the provisions of this Act by the Center.

(b) Not less than thirty months nor more than thirty-six months after the effective date of this Act, the Comptroller General shall prepare and submit to the Congress a report on his audit conducted pursuant to subsection (a), which shall contain, but not be limited to, the following:

(1) an evaluation of the effectiveness of the Center's activities;

(2) an evaluation of the effect of the activities of the Center on the efficiency, and effectiveness, of affected Federal agencies in carrying out their assigned functions and duties under this Act; and

(3) recommendations concerning any legislation he deems necessary, and the reasons therefor, for improving the implementation of the objectives of this Act as set forth in section 102.

TITLE VI—REPEAL AND TRANSFER

REPEAL OF PUBLIC LAWS 92-210 AND 93-311

SEC. 601. Section 4 of Public Law 92-210, and Public Law 93-311, relating to the National Commission on Productivity and Work Quality, are repealed.

TRANSFER OF FUNCTIONS AND STAFF

SEC. 602. (a) The functions and staff of the National Commission on Productivity and Work Quality are hereby transferred to the Center.

(b) All property, records, and contracts as are determined by the Director of the Office of Management and Budget to be employed, held, or used primarily in connection with any function transferred by subsection (a) are transferred to the Center.

TITLE VII—AUTHORIZATION OF APPROPRIATIONS

SEC. 701. There are authorized to be appropriated to carry out the purposes of this Act, not to exceed $6,250,000 for the fiscal year ending June 30, 1976, and the subsequent transition period ending September 30, 1976; not to exceed $5,000,000 for the fiscal year ending September 30, 1977; and not to exceed $5,000,000 for the fiscal year ending September 30, 1978. Funds appropriated for any fiscal year shall remain available for obligation until expended.

Mr. PERCY. Mr. President, I take a great deal of satisfaction in the reporting yesterday of legislation from the Government Operations Committee to create a National Center for Productivity and Quality of Working Life. I take pleasure both in the substantive sense in that the legislation we are reporting will hopefully lead to improvements in productivity both in the private sector and within the Federal Government itself, and I also take pleasure in that the work on this bill has been a thoroughly bipartisan effort. I would particularly like to compliment Senator NUNN who has been a moving force in creating this bill and with whom I have enjoyed working closely these last few months to get a bill that will accomplish the goal of increasing productivity in the American economy.

Senator JAVITS is also to be complimented for his continuing interest in productivity and for his major contributions to this legislation. He has been a leader in the Senate for many years in the field of productivity and we would not be where we are today were it not for him.

My interest in productivity has been life-long, going all the way through my working life in the private sector and continuing into my work in the Senate. In November 1971, I offered an amendment to the Economic Stabilization Act to exempt from wage controls any wage increases that were tied directly to productivity increases. This later became law and was a reaffirmation of my belief that productivity not only benefits management but benefits labor as well.

I have followed closely the work of the National Commission on Productivity and have worked actively in helping to frame the new legislation before the Senate now to create a National Center for Productivity and Quality of Working Life. Earlier this year I introduced S. 765 to create the new National Center, which, along with Senator NUNN's bill, S. 937, has been the basis of the new bill the Government Operations Committee has reported to the Senate.

The bill and report filed yesterday will give the details and the rationale behind what the Government Operations Committee is trying to accomplish in the field of productivity but I would like to point out a few highlights.

This legislation sets up a National Center for Productivity and Quality of Working Life to replace the current National Commission on Productivity and Work Quality. This should give increased emphasis at the Federal Government level to the concept of productivity growth. A 25-member board is created with a seven-member executive committee to be a more active body.

The center is to help establish a national policy on productivity to support research in this regard, to coordinate Federal agency activities in this area—in general to be the major Federal actor in trying to improve productivity in the private sector and in the Federal Government itself. Other agencies are to keep the center informed of their efforts in this field—both efforts they fund on the outside and efforts they undertake within their own agencies to improve productivity.

The committee does not perceive productivity as a sterile term related only to input and output and rather wants the center to study all the aspects and elements that make up the term productivity.

I can see many ways of achieving productivity growth and hope that the National Center will be studying all of these. Productivity can be improved by improving the quality of the life the worker leads in his workplace. This would include improvements in working conditions, increased job security, opportunities for challenge, growth, and personal development of the worker, participation in decisions affecting the performance and structure of work and equitable sharing in the economy gains of increased productivity.

It means increasing employment security through such activities as manpower planning, skill-training and retraining of workers, internal workforce adjustments to avoid work displacement, assistance to workers facing or experiencing displacement, and all other public and private programs which seek to minimize the human costs of productivity improvement, thereby dimnishing resistance to workplace change.

In general it means improvement and advancement in the opportunity and right of every American worker to enjoy economic, physical, social, and psychological well-being which may result from changes in the structure and conditions of work and work organizations.

The American worker today is becoming ever better educated, more mobile, more interested in making his life's work challenging and meaningful. Jobs have to become more interesting and the conditions under which the American worker labors more bearable.

I feel that a large part of productivity growth comes from improvements in the quality of life of those producing goods and services. I would hope that no one would espouse the view that as we strive to increase productivity we should not also be trying to improve the working conditions of the worker in America today.

The great thing is, if we improve the working conditions or quality of life of the worker, he will become more productive.

Mr. President, I feel all of us should commit ourselves to the goal of improving productivity in America. We in the Congress, labor, management, all of us should not just be involved but we should be committed to this goal. The bill and report filed yesterday go a long way toward establishing the role of Congress as an active participant in this process of improving productivity in the United States.

By Mr. HARRY F. BYRD, JR.:

S. 2196. A bill to amend the Internal Revenue Code of 1954 to provide that certain Government publications, including the CONGRESSIONAL RECORD received by Members of Congress, shall not be treated as capital assets, thereby denying a deduction for contributions of such publications. Referred to the Committee on Finance.

Mr. HARRY F. BYRD, JR. Mr. President, the Washington Star today reports that under a ruling issued by the Internal Revenue Service a Member of the

U.S. Congress can take a charitable deduction, for Federal income tax purpose, for donating accumulated copies of the CONGRESSIONAL RECORD.

Under the present tax code, this charitable deduction is proper if the donated property is a capital asset. And accumulated copies of the CONGRESSIONAL RECORD, according to IRS, constitute such asset.

The CONGRESSIONAL RECORD is a public document printed at taxpayers expense and large numbers of copies are available to Members of the Congress.

There is no logical reason, in my view, why a Member of Congress should be allowed a tax deduction for contributing such public document to a charitable organization.

To correct this result, I am introducing legislation to amend section 1221 of the Internal Revenue Code of 1954.

I ask unanimous consent to have printed in the RECORD at this point the legislation I am introducing—which I ask be printed and referred—and the Washington Star article by Michael Satchell.

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

S. 2196

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 1221 of the Internal Revenue Code of 1954 (relating to definition of capital asset) is amended by—

(1) striking out "or" at the end of paragraph (4),

(2) striking out the period at the end of paragraph (5) and inserting in lieu thereof "; or", and

(3) adding after paragraph (5) the following new paragraph:

"(6) a publication of the United States Government (including the Congressional Record) which is received from the United States Government or any agency thereof, other than by purchase at the price for which it is offered for sale to the public, and which is held by—

"(A) a taxpayer who so received such publication, or

"(B) a taxpayer in whose hands the basis of such publication is determined, for purposes of determining gain from a sale or exchange, in whole or in part by reference to the basis of such publication in the hands of a taxpayer described in subparagraph (A).".

(b) The amendment made by subsection (a) shall take effect on July 28, 1975, and shall apply with respect to sales, exchanges, and contributions made on or after such date.

A TAX BREAK WITH THE CONGRESSIONAL RECORD

(By Michael Satchell)

The practice of a number of congressmen of donating accumulated copies of the Congressional Record to institutions and then claiming charitable deductions on their tax returns has been revealed as a result of an obscure tax ruling recently issued by the Internal Revenue Service.

This congressional perquisite, financed by the taxpayer, has been confirmed as perfectly legal by the IRS.

It does not conflict with the 1969 Tax Reform Act which nullified President Richard M. Nixon's attempt to deduct a half-million dollars for the gift of his vice presidential papers—and which earned bandleader Skitch Henderson a six-months jail term and $10,000 fine when he backdated a gift on music writings supposedly worth $350,000 to the University of Wisconsin.

Unlike the Nixon papers and the Henderson music scores, the accumulated verbatim transcripts of congressional proceedings which make up the Congressional Record are not considered by IRS to be "literary compositions, letters or memoranda or similar property."

This means that the attic storage areas of the House and Senate office buildings are a veritable Aladdins Cave of tax deductions, because that's where the tons and tons of accumulated Records end up, largely unread and gathering dust.

Writing off charitable contributions of the Congressional Record may be legal, but is it ethical? Sen. Mark Hatfield, R-Ore., a man noted for his fiscal probity and squeaky-clean personal behavior, thinks not. Said Hatfield: "I suppose, in a sense, they become your personal property. But the practice certainly raises a question of ethics and anyone who does it would be politically vulnerable."

The IRS ruling was issued following a query from an unnamed member of Congress who had a load of bound copies of the Record and wanted to be sure it was legal to donate them and take a charity deduction. It also brought to light details of a largely unknown practice by the Government Printing Office of providing Congress with bound copies of the Record, which costs the taxpayer about $2 million a year, according to a GPO spokesman.

The Congressional Record is delivered daily to lawmakers on Capitol Hill. But at the end of each legislative session, the GPO, for reasons only it knows, puts together the Records from that session into a 30-volume set, binds them in red cloth binders with fancy gold script lettering and presents sets to congressmen.

Each set, according to GPO figures, weighs in at 225 pounds and takes up 6 feet of shelf space. Senators get five complete sets each, which adds up to 30 feet of shelf and 1,125 pounds of paper. House members receive three sets each, or 675 pounds worth. Clerks, sergeants-at-arms and doorkeepers rate two sets.

The GPO is three years behind in its billing and could not provide an exact cost of this program for the 1975 fiscal year. The latest year for which figures were available was 1972, and the taxpayers spent $1,703,298 that year to bind up these issues of the Record and present them to members of Congress, some of whom would then apparently give them away to reap a tax break. Today, with printing costs having escalated far beyond the 1972 prices, the cost to the taxpayer would be well over $2 million.

Staffers in several congressional offices confirmed that the sets of Records were simply dumped up in the attic because there was no use for them. Then why the program?

"Hell, I don't know why GPO does it or why the members need that many sets" allowed Denver Dickerson, staff director of the Joint Committee on Printing. "It's just a tradition. Members get a lot of stuff they don't want, stuff that's useless to them.

"And these sets take up a lot of space. They still do things around here like they did in 1897. They're probably still sending some to William Jennings Bryan. There is a lot of waste and we're trying to stop it."

Many unanswered questions remain over the tax breaks gained from giving away the Congressional Records. IRS, for example, said it had no idea how many members of Congress had written off gifts of Records nor how long it had been happening. "It's safe to assume it's been going on for awhile," a spokesman said. "After all, it's legal and we've just confirmed that."

Still to be decided by IRS is whether the donor must list as income the cash value of the Records, and there is difficulty here because their value has yet to be definitively determined.

By Mr. STEVENSON:

S. 2197. A bill to extend the Emergency Petroleum Allocation Act of 1973 for 90 days. Referred to the Committee on Interior and Insular Affairs.

Mr. STEVENSON. Mr. President, the President has asked the Congress to approve a 39-month decontrol program for all domestic oil prices. The Congress has 5 days to act before the August recess, and the Emergency Allocation Act expires on August 31.

If the Congress accepts this program, it will be with no assurance of significantly increased energy conservation or energy supplies—and every assurance of more inflation, recession and unemployment.

If the Congress rejects the program, the President may veto any extension of the Emergency Petroleum Allocation Act of 1973. He has said he would do so. Controls would then come off all domestic oil on August 31 on the eve of another OPEC price increase.

I am, therefore, proposing an alternative course of action that will give both the President and the Congress parts of what they want and protect the economy from runaway energy prices while we take a little more time to prepare a comprehensive energy pricing policy.

I am introducing a bill to extend the Emergency Petroleum Allocation Act for 90 days and implement the first 90 days of the President's decontrol program.

If the President vetoes such an extension, he will be vetoing the first phase of his own program.

If he accepts it, the Congress will have an additional 90 days to consider long-range alternatives to the President's 39-month program. Enactment of such a 90-day extension would avoid a showdown between the President and Congress which could result in economic chaos by Christmas.

During this 90 days the wellhead cost of domestic oil would decline and provide some relief from inflationary energy prices. With decontrol of "old" oil at the slow rate of 1½ percent per month, oil costs would increase during the 90 days by $95 million. But "new" oil would be rolled back from an average of $13 to $11.50 per barrel, decreasing oil costs $400 million, for a net decrease of about $300 million during the 90-day period.

If this 90-day extension of the Allocation Act is adopted, it will put in place the first phase of the President's program, save the economy from immediate decontrol on August 31, roll back oil prices between now and December 1, and allow for a more deliberate approach to long-range energy pricing.

It is in a spirit of compromise that this bill is offered and with the earnest hope that the country can be spared the consequences of a continued confrontation between the Congress and the President.

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

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

S. 2197

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 "90 day Extension of the Emergency Petroleum Allocation Act of 1973."

SEC. 2. Section 4(g) of the Emergency Petroleum Allocation Act of 1973 is amended by striking out "August 31, 1975" each place it appears in paragraph (1) and inserting in lieu thereof "November 30, 1975."

SEC. 3. Section 4 of the Emergency Petroleum Allocation Act of 1973 is amended by adding at the end thereof the following new subsection:

"(h)(1) To become effective on September 1, 1975, the President shall amend the regulation under subsection (a) as follows:

(A) The ceiling price for the first sales of old oil during any month under such regulation shall be $5.25.

(B) The ceiling price for the first sales of new oil during any month under such regulations shall be $11.50 per barrel plus an amount equal to .05 per barrel multiplied by the number of months beginning with October, 1975 through November, 1975.

(2) As used in this subsection:

(A) The term "old oil" means that number of barrels of domestic crude petroleum produced during a specific month from owned or leased property which is equal to the number of barrels of domestic crude petroleum produced during the same month in 1972, less any related decontrolled old crude petroleum.

(B) The term "decontrolled old crude petroleum" means, with respect to a specific property, the total number of barrels of old crude petroleum produced and sold in the current month in excess of the adjusted decontrol base production level. The current cumulative deficiency in adjusted decontrol base production level is the total number of barrels by which production and sale of crude petroleum has been less than the adjusted decontrol base production level, for all months in which production and sale of crude petroleum has been less than adjusted decontrol base production level subsequent to the first month in which decontrolled old crude petroleum was produced and sold, minus the total number of barrels of old crude petroleum produced and sold in each prior month which was in excess of the adjusted decontrol base production level for that month, but which was not classified as decontrolled old crude petroleum because of this requirement to reduce the amount of decontrolled old crude petroleum in each month by the amount of the current cumulative deficiency in the adjusted decontrol base production level.

(C) The term "decontrol base production level" means the total number of barrels of old crude petroleum produced and sold from the property concerned during the three calendar months ending June 30, 1975, divided by three. The decontrol base production level for each property shall be based upon each well on that property having been maintained at the maximum feasible rate of production during the three calendar months ending June 30, 1975, in accordance with recognized conservation practices, and not significantly curtailed by reason of mechanical failure or other disruption in production. In a case where the property concerned was not so maintained, the FEA may assign a decontrol base production level which fairly represents the production level which would have been attained if that property had been so maintained.

(D) The term "adjusted decontrol base production level" means the decontrol base production level, less 1.5 percent of the decontrol base production level for that property multiplied by the number of months beginning with September, 1975, through November, 1975.

(E) The term "new oil" means the total number of barrels of domestic crude petroleum produced from leased or owned property in a specific month less the "old oil" production level for that month.

By Mr. GARN (for himself Mr. LAXALT, Mr CURTIS, Mr. THURMOND, Mr. FANNIN, Mr. HRUSKA, and Mr. HELMS):

S. 2198. A bill to amend the Fair Labor Standards Act of 1938 to repeal provisions relating to State and local employees. Referred to the Committee on Labor and Public Welfare.

Mr. GARN. Mr. President, today I am introducing legislation to repeal the section of the Fair Labor Standards Act of 1974 which extends to State and local governments Federal regulation of overtime, minimum wage, and other conditions of employment.

A challenge to the constitutionality of this act as it applies to State and municipal governments is presently pending before the U.S. Supreme Court in National League of Cities et al. against John T. Dunlop, Secretary of Labor. Listed as plaintiffs and appellants in this suit are: The National League of Cities, the National Governors Conference and 19 States, including the States of: Arizona, Delaware, Indiana, Iowa, Maryland, Massachusetts, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, Oklahoma, Oregon, South Carolina, South Dakota, Texas, Utah, and Wyoming.

Also joining as applicants in the case are the governments of Nashville, Tenn.; Salt Lake City, Utah; Lompoc, Calif.; and Cape Girardeau, Mo. Alabama and Colorado, two of the four State governments that initially supported amicus curiae briefs opposing the position taken by the above States have asked to have their participation withdrawn.

Enforcement of the section of the Fair Labor Standards Act Amendments of 1974 as they apply to State and local governments has been stayed by the U.S. Supreme Court following an order issued December of 1974. Oral argument of the case was heard on April 16, 1975, and subsequently the Court announced that it is deferring its decision until next term, after additional argument is heard.

The principal question before the Court is whether the personnel practices of State and political subdivisions of government affect commerce among the States to the extent which confers constitutional power under the commerce clause of the Constitution upon the Federal Government to regulate wages, hours, and other terms and conditions of employment for all State and city employees. I happen to be of the opinion that it would require a much greater impact on commerce before the 10th amendment is superseded by the commerce clause and the commerce clause imposed in the form of Federal preemption of control over the hours, wages, and other terms and conditions of employment of nonsupervisory State and local government employees. But, this question is one for the Court to resolve.

However, even if the Court should determine that the act is constitutional, there would still remain a critical need to repeal the section of the Fair Labor Standards Act Amendment of 1974 extending its coverage to State and city governments. We all know that Congress is not obligated to exercise every right or power granted to it by the Constitution and certainly it should not. Particularly with respect to questions which involve the relationship of Federal laws to State and local laws, Congress should exercise the greatest restraint. Congress should only supersede State governments when the need is urgent and truly compelling. The present circumstance of State and municipal governments is far from meeting this test and Congress, no matter what the outcome of the Court decision, should repeal this legislation.

Congress failed to recognize the very substantial fiscal and nonfiscal impact of this act on city and State governments when it passed the Fair Labor Standards Act Amendments of 1974. Our cities and States have been hard hit by the present economic crisis. They are in dire financial straits. A great deal of testimony has been taken which outlines how the application of this act in this time of recession and inflation could easily spell bankruptcy for many of these governments. We have all recently witnessed the problems of New York City. Yet New York City may not be the only city stamped "Fear City." Cities and States, in order to comply with this act and at the same time meet the requirements of their budgets, will have to lay off even more public employees than the thousands of employees who have already lost their jobs. Newark, N.J., might indeed become "Fear City Newark" and Los Angeles "Fear City Los Angeles."

By repealing this legislation now, Congress can give back to local governments the tools they desperately need to plan ahead and to rationalize their operations so that their fiscal integrity might be restored. Because of the urgent need for this legislation and because of its importance to viable State and local governments, I am introducing this bill with the hope that it might be given priority consideration.

The following abstract outlines in more detail the reasons why I believe State and municipal governments should not be included under the Fair Labor Standards Act:

ECONOMIC IMPACT ON STATES AND MUNICIPALITIES

The extension of the FLSA to State and local government employees will add an enormous burden to overtaxed local and State revenue systems. Cities will be forced to reduce municipal services and layoff employees at a time when unemployment is a serious national problem.

State and local government operations are distinctly different from private enterprise. Yet Congress has now required State and city governments to follow awkward and unreasonable regulations designed for use by private business.

Congress, in passing the amendments of 1974, also apparently assumed that

the economic impact of the FLSA on private enterprise would be equivalent to that on local government. But it simply is not. For example, the city "'price" structure has no counterpart in private enterprise. The demands upon municipal resources are enormous, but municipal taxing powers are, for the most part, limited by the State and confined to regressive and unfair taxes such as the property tax. The response by private business to the application of the FLSA probably took three directions: First, a few businesses closed because of failure to absorb the increased labor costs; second, many businesses changed their capital-labor mix and became capital intensive; and third, increased labor costs were passed on to the consumer in the form of higher prices.

The structure of the municipal government obviously precludes it from responding in a similar manner. Municipal governments provide services which are primarily labor intensive. Approximately 80 to 85 percent of each city budget is made up of personnel costs such as those for police, fire, and recreation services. Local government, unable to utilize solutions available to private enterprise, will find it difficult, if not impossible, to pass their increased labor costs on as increased taxes. The current fiscal crisis of our cities has gained such proportions that for many cities there is no practical or legal manner to raise taxes. The only route remaining to meet increased cost is to eliminate jobs and curtail government service levels or beg from the Congress for additional billions.

The following activities and practices are just some examples of the administrative disruptions and fiscal dislocation the imposition of the Fair Labor Standards Act will have on State and local governments:

First. Many cities have negotiated contracts that include the use of compensatory "time off" as a method of payment. Since the FLSA disallows the use of "comp-time" over 40 hours, any such agreements will, in effect, be illegal.

Second. Many cities use schedules which are shorter or longer than 7 days for employees, primarily those working in essential services such as civilian fire and police dispatchers, waterplant operators, streetsweepers, zoo keepers, bridge tenders, trash collectors. These schedules are normally arranged for the mutual convenience of employer and employee. However, under the act such flexible scheduling must give way to more rigid arrangements.

Third. The FLSA requires payment of the minimum wage if any payment is made at all. Many cities have provided various services such as child care center and recreation workers, school crossing guards, citizen participants in Model Cities programs, "Meals on Wheels" volunteers, et cetera, to whom they paid a stipend for volunteering services. It is not difficult to see what effect the FLSA would have on these kinds of services if volunteers must be paid minimum wage rate.

Fourth. Climate or other factors often require more hours to be worked in one season o fthe year than in other seasons. Therefore, some jurisdictions have had a practice of establishing a guaranteed year-round job by permitting long hours to be worked during the summer months or warmer weather with fewer hours worked during the winter, while guaranteeing annual income throughout the year. Under the FLSA, the employer must pay time-and-a-half over 40 hours each week, thereby requiring the city to pay time-and-a-half during peak periods and to lay off employees during slack periods.

A good example of what this means can be found in Salt Lake City, Utah, the city of which I was mayor. Most people know that Salt Lake City has very distinct seasons. There are hard winters and warm summers. During freezing weather snow removal services operate heavily. Approximately 7,000 man-hours of snow removal services are provided annually for Salt Lake City alone. The snow removal crews voluntarily agree to work overtime and accumulate 3 or 4 weeks' compensatory time which they take off during the summer when their services are not needed. The golf course and parks employees do just the opposite, taking time off during the winter. This schedule enables us to balance our work force. The employees prefer this arrangement and the taxpayers of Salt Lake City are saved a great deal of money.

However, Congress decided to ignore most of the mayors and Governors of this country and cause a city like Salt Lake City to pay substantial overtime—$500,000 a year—and/or to lay off employees during seasons in which certain services are reduced. The termination of employees means that seniority and pension systems are disrupted and additional unemployment benefits incurred.

Fifth. Some cities have instituted programs to enhance employment opportunities for the disadvantaged. One such program is designed to train enrollees to become firefighters. Under the act, since firefighter trainees do not fight fires, they must be paid time-and-a-half over 40 hours per week. In other words, they must be sent home after 40 hours and consequently be denied the opportunity to participate fully in the operations of a municipal fire department.

As part of a training experience, interns, technicians, beginning level professionals and student workers, in addition to working a full day, attend meetings frequently held in the evenings. However, they would be denied the opportunity to attend and participate in evening planning commission, city council meetings, and so forth because the FLSA requires payment of such staff on an overtime basis when they put in more than 40 hours per week.

Sixth. There are a number of incentive programs which cities use to increase productivity. For example, many cities permit trash collectors to go home after completing their route. During most of the year this would mean a 33 or 35 hour week. During holidays, however, the same service might require over 40 man-hours per week. Under FLSA regulations, if fewer hours are worked and the monthly salary—on which any overtime must be based—remains the same, the hourly rate is increased.

Seventh: Many cities permit their employees to work as part-time custodians. A truck driver might work 40 hours for the city and also as a custodian on the weekend. Under the provision of the 1974 amendments, he must be paid at the time-and-a-half rate for his work as a custodian.

Eighth. Cities often use public employment programs to address social problems. For example, some cities provide year-round employment opportunities for disadvantaged high school students both to provide a job experience as well as some income which in many cases enables them to stay in school. These programs would certainly be affected by the amendments of 1974 which require that all employees be paid at the minimum wage rate.

Labor unions and other proponents of the FLSA has insisted that the impact on State and local governments would be insignificant and have estimated the increased payroll costs to all cities and States in 1973 would be $128,000,000 and in 1974, $165,000,000. The estimated cost of the new regulations for police and firefighters would supposedly be $27,000,000 for 1975.

However, these cost estimates are for payroll costs only and do not take into account the disruption and costs resulting from changes in administrative policies and procedures. The recordkeeping requirements alone will have a significant impact on cities and States. New Federal records are required for all State and city employees—11.4 million—thus duplicating, superseding, or replacing State and local law. The new recordkeeping requirements for Florida alone have been estimated by Governer Askew at $800,000. New Federal personnel processes and procedures and interpretations are superimposed on existing practices. This fact is supported by Robert E. Hampton, Chairman of the Civil Service Commission who in his statement before the House of Representatives Committee on Post Office and Civil Service testified:

> The extension of the Fair Labor Standards Act . . . adds a new set of complex provisions to the already existing provisions of Title V. It creates two standards governing pay and hours of work. It results in double record keeping and double work at an extremely high administrative cost producing negligible benefits. I can well understand from this one illustration why Federal managers feel a heavy impact from across-the-board statutory and other procedures that limit the exercise of administrative discretion for little reason.

One major reason for additional recordkeeping costs is that all employees previously paid on annual or monthly salaries without computation of their work by individual hours worked, must now have their work recorded again on an hourly system, a transition which often requires computer programing.

Certain sections of this act creating criminal and civil action to enforce compliance will involve governments in a great deal more court activity as overlapping jurisdictions, interpretations, and rulings are clarified in court. It is estimated that already one-third of reported cases in city litigation involve personnel. Governor Salmon of Vermont has explained what this implies for his State:

For instance we must hire attorneys on a contractual basis to defend the State against the FLSA lawsuits which can be, and are being brought by individual employees, labor unions, or the Department of Labor itself. I cannot reasonably estimate what their service fees might be although $100 an hour for attorneys fees, as you know, is not uncommon in the labor relations field.

A more accurate estimate of the costs which would be incurred by State and local governments should not be limited strictly to payroll costs but should also include the total economic impact of this legislation. In the reply brief submitted by the National League of Cities in its present pending court case, initial costs for only 24 cities and 10 States are estimated at $57 million.

Nationwide, for fire protection services alone the cost might easily reach $200,000,000. For example, for the city of Ogden, Utah, to comply with the FLSA overtime provisions for fire personnel would necessitate a 30-percent increase in personnel, which would cost an estimated $385,000 annually. This amount represents nearly 40 percent of the city of Ogden's revenue sharing receipts. The price Salt Lake City will have to pay for its fire protection services is estimated at $3,000,000.

The total figure, compiled by budget experts of various States, reaches into the billions of dollars. These estimates are further supported by Mr. Charles Byrley, executive director of the National Governors Conference, who testified:

Yes, I feel quite confident that that's an accurate statement, that it is going to be in the billions.

Of course, it does not take a budget expert to see that local and State managers will have essentially two alternatives to follow in order to meet the increased costs which would result from the adoption of the provisions of the FLSA. Essentially, the choices would be twofold: First, local authorities could increase heavily the property tax burden, or second, they could reduce the level of services provided by reducing employees and/or equipment.

Those charged and elected for the purpose of providing these services justifiably fear that Congress, by imposing budget costs but not providing the revenue to pay the costs, will destroy the fiscal integrity of their governments. Since State and local tax, debt, and budget laws have no power to control the Secretary of Labor, the Federal courts, or the U.S. Congress, local governments can no longer guarantee debt repayment. And, as I have pointed out, these increases in cost cannot be passed on to the "consumer" as is done in private enterprise. The "consumer" of these services is the taxpayer who has limited the debt and taxing powers of his local government.

Furthermore, it can be plainly shown that State and local governments have provided fairly for the wages and hours of employees in their government operations. In fact, the House report on the act quotes a 1970 Department of Labor report which states:

Wage levels for State and local government employees not covered by FLSA are, on the average, substantially higher than workers already covered.

There is a conspicuous lack of evidence that these governments are acting irresponsibly in setting wage and salary rates.

UNEMPLOYMENT AND IMPACT ON THE POOR

Finally, the extension of this legislation to State and local public sector employees would assuredly have an impact on the poor—that segment of the labor market with the fewest skills. It will likely be the poor who lose their jobs because of the increased cost to the cities and it will be the poor and the unskilled who find the doors closed at the entry level. Milton Freedman, in his article "Legislating Unemployment," published in Newsweek, July 23, 1972, asked a very relevant question:

Congress is at it again. Once more it is in the process of legislating unemployment. . . . It is a mystery why anyone would suppose that a person is better off unemployed at $2 an hour than voluntarily employed at $1.60.

Additionally, the services that would probably first be cut would be those that serve the inner city and benefit the poor such as day care centers, health services, and trash collection.

LOSS OF STATE AND MUNICIPAL HOME RULE

The 1974 amendments remove local "ballot box control" from the hands of the voters of each State, 18,000 cities, and 3,000 counties. Prior to the FLSA, these same voters determined the limitations on their budget either directly, indirectly, or through the representatives they elected.

However, a nonelected official will now control approximately 85 percent of city budgets. The electorate of these States and municipalities have never indicated that they preferred that their voting privilege over local matters be diminished and transferred to a nonelected official in Washington, D.C.

This aspect of the 1974 amendents destroys a concept fundamental to our democratic system, and I urge my colleagues to reexamine carefully this congressional usurpation and abridgement of the capacity of the citizens of States and municipalities to govern themselves.

This bill, of course, is not the first or the only attempt at establishing Federal standards for municipal governments. Indeed, there appears to be a trend to subject municipal matters to a much greater Federal Government scrutiny than ever before.

Local governments are frustrated by lack of comprehension by the Federal Government of the problems actually facing local government. I do not claim, and have never claimed, that Federal legislators and bureaucrats are not well-intentioned people, or that they are trying to destroy local government, or that they are bent on making conditions as unpleasant as they can. Rather, I argue that they are inexperienced in local government, and so far removed physically from the problems they seek to solve that they cannot help but produce results which are worse than the original problems.

One of the prime examples of the lack of understanding is the passion found in the Congress for enacting legislation which overrides or supersedes State and local laws. Home rule has been a fundamental part of the American system of government because local governments are closest to the people and respond directly and best to their needs. The greater the exercise of government power by general purpose local government, the better.

The extension of the FLSA is only the beginning of a number of Federal acts to regulate, control, and impose uniform standards on State and municipal governments. Now is the time to repeal this preemption of local decisionmaking. Instead of preempting local decisionmaking, the Federal Government should make efforts to strengthen local government.

Strengthened municipal governments can then more directly respond to the desires of the citizens they serve. And the citizens, in turn will come to rely more and become more personally involved in their local governments. Americans want a greater voice in government, not a lesser voice.

Mr. James B. Croy, research associate for the Oklahoma Legislative Council, in his article entitled "The Supersession of Sovereignty" succinctly states:

Governmental power is awesome in its potential for totality, and it needs to be exercised with great restraint. The federal government should act to supersede the States right to govern only when the necessity for such action is truly compelling. To take action under other circumstances would be a perversion of the concept of a federal system.

Certainly this is not one of those compelling circumstances which requires a Federal solution.

I do not believe that our Founding Fathers intended our Nation to consist of homogenous State and city governments, its employees working in identical fashions for identical salaries and identical terms. Rather, variation and local expertise is a more plausible and practical answer to any of the separate various types of problems or separate functions that State and local governments daily encounter.

Large and rigid uniform nationwide rules will only cause vast new costs by eradicating these unique and efficient arrangements.

We need to begin to realize that Federal solutions are not always the best ones; that sometimes variance among the States is desirable and indeed essential if restrictive regulation and guidelines are to be avoided. The Federal nature of this republic provides us with an opportunity for social experimentation. One State can try something, and if it works, others can adopt it.

To stay experimentation in things social and economic is a grave responsibility. Denial of the right to experiment may be fraught with serious consequences to the Nation. It is one of the happy incidents of the federal system that a single courageous State may, if its citizens choose, serve as a laboratory, and try novel social and economic experiments without risk to the rest of the country. (285 U.S. 262, 311, dissenting opinion)

We face in this Nation challenges of incredible complexity, challenges which will tax the best efforts of all men of good will to meet. As Federal legislators we must be aware not only of the fact that local mayors, city councilors, county commissioners, aldermen, and governors are men of good will, but also that they are very competent people. I am not saying that they are equipped to come to Washington and run the Department of Labor. But they can run their local schools, fire and police departments and their municipal services. And, they can do that a whole lot better than the Department of Labor and Congress can.

EFFECT ON PUBLIC SECTOR COMPULSORY COLLECTIVE BARGAINING

This statute, if left on the books in its present form, will undoubtedly be considered by many as an anticipatory validation of proposals now before Congress to mandate collective bargaining at all levels of government. The imposition of the FLSA on State and local governments will only serve to give encouragement to backers of this legislation and will perhaps cause State officials to act prematurely, knowing "that their turn is coming soon."

Legislation which would, by Federal statute, compel State and municipal governments to bargain with labor unions, is seriously defective and severely damaging to the public interest and ability of government to function. Once again this is an attempt to apply the private sector industrial model to the public sector where it is not appropriate. I will not at this time reiterate the very distinctions between collective bargaining in the public sector and collective bargaining in the private sector, nor will I at this time point to the public sentiment which overwhelmingly opposes compulsory unionism in government.

However, I will explain what compulsory unionism and binding arbitration mean to a State official charged with the responsibility of governing. That official is responsible for spending the revenue. However, a third party arbiter who has not been elected by the people or by their representatives could decide on a wage rate that the official does not have the tax money to cover. And, as with the Fair Labor Standards Act, what would result is a situation where indirectly someone who is never accountable to the local voters sets a tax level and in essence supersedes the elected public official's authority to do so.

A recent decision by the U.S. District Court for the Middle District of North Carolina, which declared contracts between governments and unions void, addressed the issue well in declaring:

> To the extent that public employees gain power through recognition and collective bargaining, other interest groups with the right to a voice in running the government may be left out of vital political decisions. Thus, the granting of collective bargaining rights to public employees involves important matters fundamental to our democratic form of government. The setting of goals and making of policy decisions are rights inuring to each citizen. All citizens have the right to associate in groups to advocate their special interests to the government. It is something entirely different to grant any one interest group special status and access to the decision-making process.

CONCLUSION

It is a destructive philosophy that is based on the assumption that elected officials do not act in the best interest of their constituency and even in the best interest of those who work for their local governments. And I am certain that the citizens of this country find it difficult to understand why Members of Congress feel they are in a better position to produce a sound personnel management system which meets the varied needs of their local communities than their local counterparts.

This injustice to the American people and potential impact of the amendments of 1974 on the functioning of State and municipal governments is staggering. The few things this legislation cures are extraordinarily minute in comparison to the havoc that will be caused. The need for this legislation cannot be construed as sufficiently compelling to justify Federal regulation of the personnel practices of approximately 80,000 local jurisdictions of government, and I strongly urge that my colleagues take this opportunity to return to local government the capacity to govern.

By Mr. MONDALE:

S. 2199. A bill to amend title 42, U.S. Code, section 503(a)(3). Referred to the Committee on Labor and Public Welfare.

Mr. MONDALE. Mr. President, the right to "due process of law" is surely one of the most important rights which our citizens enjoy. It is enshrined in our Constitution—in the fifth and the 14th amendments. The protections which it represents are absolutely necessary to the functioning of a democracy.

What is meant by "due process"? In the simplest terms, Mr. President, it is the right of every American, when faced with a governmental decision which might affect him, to have notice of the proposed governmental action and an opportunity to be heard before the action is taken.

The notice may take a variety of forms—written or oral, personal or by publication—depending upon the circumstances. So too, the right to be heard may incide a variety of rights—an oral hearing, a written hearing, the right to confront witnesses, the right to cross-examine, the right to counsel, or the right to a written decision—depending upon the circumstances.

These rights seem easily provided. They are simple enough to understand. They are elementary to our notions of fair play.

Yet, Mr. President, one segment of our society is denied these basic rights. One group of individuals does not have the right to basic "due process" before important governmental action is taken which has a profound effect upon their well-being.

Individuals receiving unemployment compensation benefits do not have the right to notice and a hearing—to basic "due process"—before their benefits are discontinued.

Congress has provided a right to a pretermination hearing in the context of other government benefits. In many cases, administrative agencies and departments have provided that right by regulation. Unfortunately, the right to a pretermination hearing has never been congressionally or administratively mandated for unemployment compensation recipients.

In recent years, when the Congress and the executive branch have failed to act, the courts have, under the auspices of the Constitution, stepped in. In the landmark case of *Goldberg* v. *Kelly*, 397 U.S. 254, the U.S. Supreme Court held that an AFDC recipient had a constitutional right to "an evidentiary hearing before the termination of benefits." Faced with many of the arguments which might be advanced in the unemployment compensation context, the Supreme Court concluded that "only a pretermination evidentiary hearing provides the recipient with procedural due process."

Several cases have reached the Supreme Court in recent years asserting the right to a pretermination hearing for unemployment compensation recipients. The Court has been confronted with the issue in *Torres* v. *New York State Dept. of Labor*, 405 U.S. 949; *Indiana Employment Security Division* v. *Burney*, 409 U.S. 540; *Fusari* v. *Steinberg*, — U.S. —; and *Crow* v. *California Department of Human Resources Development*, — U.S. —. Unfortunately, because of problems with the legal concepts of mootness, standing, and justiciable controversy, the Court has never reached a decision on the issue.

I believe, Mr. President, that the time has come for Congress to act to redress this inequity. Surely, there is no more appropriate time than the present. With more than 8 million workers without jobs, and many of these receiving benefits under the Federal-State unemployment compensation system, the right to unemployment due process is a pressing reality for millions of American citizens.

Can there be any doubt about the basic fairness of, at the very least, providing the unemployment compensation recipient with a chance to defend himself before his only means of support is terminated? It strikes me as uncontroversial to give the worker and the worker's family notice of proposed termination and the chance to be heard.

In fact, Mr. President, I would contend that it is in the Government's best interest to provide basic due process rights. The unemployment compensation system is designed to serve two broad purposes. First, benefits help the worker and the worker's family over a crisis period, when the family has no income because of the loss of a job.

Second, the benefits maintain consumer purchasing power to help the entire economy weather a period of stress.

Thus, termination of aid pending a resolution of a controversy over eligibility may deprive an eligible recipient of the means of survival as well as frustrate general economic recovery.

In the words of the Supreme Court in Goldberg against Kelly, dealing with the right to a pretermination hearing in the welfare context:

> Public assistance, then, is not mere charity, but a means to "promote the general welfare,

and secure the Blessings of Liberty to ourselves and our Posterity." The same governmental interests that counsel the provision of welfare, counsel as well its uninterrupted provision to those eligible to receive it; pretermination evidentiary hearings are indispensable to that end.

Unfortunately, present administrative procedures are inadequate to insure that eligible recipients—those Congress intended to receive benefits—continue to receive benefits during their entitlement period.

National figures reflecting the performance of the unemployment compensation system between 1969 and 1973 show that 28.1 percent of all appealed termination decisions are reversed after a hearing. This means that millions of workers, who are eligible to receive benefits, are denied them for varying periods of time due to inadequate administrative procedures.

Some workers, in fact, are the victims of grossly unreasonable periods of wrongful termination. National figures reveal that 47.6 percent of the hearing decisions are rendered more than 45 days after termination.

Some would argue, much as the defendants argued in Goldberg against Kelly, that limited fiscal and administrative resources counsel against a pretermination hearing.

Due process requirements in the unemployment compensation context will undoubtedly entail some added cost. But, these costs can be minimized. The Supreme Court's response to this argument is instructive:

Much of the drain on fiscal and administrative resources can be reduced by developing procedures for prompt pre-termination hearings and by skillful use of personnel and facilities. . . . Thus, the interest of the eligible recipient in uninterrupted receipt of public assistance, coupled with the State's interest that his payments not be erroneously terminated, clearly outweighs the State's competing concern to prevent any increase in its fiscal and administrative burdens.

Moreover, frequently voiced fears that due process rights will engender a dramatic increase in requests for hearings seem unfounded. A judicial order requiring pretermination hearings for unemployment compensation recipients was in effect in Indiana from October 1971 to February 1973. Comparing the period from January to March 1971 with the period from January to March 1972, there was actually an 8 percent decrease in the requests for hearings.

Similarly, the fear that payments during this pretermination period will be lost forever due to the supposed difficulty of recoupment appears groundless. Figures developed during litigation reveal that in California, for example, 65 percent of all unemployment compensation overpayments are recouped and, in Indiana, 72 percent return to the treasury.

The case for pretermination hearing seems, Mr. President, a compelling one.

And, the form which the hearing might take will impose minimal burdens on the States. By the legislation I am introducing today, all that will be required is "prior written notice, a meaningful opportunity to obtain representation and gather evidence, an opportunity to present evidence orally and to confront and cross-examine witnesses, and a written decision, based solely upon evidence adduced at the hearing, rendered by an impartial decision maker, whose sole function is to determine disputed eligibility questions and who has conducted the hearing."

By specific language in the bill, the State need not provide a hearing unless the recipient requests one. And, a recipient would not be permitted to receive benefits beyond his maximum period of entitlement.

Mr. President, this legislation is long overdue. We cannot, we must not, deny the unemployment compensation recipient the elementary rights of due process.

I ask unanimous consent that this legislation be printed in the RECORD.

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

S. 2199

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, Title 42, U.S. Code, Section 503(a)(3) is amended to read as follows:

"(3)(A) Opportunity for a fair hearing, before an impartial tribunal, for all individuals whose claims for unemployment compensation are denied; and (B) continued payments of regularly scheduled unemployment compensation to each individual who has begun receiving compensation unless and until that individual has first been determined to be ineligible for a payment or payments, by reason of a failure to comply with a valid condition for the continued payment of compensation imposed by State law, under a hearing procedure affording that individual prior written notice, a meaningful opportunity to obtain representation and gather evidence, an opportunity to present evidence orally and to confront and cross-examine witnesses, and a written decision, based solely upon evidence adduced at the hearing, rendered by an impartial decision maker, whose sole function is to determine disputed eligibility questions and who has conducted the hearing; provided, that nothing in this subsection shall require: (i) the prior evidentiary hearing specified above as the condition of a cessation of the payment of unemployment compensation if the individual in question, after having been advised in writing that he is ineligible for a payment or payments, and of his right to a hearing, voluntarily agree in writing to accept the administrative determination; (ii) a payment of compensation to an individual who has exhausted his maximum entitlement under the State's compensation schedule (computed on the basis of weeks of employment or wages earned or any combination thereof).

By Mr. JACKSON (for himself and Mr. FANNIN) (by request):

S. 2201. A bill to provide for the administration of oaths and affirmations and for the issuance of subpenas in investigations, hearings and proceedings in the Department of the Interior. Referred to the Committee on Interior and Insular Affairs.

Mr. JACKSON. Mr. President, by request, I send to the desk, on behalf of myself and the Senator from Arizona (Mr. FANNIN), a bill to provide for the administration of oaths and affirmations and for the issuance of subpenas in investigations, hearings, and proceedings in the Department of the Interior.

Mr. President, this draft legislation was submitted and recommended by the Department of the Interior, and I ask unanimous consent that the executive communication accompanying the proposal from the Secretary of the Interior be printed in the RECORD.

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

DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., June 12, 1975.

Hon. NELSON A. ROCKEFELLER,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: There is enclosed a draft bill "To provide for the administration of oaths and affirmations and for the issuance of subpoenas in investigations, hearings, and proceedings in the Department of the Interior."

We recommend that the bill be referred to the appropriate Committee for consideration, and that it be enacted.

The enclosed draft bill would give to the Secretary of the Interior or his delegate, the power to administer oaths and to issue subpoenas for witnesses and for discovery purposes, including subpoenas *duces tecum*. The subpoenas would run to the Government, to private parties who are non litigants, as well as to parties in administrative proceedings. The proposal is similar to provisions granting the subpoena power to the Interstate Commerce Commission, the Civil Aeronautics Board, and the Federal Power Commission. The bill would apply to any investigation, hearing or proceeding conducted by the Department of the Interior, and any discovery or investigation in regard to such hearing or proceeding. The provision would be applicable anywhere within the United States.

By an amendment issued July 15, 1968, 33 F.R. 10394 (July 20, 1968), the Secretary of the Interior amended § 1850.0-7 of the regulations of the Department governing subpoenas in public land hearings to provide for subpoenas *duces tecum* and subpoenas to compel witnesses to testify at prehearings depositions for discovery purposes. The Conservation and Natural Resources Subcommittee of the Committee on Government Operations, House of Representatives, subsequently questioned the statutory authority of the Department to issue discovery subpoenas and subpoenas *duces tecum*, and informed the Secretary of the Interior of its position. A review of the Department's statutory authorization led to the conclusion that our authority to adopt subpoenas *duces tecum* and discovery subpoena powers by regulation was deficient. The Honorable Henry S. Reuss, Chairman of the Conservation and Natural Resources Subcommittee, was so informed on January 14, 1970.

With respect to the need for such authority, Judge Alexander Holtzoff has stated:

"Broad and liberal discovery has completely revolutionized litigation in the Federal courts. As a result of the wide use of these remedies, most lawyers come into court for the trial thoroughly familiar not only with their own case, but also with the case of the adverse party. Surprise has been reduced to a minimum. Counsel frequently start the trial armed with depositions that either eliminate a great deal of controversial matter, or else with evidence in such shape that it can be introduced much more promptly and efficaciously than otherwise might have been the case. . . . The important consideration is that all of these innovations tend to bring about a just decision on the merits." ("A Judge Looks at the Rules," 1966 Federal Rules of Civil Procedure, page 9.)

Rules of civil procedure in State and Federal judicial systems have permitted pretrial

discovery for many years. These rules allow not only pretrial subpoena powers for depositions and production of documents and tangibles; also included are provisions for written interrogatories and requests for admission. Trial by surprise has long been abandoned. Due to the lack of subpoena power, the Department of the Interior is still in the position of the litigant prior to the adoption of reformed rules of civil procedure. The private litigant, however, may avail himself of the Freedom of Information Act (5 U.S.C. 552) to obtain, prior to hearing, with few exceptions, any papers from the Government that would be available under the Federal Rules of Civil Procedure in a civil action. It is patently unfair to deny the Government the same opportunity in presenting its case.

We would also like to emphasize that this proposal would be of great benefit, not only to this Department, but to the private party as well. It would also enable private parties to obtain from third parties evidence which could not be reached under the Freedom of Information Act.

On June 2 and 3, 1970, at its Fourth Plenary Session, the Administrative Conference of the United States adopted the following recommendations concerning discovery in administrative adjudicatory proceedings:

6. *Production of Documents and Tangible Things*

(a) *From Non-Parties*

A party to the proceeding should be able to obtain in accordance with agency rules a subpoena *duces tecum* requiring a non-party to produce relevant designated documents and tangible things, not privileged, at a prehearing conference, at the taking of the non-party's deposition, or at any other specific time and place designated by the issuing officer.

(b) *From Parties*

A party to the proceeding should be able to apply to the presiding officer for an order requiring any other party to produce and to make available for inspection, copying or photographing, at a prehearing conference or other specific time and place, any designated documents and tangible things, not privileged, which constitute or contain relevant evidence. The party seeking production should serve copies of the application on the other party or parties to the proceeding, who should be given an opportunity to notify the presiding officer of any objections. The presiding officer should order the production of such designated documents and tangible things unless he finds that there is not good cause for doing so.

(c) *From the Agency*

For the purposes of [recommendation 6], the agency conducting the proceeding should be considered a party to the proceeding whether or not the agency staff participates as a party to the proceeding.

* * * * *

9. *Subpoenas*

The presiding officer should have the power to issue subpoenas *ad testificandum* and *duces tecum* at any time during the course of the proceeding. Agencies affected by the Recommendations that do not have the statutory authority to issue subpoenas should seek to obtain any necessary authority from the Congress.

At their 1970 Convention, the American Bar Association resolved that authority be given ". . . to all agencies to make generally available subpoenas in adjudicatory proceedings . . ." The enclosed draft bill follows the recommendations of the Administrative Conference and the ABA. It is almost universally recognized today that the broad subpoena and discovery powers produce more thorough and equitable hearings by eliminating surprise, narrowing issues, encouraging settlements, and saving time and money.

The Office of Management and Budget has advised that there is no objection to the presentation of this draft bill from the standpoint of the Administration's program.

Sincerely yours,

RAYSTON C. HUGHES,
Assistant Secretary of the Interior.

By Mr. HARTKE (for himself, Mr. GRAVEL, and Mr. HUMPHREY):

S. 2303. A bill to provide for paper money of the United States to be embossed to indicate the denomination thereof. Referred to the Committee on Banking, Housing and Urban Affairs.

BRAILLE MONEY

Mr. HARTKE. Mr. President, I have worked long and hard for the rights of the blind and for their increased social, political, and economic opportunities in the United States.

Today I wish to introduce another proposal to further their cause. This bill is designed to provide for the embossment of the paper currency of the United States to indicate the denomination of such paper money.

Such paper money has often been called Braille money in that our blind friends will be enabled by such action to feel the denomination of their paper currency.

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

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

S. 2203

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the numerical value appearing in the four corners on the face of all paper money of the United States which is printed after January 1, 1976, shall be embossed indicating the denomination thereof.

(b) The Secretary of the Treasury shall carry out the provisions of this Act, and for such purposes he may establish such rules and regulations as he determines appropriate.

ADDITIONAL COSPONSORS OF BILLS AND RESOLUTIONS

S. 5

At the request of Mr. CHILES, the Senator from Montana (Mr. MANSFIELD) and the Senator from Georgia (Mr. NUNN) were added as cosponsors of S. 5, the Federal Government in the Sunshine Act.

S. 80

At the request of Mr. MATHIAS, the Senator from Colorado (Mr. HASKELL) was added as a cosponsor of S. 80, a bill to prevent the estate tax law from operating to encourage or to require the destruction of open lands and historic places, by amending the Internal Revenue Code of 1954 to provide that real property which is farmland, woodland, or open land and forms part of an estate may be valued, for estate tax purposes, at its value as farmland, woodland, or open land—rather than at its fair market value,—and to provide that real property which is listed on the National Register of Historic Places may be valued, for estate tax purposes at its value for its existing use, and to provide for the revocation of such lower valuation and recapture of unpaid taxes with interest in appropriate circumstances.

S. 89

At the request of Mr. MATHIAS, the Senator from Arkansas (Mr. MCCLELLAN) was added as a cosponsor of S. 89, a bill to provide that income from entertainment activities held in conjunction with a public fair conducted by an organization described in section 501(c), 3 and (5) shall not be unrelated trade or business income and shall not affect the tax exemption of the organization.

S. 93

At the request of Mr. MATHIAS, the Senator from Colorado (Mr. HASKELL) was added as a cosponsor of S. 93, a bill to amend the Internal Revenue Code of 1954 to provide that a married individual who files a separate return shall be taxed on his or her earned income at the same rate as an unmarried individual.

S. 997

At the request of Mr. MOSS, the Senator from Michigan (Mr. PHILIP A. HART) and the Senator from Nevada (Mr. CANNON) were added as cosponsors of S. 997, a bill to amend the Fair Packaging and Labeling Act to require the disclosure by retail distributors of retail unit prices of consumer commodities, and for other purposes.

S. 988

At the request of Mr. KENNEDY, the Senator from California (Mr. CRANSTON) was added as a cosponsor of S. 988, the National Biomedical Heart, Lung, Blood Vessel, and Research Training Act of 1975.

S. 1432

At the request of Mr. HUGH SCOTT, the Senator from Hawaii (Mr. INOUYE) was added as a cosponsor of S. 1432, a bill to provide that certain veterans who were prisoners of war be deemed to have a service-connected disability of 50 percent and for other purposes.

S. 1466

At the request of Mr. KENNEDY, the Senator from Maine (Mr. HATHAWAY) and the Senator from Rhode Island (Mr. PELL) were added as cosponsors of S. 1466, the National Disease Control and Consumer Health Education and Promotion Act of 1975.

S. 1479

At the request of Mr. WILLIAMS, the Senator from Wisconsin (Mr. PROXMIRE) was added as a cosponsor of S. 1479, a bill to protect the economic rights of labor in the building and construction industry by providing for equal treatment of craft and industrial workers.

S. 1664

At the request of Mr. KENNEDY, the Senator from California (Mr. CRANSTON) was added as a cosponsor of S. 1664, a bill to amend the Lead-Based Paint Poisoning Prevention Act.

S. 1906

At the request of Mr. CHURCH, the Senator from Florida (Mr. CHILES), the Senator from Utah (Mr. MOSS), the Senator from Pennsylvania (Mr. HUGH SCOTT), the Senator from Vermont (Mr. STAFFORD), the Senator from Florida (Mr. STONE), the Senator from West Virginia (Mr. RANDOLPH), and the Senator

from Alabama (Mr. SPARKMAN) were added as cosponsors of S. 1906, a bill to amend title XVIII of the Social Security Act to require the continued application of the nursing salary cost differential which is presently allowed in determining the reasonable cost of inpatient nursing care for purposes of reimbursement to providers under the medicare program.

S. 2088

At the request of Mr. MATHIAS, the Senator from Wisconsin (Mr. PROXMIRE) was added as a cosponsor of S. 2088, a bill to prohibit the use of dogs by the Department of Defense in connection with the research, testing, development, or evaluation of radioactive, chemical, or biological warfare agents, and to require the Department of Defense to develop and use, where feasible, alternative, nonanimal methods of experimentation.

SENATE RESOLUTION 221

At his own request, the Senator from Missouri (Mr. SYMINGTON) was added as a cosponsor of Senate Resolution 221, relating to international cooperation in strengthening safeguards of nuclear materials.

SENATE JOINT RESOLUTION 101

At the request of Mr. BURDICK, the Senator from Arkansas (Mr. BUMPERS), the Senator from Indiana (Mr. HARTKE), the Senator from Minnesota (Mr. HUMPHREY), the Senator from Wyoming (Mr. MCGEE), the Senator from Vermont (Mr. STAFFORD), and the Senator from North Dakota (Mr. YOUNG) were added as cosponsors of Senate Joint Resolution 101, to authorize the President to issue annually a proclamation designating that week in November which includes Thanksgiving Day as "National Family Week."

SENATE JOINT RESOLUTION 105

At the request of Mr. CLARK, the Senator from Montana (Mr. MONDALE) was added as a cosponsor of Senate Resolution 105, relating to strengthen the foreign relations of the United States.

SENATE RESOLUTION 226—SUBMISSION OF A RESOLUTION DISAPPROVING PROPOSED DEFERRAL OF BUDGET AUTHORITY RELATING TO THE COLUMBIA BASIN IRRIGATION PROJECT, WASHINGTON

(Referred to the Committees on Appropriations, Budget, and Interior and Insular Affairs, pursuant to the order of January 30, 1975.)

Mr. MAGNUSON (for himself and Mr. JACKSON) submitted the following resolution:

SENATE RESOLUTION 226

Resolved, That the Senate disapproves the proposed deferral of budget authority (Deferral No. D 76-13) for the Second Bacon Siphon and Tunnel, Columbia Basin Irrigation Project, Washington, set forth in the special message transmitted by the President to the Congress on July 1, 1975, under section 1013 of the Impoundment Control Act of 1974.

Mr. MAGNUSON. Mr. President, I am today submitting a Senate resolution to disapprove President Ford's deferral of $1,030,000 previously appropriated by Congress to the Bureau of Reclamation for the Second Bacon Siphon and Tunnel in the Columbia Basin Irrigation project in Washington State.

Construction of the Second Bacon Siphon and Tunnel is critical if land already under cultivation in the Columbia Basin project is to continue having sufficient water and if any of the nearly 600,000 acres of unirrigated land within the project's boundaries are to ever receive water.

Year after year over the past decade the Appropriations Committee has approved by amendments adding funds for the siphon and tunnel or blocking Presidential efforts to spend those funds elsewhere. The need for the siphon and tunnel and the increased farm production it would make possible has long since been demonstrated. However, that need has now assumed new urgency in light of the intense worldwide demand for food and fiber and our own need to increase exports to balance the flow of dollars going out of the United States to buy oil.

Several months ago, the Washington congressional delegation, the Governor, and key members of the State legislature met with the Director of the Office of Management and Budget and with the Commissioner of the Bureau of Reclamation to discuss this project.

As a result of that meeting, the Director of OMB agreed to take a fresh look at the proposed siphon and tunnel, and together with the Bureau of Reclamation, OMB has since undertaken an analysis of the project to be completed in September.

The President's July 1 message continuing the deferral of the $1,030,000 previously appropriated for the project emphasizes that the deferral is intended only to permit completion of the analysis before the funds are released. I am certainly hopeful that completion of the analysis in September will be followed immediately by a formal administration decision to proceed on the project. If that is the case, then, of course, the President, himself, can withdraw his deferral and move ahead on the project.

However, should the administration seek in September to further delay this project, then I intend to press ahead with this resolution while at the same time urging the Appropriations Committee to appropriate to the Bureau of Reclamation the maximum amount that it can effectively use for the Second Bacon Siphon and Tunnel during fiscal 1976 and the transition period.

AMENDMENTS SUBMITTED FOR PRINTING

PUBLIC WORKS EMPLOYMENT ACT OF 1975—S. 1587

AMENDMENT NO. 825

(Ordered to be printed and to lie on the table.)

Mr. TALMADGE (for himself, Mr. NUNN, Mr. HUDDLESTON, Mr. THURMOND, and Mr. METCALF) submitted an amendment intended to be proposed by them jointly to the bill (S. 1587) to amend the Public Works and Economic Development Act of 1965 to increase the antirecessionary effectiveness of the program and for other purposes.

HOME MORTGAGE DISCLOSURE ACT OF 1975—S. 1281

AMENDMENT NO. 826

(Ordered to be printed and to lie on the table.)

Mr. GARN (for himself, Mr. SPARKMAN, Mr. TOWER, Mr. HELMS, Mr. MORGAN, and Mr. STONE) submitted an amendment intended to be proposed by them jointly to the bill (S. 1281) to improve public understanding of the role of depository institutions in home financing.

AMENDMENT NO. 827

(Ordered to be printed and to lie on the table.)

Mr. STONE submitted an amendment intended to be proposed by him to the bill (S. 1281), supra.

ENERGY RESEARCH AND DEVELOPMENT ADMINISTRATION AUTHORIZATIONS—S. 598

AMENDMENTS NOS. 828 AND 829

(Ordered to be printed and to lie on the table.)

Mr. ABOUREZK. Mr. President, less than 2 months ago the Senate spent several days debating the military procurement authorization bill. Although this bill covers procurement of all conventional weapons in this country's stockpile, the Energy Research and Development Administration continues to hold prime responsibility for our nuclear weapons. In fiscal year 1976, ERDA has requested $873,515,000 for production of nuclear weapons. Of course, this amount does not include funding for material or security. Included these items, and the total ERDA request for nuclear weapons will be well over $1 billion.

The United States has nearly 30,000 nuclear weapons at home and throughout the world. Recently, a great deal of concern has centered on the threat and stockpile of weapons in Europe. I certainly do not want to minimize the importance of that issue, but I do not want to concentrate on Europe alone. The United States maintains approximately 1,700 tactical nuclear weapons on land in Asia, Korea and the Philippines. Additional weapons are also located at U.S. installations in Guam and Midway. Most of these weapons are for U.S. fighter-bombers. However, both Army and Air Force tactical weapons are based in Korea.

I am very concerned about the President's position on the "limited" use of nuclear weapons on a first-strike basis. Part of that concern focuses on the potential for error and/or overreaction. Some have suggested that if the United States had adopted the limited use of nuclear weapons sooner, these weapons might have been used in the rescue of the *Mayaguez* off the coast of Cambodia—a preposterous, yet horribly realistic possibility.

The secrecy surrounding nuclear weapons has made it nearly impossible, even for most of the Congress, to obtain even the most basic information, such as how many weapons exist, where they are located, and how they would be used. Frankly, I think it is a sheer impossibility to make fair and educated decisions regarding the U.S. defense policy without this information.

For these reasons, I am today submitting an amendment which would require the Secretary of Defense to annually report to the Congress basic information about our nuclear weapons. The report would include the total number of nuclear weapons, the deployment of these weapons by area, the assigned mission for each area of deployed weapon, and the identification and description of the safeguards and security precautions being taken with respect to these weapons. The report submitted would be referred to the Joint Committee on Atomic Energy and the House and Senate Armed Services Committees. Since every Member of Congress is required to make important decisions on U.S. foreign policy and defense, the amendment would make the Secretary's report available to all Members of Congress.

I am also submitting a second amendment which requires that the President take action to remove all land-based strategic and tactical nuclear weapons owned or controlled by the United States from non-U.S. territory in Asia no later than the first day of fiscal year 1977.

I believe all U.S. nuclear weapons need to be withdrawn from this area for two reasons. First, Asia is particularly volatile. The storage of nuclear weapons on the Asian mainland provides an opportunity for nuclear sabotage. A stolen and improperly used nuclear weapon could be responsible for the death of hundreds of thousands of people.

Second, I am convinced that our nuclear strength would not suffer in the least by the withdrawal of U.S. nuclear stockpiles from Asia. But this amendment would continue to allow the storage of nuclear weapons on U.S. ships on the high seas or at U.S. territorial possessions. At these installations, the opportunity for security is greatly improved, and the chance of sabotage significantly reduced. The additional few minutes of deployment time that may be required to use nuclear weapons, should it ever come to that, should not be used as a rationale for keeping the weapons on non-U.S. soil.

For these reasons, Mr. President, I believe these two amendments should be adopted. I ask unanimous consent that the text of the two amendments be printed in the RECORD.

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

AMENDMENT NO. 828

At the end of the bill add the following:

TITLE V—REPORT ON STRATEGIC AND TACTICAL NUCLEAR WEAPONS

SEC. 501. (a) The Secretary of Defense shall prepare and submit to the Congress annually a report on—

(1) the total number of all strategic and tactical nuclear weapons owned or controlled by the United States,

(2) the deployment of all such weapons

(A) by country

(B) by state within the United States, and

(C) by fleet,

(3) the assigned mission/military option for each class of such weapons, and

(4) the identification and brief description of safeguard and security precautions taken with respect to all such weapons.

(b) The report submitted under this title shall be referred to the Joint Committee on Atomic Energy and the Committee on Armed Services of the Senate and the House of Representatives. The report shall be available to all Members of Congress.

AMENDMENT NO. 829

At the end of the bill add the following:

TITLE V—ELIMINATION OF NUCLEAR WEAPONS

SEC. 501. Notwithstanding any other provision of law, the President shall take whatever action is necessary to remove, not later than October 1, 1976, all land-based strategic and tactical nuclear weapons owned or controlled by the United States from non-United States territory in Asia or the western Pacific.

NAVAL PETROLEUM RESERVES—S. 2173

AMENDMENT NO. 830

(Ordered to be printed and to lie on the table.)

Mr. BARTLETT submitted an amendment intended to be proposed by him to the bill (S. 2173) to fully explore and develop the naval petroleum reserves of the United States and to permit limited production with revenues derived therefrom to be placed in a special account, and for other purposes.

ENERGY SUPPLY ACT OF 1975—S. 521

AMENDMENT NO. 831

(Ordered to be printed and to lie on the table.)

Mr. McGOVERN submitted an amendment intended to be proposed by him to the bill (S. 521) to increase the supply of energy in the United States from the Outer Continental Shelf; to amend the Outer Continental Shelf Lands Act; and for other purposes.

FEDERAL AGENCY SAFETY PROGRAMS—H.R. 2559

AMENDMENT NO. 832

(Ordered to be printed and to lie on the table.)

Mr. ALLEN submitted an amendment intended to be proposed by him to the bill (H.R. 2559) to amend title 39, United States Code, to apply to the U.S. Postal Service certain provisions of law providing for Federal agency safety programs and responsibilities, and for other purposes.

AIRPORT AND AIRWAY DEVELOPMENT ACT AMENDMENTS—S. 1455

AMENDMENT NO. 833

(Ordered to be printed and referred to the Committee on Commerce.)

Mr. HARTKE. Mr. President, for many years now the Department of Transportation and the Congress have been exploring the concept of intermodal terminals. The amendment I submit here today proposes a pilot demonstration project to include interstate and intrastate air, rail, and highway facilities in a single structure within a common area.

This proposed facility differs in many ways from the systems and terminals now in existence in that each mode included will feed the other—not necessarily completely or exclusively, but will not be competitive. The purpose of each system is not designed to bring people to and from an airport, but to bring people together, to and from an airport, a train terminal, and a bus station. Ideally the modes will have feeder schedules. In my view, this is a major step, and a necessary one, in the development of a national transportation system.

FEDERAL COAL LEASING AMENDMENTS ACT OF 1975—S. 391

AMENDMENT NO. 834

(Ordered to be printed and to lie on the table.)

Mr. MOSS submitted an amendment intended to be proposed by him to the bill (S. 391) to amend the Mineral Leasing Act of 1920, and for other purposes.

ADDITIONAL COSPONSORS OF AMENDMENTS

AMENDMENT NO. 689

At the request of Mr. KENNEDY, the Senator from Iowa (Mr. CLARK) was added as a cosponsor of amendment No. 689 intended to be proposed to the bill (S. 1517) to authorize appropriations for the administration of foreign affairs, international organizations, conferences, and commissions; information and cultural exchange; and for other purposes.

NOTICE OF HEARING ON ACT TO ESTABLISH A UNIFORM LAW ON THE SUBJECT OF BANKRUPTCIES

Mr. BURDICK. Mr. President, I wish to announce that an open public hearing will continue for the Subcommittee on Improvements in Judicial Machinery on S. 235 and S. 236, two acts to revise the bankruptcy laws of the United States. The hearing will be held on July 31, 1975, in room 6202, Dirksen Senate Office Building, commencing at 10 p.m.

Those who wish to testify or submit a statement for inclusion in the record should communicate as soon as possible with the Subcommittee on Improvements in Judicial Machinery, 6306 Dirksen Senate Office Building; telephone 224-3618.

NOTICE OF HEARING

Mr. WILLIAMS. Mr. President, I wish to announce to the Senators and other interested persons that a hearing on Robert O. Aders, of Ohio, to be Under Secretary of Labor, will be held by the Committee on Labor and Public Welfare on Tuesday, July 29, 1975, at 3 p.m. in room 4232, Dirksen Senate Office Building.

ADDITIONAL STATEMENTS

HERE WE STILL ARE

Mr. BROCK. Mr. President, one of the problems that faces us today is the disenchantment that many Americans feel toward our Nation.

We all have been told that America is the greatest country in the world, then we read the newspaper and find that we seem to be losing our position in world affairs. Arab nations have us paying exorbitant prices for crude oil, unemployment is high, and we are just coming out of the grips of a recession.

Michael Kilian of the Chicago Tribune has written an article that might pick up our sagging spirits, so I ask unanimous consent that the article "Here We Still Are," be printed in the RECORD.

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

HERE WE STILL ARE

(by Michael Kilian)

One of the advantages of having been born during the Depression is the knowledge that the world was not created in 1946.

This knowledge seems to have eluded a young Washington columnist of my acquaintance [doubtless created in 1946 himself], who in these pages last week wrung his hands in sorrowful lamentation over the decline of the once-great United States.

He said that as a small child he was told by his mother about the greatness of the United States—how it had the best system of government in the world and would always win out. He looked to Presidents Truman, Eisenhower, Kennedy, Johnson, and Nixon as "straight and tall" champions of the American system.

But now, he's crushed. The not-so "straight and tall" Nixon was caught lying and breaking the law. The Arabs have the arm on us and "once mighty Detroit has been humbled." We failed in Viet Nam and our dominance abroad is slipping everywhere. Our new leader is full of doubts. Oh, gloom. Oh, doom.

"Is the [American] system of government the best?" he asked. "What is the man to tell the child?"

Before he says one word to the little scamper, he ought to fetch himself a history book—one that starts before the year 1946.

He'd find that "straight and tall" Presidents have always been a myth. Washington bought land in Pennsylvania and then tried to get the government to build roads and canals to it. Lincoln allowed speculators and profiteers to run amok, while jailing newspaper editors. The backroom buddies of Grant and Harding stuffed their pockets with millions. The White House has been occupied by a succession of drunkards, fools, schemers, buffoons, philanderers, scoundrels, and third-rate hacks from Missouri.

We gasp at such infringements as Watergate, the plumbers, and CIA domestic spying. Lincoln suspended habeas corpus. In 1917, if you got up on a box and denounced President Wilson, you'd get fingered by the American Protective League and hauled off to the slammer. Socialism wasn't merely suspect then; it was criminal.

The Arabs aren't the first to put the arm on us. We've gotten the same treatment from the British, the French, the Germans, the Canadians, Barbary Coast pirates, Mexican bandits, and the United Nations.

Viet Nam isn't our first military failure. We lost the War of 1812. We made fools of ourselves in the Punitive Expedition. We won "the war to end all wars," dictated the peace terms, created the League of Nations, and all of Europe went to hell almost instantly.

"Mighty Detroit" has been humbled with great regularity—some six times since 1946. In the 1930s, all of American industry was humbled. The financial community went berserk on 1969's "Black Friday." The whole country did the same thing during the panics of 1873, 1884, and 1907.

Ours has been a history of riots, plagues, famines, assassinations, lynching, scandals, sectionalism, segregation, fiscal disasters, and nincompoopish leadership.

But the point is, here we still are. As can be said of few other countries and no other democracy, we are governing ourselves in the same manner as we did nearly 200 years ago. Leaders have come and gone with constitutional regularity and [discounting the bedlam of the national conventions] in a consistently orderly and democratic manner.

Despite all our troubles, we enjoy more liberty and a higher standard of living than any other country in the world—more than we ever have before.

What the man should tell the child is, "Hang in there."

Or, if it were my kid: "Shut up and eat your steak or I won't let you have the keys to the snowmobile."

VETERANS

Mr. HOLLINGS. Mr. President, while the World Wars may seem like light years away because of all that has happened since on both our foreign and domestic fronts, in reality, it has not been so very long since these wars were a way of life. The veterans of these wars are still alive and need our help. I have before me a resolution drawn up by the Veterans of World War I of the U.S.A. which underlines the necessity for care for the veterans of World Wars I and II. Many of these people, as stated in the resolution, are old, without families, and in the low income category. The services at this point in time are not adequate for their needs. Because of the dearth of available rooms at the existing VA facilities, some of the veterans have been forced to go to commercial nursing homes. While these institutions do their best, they cannot provide all of the services at hand; and, unfortunately, for some they are simply too expensive.

Most of us here today have participated in some field of the Armed Forces, be it in the World Wars or after. Just as these veterans showed their concern by fighting for our country in its time of need, so too must we show ours by working to enact legislation so as not to neglect these people in their time of distress.

I know that my fellow Members of Congress join me in my realization of the vitalness of this resolution from the Veterans of World War I, and I therefore ask unanimous consent that this resolution be printed in the RECORD.

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

RESOLUTION

Whereas, the Veterans of World War I of the U.S.A., Inc. Department of South Carolina, held their annual convention at Columbia, South Carolina, on July 12th and 13th, 1975, and

Whereas, we feel careful and immediate attention be given as a number one priority for W.W.I and W.W.II Veterans for additional Home Nursing Care beds in the new hospital at Columbia, South Carolina, by reserving the wing for this purpose now being used at the Columbia V.A. Hospital in addition to those which will be allotted to the new hospital, which apparently will be about one hundred fifty (150) beds, and

Whereas, in urging attention as above outlined, the average age of W.W.I Veterans is now about 80 and many W.W.II Veterans are over 65 years, and

Whereas, the need for Home Nursing care for aging Veterans becomes more acute as many are without dependents and most are in the low income category, and

Whereas, it appears that the aging and disabled Veterans are being transferred to commercial nursing homes, which in a number of instances are inadequate and unsatisfactory as to the service and the charges at these nursing homes has greatly increased, and

Whereas, it is our belief that the Veterans Administration and Veterans Hospitals should provide enough Home Nursing Care in the V.A. Hospitals to protect those who gave service in past Wars, and

Whereas, it appears that W.W.I Veterans apparently have been forgotten as they grow older and are never considered when benefits for them are presented to the Congress, now therefore

Be it *Resolved* by the Veterans of W.W.I in convention assembled urge upon Congress to study the plight of Veterans as above set out and take steps to remedy a serious situation that affects the well being of the sick and disabled as time is now of essence in giving help and assistance, and

Be it further *Resolved* that a copy of this resolution be sent the United States Senators and Congressmen from this state and copies given the press.

REPORT OF THE U.S. INTERNATIONAL TRADE COMMISSION

Mr. CURTIS. Mr. President, the Congress has renamed the U.S. Tariff Commission as the U.S. International Trade Commission and has materially changed the duties and responsibilities of that Commission. The chairman and the vice chairman are rotated every 18 months.

I ask unanimous consent to have printed in the RECORD a letter and report of the chairman and the vice chairman for the period of 1971–75.

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

U.S. INTERNATIONAL TRADE COMMISSION,
Washington, D.C., July 8, 1975.

Hon. CARL T. CURTIS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR CURTIS: On June 16, 1975, we completed four years of service as Chairman and Vice Chairman of the U.S. Tariff Commission and its successor agency, the U.S. International Trade Commission. On June 17, 1975, a new Chairman and Vice Chairman assumed these responsibilities under a provision of the Trade Act of 1974 which provides for the rotation of these positions every eighteen months.

Enclosed is a brief review of our steward-

ship during our tenure in office. It attempts to outline some of the problems we faced, what we were able to accomplish, and major goals for Commission action in the future.

It was a pleasure to serve as Chairman and Vice Chairman during these years, and we would like to express to you our appreciation for the support and cooperation given by your Commission to this agency. We look forward to a continuing relationship with you as Commissioners.

With best wishes.

Sincerely,

CATHERINE BEDELL.
JOSEPH O. PARKER.

A REPORT ON STEWARDSHIP

(By Catherine Bedell, Chairman, and Joseph O. Parker, Vice Chairman, U.S. International Trade Commission)

On June 16, 1975, we completed four years of service as Chairman and Vice Chairman of the United States Tariff Commission and its successor agency, the United States International Trade Commission. On June 17, 1975, a new Chairman and Vice Chairman of the Commission assumed these responsibilities under a provision of the Trade Act of 1974 which provides for the rotation of these two positions every eighteen months.

It is with this in mind that we are submitting a brief review of our stewardship for the last four years—one of the busiest and most challenging periods in the Commission's 59-year history.

Upon the assumption of the duties of our offices, we began studying, reviewing and analyzing the work of the Commission in order to make an assessment of its operations and the performance of its statutory responsibilities.

We found a number of weaknesses and deficiencies. The Commission did not have an organizational structure with well-defined lines of authority and responsibility that provided for the kind of supervision and coordination necessary to achieve an efficient operation. The principal units or divisions of the Commission tended to operate more or less autonomously.

The agency was struggling to meet a sharply rising workload. Investigations to be conducted pursuant to statutory direction had more than tripled over the previous year. Complex studies of major significance requested by the President and the Congress pertaining to the competitiveness of U.S. industry, multinational enterprises, customs valuation, and tariff and non-tariff trade barriers were far behind schedule. Appropriate administrative controls were varied and inadequate. A professional staff of unique expertise and ability had been weakened by declining appropriations and was in need of better direction to meet the increased workload and the new demands being made on the Commission. There was an urgent need for modern management and personnel techniques. The building was in a poor state of repair. Working conditions were inefficient and in need of upgrading.

On the basis of our analyses, it was apparent that the agency was understaffed and underbudgeted and was ill prepared to cope with either the demands being placed upon it by a rapidly mounting caseload, or with the demands being placed upon it by the President and the Congress because of prospective international trade negotiations.

After defining the nature of the Commission's problems, our first step was to set up procedures to expedite the completion of pending major studies. A number of other actions were taken to assure that the agency would fulfill its statutory responsibilities and improve its capability to be more responsive to the needs of the Executive and Legislative Branches of government.

The assistance and support of the Executive and Legislative Branches in a budget and staff building process were sought and obtained. Appropriations increased from $4.4 million in FY 1971 to $8.9 million in FY 1975. The Commission's authorized ceiling of permanent positions for the same period increased from 255 to 400.

Concurrently with the budget and staff building process, consideration was given to the whole question of improved management and organizational effectiveness. Previous management studies and executive reorganization plans in which recommendations had been made but never adopted were reviewed.

At the Commission's request, the Office of Management and Budget brought together a group of experts from the Civil Service Commission and other departments of the Federal Government to assist in analyzing the Commission's internal organization and administrative and management procedures. The report of this expert group was submitted to the Commission for its consideration.

Upon further analysis of this and other reports, the Commission instructed the staff to develop a reorganization plan designed to meet specific needs. As the Commission was about to take action on these recommendations, the Congress began its consideration of legislation which ultimately became the Trade Act of 1974. The Chairman of the Senate Committee on Finance requested the Commission to defer action on any internal organization decision until the Congress had worked its will on the Commission's statutory functions, and it had had the benefit of the views of the General Accounting Office.[1] We have been advised that the General Accounting Office has completed its review, and the report of the Comptroller General has recently been forwarded to the Senate Finance Committee.

While reorganization was aimed at the long-range overall improvement of the agency's operations, it was necessary for the Commission to take a number of actions that enabled it to conduct more efficiently its day-to-day operations within the existing organization. The Commission established the position of Executive Director and delegated to that office extensive responsibilities for internal administrative minutiae which gave the Commission more time to devote to substantive policy.

An Office of Personnel and Management Systems was established. That office has enabled the Commission to improve personnel management and to assure compliance with Civil Service Commission regulations and requirements, thus meeting the criticisms that had been made by the Civil Service Commission. This has resulted in major improvements in the Commission's recruitment techniques and procedures, and enabled the Commission to meet its personnel needs more expeditiously.

A survey and review was also made of the Commission's records management capability with assistance from the National Archives and Record Service. This review disclosed a number of deficiencies, which are being corrected.

Historical records and other records not needed on a current basis have been transferred to Archives.

Important steps were also taken to improve the working environment for Commission employees, including building renovations and an upgrading of office space and facilities and an overall improvement of employee work conditions. Internal communications have been improved. Greater use has been made of automatic data processing, microfiche, and other mechanical aids to improve the quality and capability of the Commission's work and to improve work productivity.

While taking these steps, work continued on the long-term goal of improving and strengthening the Commission in all areas of responsibility. Requests were made and approval was given by the General Services Administration and the Congress for a major renovation of the Commission building which is designed to bring the building up to Federal standards in all respects. All the necessary preparatory work has been done, and the course of direction has been set on the $5.7 million program.

One of our major goals, that of the efficient reorganization of the agency has not yet been accomplished. In our judgment, this is essential if the Commission is to carry out its responsibilities efficiently and to provide the assistance to the Congress and the President that is expected. As heretofore indicated, our work in this respect was interrupted, but the major studies and analyses have been completed. The problems have been identified, and the course of the direction is clear. As soon as the report is received from the Comptroller General and the Commission has heard further from the Chairman of the Senate Finance Committee, it will be in a position to complete its reorganizational task.

In our judgment, with improved reorganizational effectiveness, the Commission can establish and maintain a higher state of readiness and be in a position to provide the Congress and the President with timely advice and economic foresight on the complicated issues relating to international trade.

[1] The Commission had earlier requested assistance from the General Accounting Office but was advised that it would not be able to respond because of its pending workload.

THE LEGISLATIVE BRANCH APPROPRIATIONS ACT, 1976

Mr. MUSKIE. Mr. President, the Senate on July 22 considered and passed by voice vote the conference report on H.R. 6950, the Legislative Branch Appropriations Act for 1976. This report was well within the budget resolution, and I believe it would be useful to set out for the RECORD the details. This bill includes appropriations for fiscal 1976 and the transition quarter from July 1, 1976, to September 30, 1976, for the Senate, the House of Representatives, joint items of the Senate and the House, the Office of Technology Assessment, the Architect of the Capitol, the Botanic Garden, the Library of Congress, the Government Printing Office, the General Accounting Office, and the Cost-Accounting Standards Bureau.

The conference report provides for appropriations totaling $827.5 million for fiscal 1976 and $207.4 million for the transition quarter to the new fiscal year. This compares with requests submitted in the President's February budget, and taken into consideration during the preparation of our congressional budget resolution, aggregating $835.9 million for fiscal 1976 and $209 million for the transition quarter relating to the items in the legislative branch appropriations

bill. Thus, the conference report constitutes reductions of $8.4 million and $1.6 million for fiscal 1976 and the transition quarter respectively when compared with the budget resolution.

After the President's budget was submitted in February, revised budget requests increased the total requests considered by the Senate Appropriations Committee to $838.2 million for fiscal 1976, and $209.7 million for the transition quarter. The conference report recommends reductions of $10.7 million and $2.3 million for fiscal 1976 and the transition quarter respectively when compared with these revised budget estimates. With respect to outlays, comparable reductions will occur.

So that we can tie together the report of the conferees with the scorekeeping efforts on the part of the Senate Budget Committee of which I am chairman, let me say that the revised budget requests for the legislative branch appropriations totaled $853.7 million, when a $15.5 million item for the site acquisition for a Government Printing Office facility is included.

This request was withdrawn before the Senate Appropriations Committee considered this bill. The Senate Appropriations Committee considered requests for $838.2 million for new budget authority for fiscal 1976, and as the conference report shows, this report now before us represents a $10.7 million reduction in those requests.

The aggregate budget figures in H.R. 6950, the Legislative Branch Appropriations Act, are distributed over three functions of the budget. The Office of Copyright Funds are in function 400 and are about $7 million, the items for the Library of Congress except the Office of Copyright and the Congressional Research Service are in function 500 and total about $93 million, and the other items in this bill for the legislative branch including the Congressional Research Service are in function 800 and total about $727 million.

I am pleased that the amounts recommended by the conferees come within the target totals which the Congress adopted in the first budget resolution. While that resolution did not attempt to establish mandatory functional ceilings for the budget, the budget committees of the Senate and the House did have functional totals to serve as guidelines for the Congress and to provide a benchmark for the second concurrent resolution.

I point this out so that we may keep in mind as we move toward the second concurrent resolution that we must carefully put together the pieces of spending authority in order to achieve the goals we adopted on May 14 in the first concurrent resolution. The process is new, but it is working far better than most of us could envisage only a few short months ago. It is working because of the devotion of the members of the committees to the disciplines inaugurated under the Congressional Budget Act of 1974.

So, I compliment the Senator from South Carolina (Mr. HOLLINGS) and his colleagues on the conference committee for bringing in a bill that is within the budgetary ceilings established in the first concurrent resolution.

MERIT SYSTEM WINKS AT POLITICAL KLUNKS, HASSLES THE QUALIFIED

Mr. BROCK. Mr. President, the Federal Government seems somewhat on a par with rabbits—it keeps multiplying. We continue to heap program upon program, and the number of employees of the Government keeps growing in order to keep up with the new additions. It is certainly a time when we need qualified professional people to supervise our agencies while Congress attempts to wade through the mess and cut out waste. All too often, the hiring of such professionals can be a long and tedious undertaking.

In an article writtel by Leonard Reed of the Washington Star, the troubles of respective Federal agencies in hiring professionals is amply explained. The article is entitled "Merit System Winks at Political Klunks, Hassles the Qualified." I ask unanimous consent that this article be printed in the RECORD.

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

"MERIT SYSTEM" WINKS AT POLITICAL KLUNKS, HASSLES THE QUALIFIED

(By Leonard Reed)

Back in 1940, while in graduate studies, I regarded the merit system of the federal civil service with a degree of awe. Yes, we knew that the system, which had been established to encourage the growth of a career federal service safe from political raids, had developed certain infirmities. But, still.

Thirty-five years later, and having recently left the federal service, I read with a different perspective of agencies under investigation for attemping to bypass the merit system in their hiring practices.

My career was not in administrative circles but in government's fourth estate. My experience has been almost entirely with one agency, the United States Information Agency, but I have no reason to believe that that agency's relationship to the merit system is unique among government agencies. Nor do I think the hiring of editorial people differs much in process from hiring a number of other kinds of craftsmen.

It was my experience that when talented writers, editors, announcers, photographers, etc., were hired at USIA, it was invariably after the Civil Service Commission had tried to prevent the recruitment or else had been too tired to make much of a fuss. Too often, unfortunately, the obstruction was sufficiently stubborn and persistent to cause the loss of the talented prospect.

As a result, in addition to a core of superior people, USIA over the years has come to carry on its payroll enough incompetent "professionals" to constitute a sizeable imposition on the American taxpayer. That the Voice of America still manages to maintain fairly high broadcast standards and that other elements of USIA still can turn out some creditable products is due not to the hiring accomplished through the so-called merit system but to the doggedness of a few qualified professionals and their efforts in bypassing that system.

The good motives of the people who man the civil service apparatus are not in question. The apparatus itself is woefully wrong.

Let us take a not-too-hypothetical case of a USIA magazine editor who has an opening for a photographer. He learns that Jack Smith, a fine magazine photographer formerly with *Life*, is available and sufficiently interested to fill out the necessary forms.

A couple of weeks go by and our editor asks the personnel people to whom he has given Jack's forms whether anything is happening.

Yes, he's told, it's "over at the commission."

Some more weeks go by. Jack calls up. Our editor renews his pestering.

Fact is, the personnel man tells him, the commission is being balky. It has a list of qualified candidates and it won't grant an "exception" for Smith without a "justification." One of the candidates on the list is particularly strong. . . .

So, a few days later, the personnel history of the commission's candidate arrives for our editor's perusal. He turns out to have 20 years of experience as a newsreel photographer. To the commission, a photographer is a photographer, and the editor now has to state in writing why this is not the right man for the job.

Now, mind you, no question of "merit" is involved: The newsreel man simply filled out a form, was routinely put on a list and then mismatched against a job he probably would never have applied for. More time elapses as the commission ponders the "justification," suspecting, perhaps, that it's a bureaucratic dodge to get a crony into a job. Jack Smith calls up to say, never mind, he's taken another job.

If our editor is a particularly lucky fellow something else may happen. The personnel man may call him and say, look, we've got a problem you have to help us out on. We've got this fellow the White House sent over who takes pictures—he used to work for Look or something. Can you talk to him, at least?

Our editor, who has been around, knows that the White House—any White House—indiscriminately sends people over, a good proportion of whom are klunks. If our editor is any good, he knows how to shunt the klunks off into someone else's bailiwick. But, he also knows that if he finds that one of these candidates has the right qualifications, he's going to be able to hire him on the spot. Without delay. Without one single peep from the Civil Service Commission. (It might even turn out to be Jack Smith.)

The irony, of course, is that the Civil Service Commission, which came into being to professionalize the federal service by protecting it against political influence, is obsequious before political power but fairly effective in frustrating the recruitment of qualified professionals.

So much for the hiring end of the merit system. The firing, or rather non-firing, end is too well known to need much space here. Suffice it to say that the federal worker, no matter what his degree of competence, is fireproof (except, again ironically, when he becomes a political embarrassment.) Lacking the winnowing out process of most private enterprises, the federal service becomes saturated with incompetents. The only way, then, that it can function with even a modicum of efficiency is to add more people. The competent ones will get the work done, make-work will be found and justified for the others. (At the Voice of America, we had a half-serious plan to set up two parallel broadcast systems, identical in every respect except that in one of the systems the final

scripts would be voiced into microphones which were not plugged in.)

The resultant overstaffing and low efficiency generates a nationwide scorn which, while fully justified, is excruciatingly unfair to those people who make the agencies function.

The use of the federal service as a pay-off for political favors is a criminal disservice to the people of this country. What we need is a thorough overhaul of federal hiring and firing procedures. And we can be sure that the bureaucracy will protect itself against that threat.

SOVIET OCEAN POLICY

Mr. HOLLINGS. Mr. President, as chairman of the Senate's National Ocean Policy Study, I feel it extremely important to call to this body's attention the fact that the ocean and naval policy of the Soviet Union is making ever-greater strides in its competition for world domination. An effort by the National Ocean Policy Study to examine this development resulted in the report, entitled "Soviet Ocean Activities: A Preliminary Survey," which clearly shows that within the last two decades, the Soviet Union has emerged as a major maritime nation, capable of utilizing the oceans and their resources to serve Soviet domestic and international economic and military interests.

An article in today's Washington Post by George C. Wilson further scores the need for the leadership of the United States to recognize the impact of the growth of Soviet maritime and naval power in the world. The article recounts an interview with retired Adm. Elmo R. Zumwalt, the former Chief of Naval Operations, who believes that the Soviet Navy has achieved at least a power parity with the U.S. Navy, and that Soviet Adm. Sergei G. Gorshkov is the most effective naval leader in modern times. I ask unanimous consent that the text of this article appear at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. HOLLINGS. Mr. President, it is clear from the preliminary report of the National Ocean Policy Study that such rapid and successful developments by the Soviet Union have challenged U.S. ocean interests and have been due in large measure to the high priority placed upon maritime policy within the U.S.S.R. and the centralized administration of ocean affairs existing within the Soviet Union. In comparison U.S. marine affairs policy has often been disjointed, redundant, and misdirected.

I would like to advise my colleagues that because of the great significance which should be attached to the development of such policy within the U.S.S.R., I have directed that the National Ocean Policy Study undertake a major examination of Soviet ocean policy. This work will be ably coordinated by the Congressional Research Service of the Library of Congress along with the NOPS staff, drawing upon the Nation's most eminent scholars and experts in the field of Soviet ocean policy. This report should be available in January 1976.

In addition, Mr. President, I ask unanimous consent that the principal findings of the NOPS study of Soviet policy, which was recently released, be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 2.)

EXHIBIT 1

[From the Washington Post, July 28, 1975]

SOVIET NAVY PLANS BETTER THAN U.S., ZUMWALT SAYS

(By George C. Wilson)

The retired American admiral, still a symbol of the new Navy, had no trouble answering the embarrassing question with what some might consider an embarrassing answer.

Who, Adm. Elmo R. Zumwalt was asked, has been the most effective naval leader in modern times? The former chief of naval operations—himself a widely acclaimed naval leader—replied: Sergei G. Gorshkov.

Gorshkov is commander of the Soviet navy.

Zumwalt spoke admiringly of Gorhskov in an interview in his Rosslyn penthouse office overlooking the seats of power in Washington. Gorshkov, Zumwalt said, has transformed the Soviet navy from a branch of pitiful coastal boats under the army's control to a first-class fighting force, challenging American Navy supremacy throughout the world.

The Soviet navy has progressed so far, Zumwalt said, that if the U.S. Navy he deployed during the Yom Kippur war of 1973 had battled the Soviet navy in the Mediterranean, "the odds are very high that they would have won and we would have lost."

How can Zumwalt say that about a United States versus Soviet Union battle in the Mediterranean—long an American "lake" controlled by the mighty 6th Fleet of aircraft carriers and destroyers? How can he say that when the U.S. Navy has been getting billions of dollars every year since the end of World War II—and is getting more than any other U.S. military service now?

Zumwalt's answers to those and other questions present a certain view of the Soviet navy—admittedly a hawkish view. But the recently retired admiral is freer to speak now than when he was chief of naval operations from mid-1970 to mid-1974. And he has expertise on both the U.S. and the Soviet navies—expertise that is independent of the political ambitions he has been displaying of late to run as a Democrat for a U.S. Senate seat from Virginia.

Zumwalt contended that the Soviet naval threat has been understated to the public, charging that Secretary of State Henry A. Kissinger did not reveal a Soviet ultimatum to the United States during the Yom Kippur war for fear of endangering detente.

The admiral also asserted that Congress must curb Adm. Hyman G. Rickover, deputy commander for nuclear propulsion within the Naval Sea Systems Command and a political power in his own right, or else the nation will squander its ship-building money on an overweight Navy that the Russians could defeat.

Speaking with no trace of anger or bitterness, Zumwalt disclosed why Gorshkov had the upper hand in the Mediterranean in 1973, with a statement made on May 23 by Navy Secretary J. William Middendorf II that American ships in the Mediterranean during the Yom Kippur war "gave the United States sufficient strength of military posture to discourage physical intervention."

The United States had to back down in the face of a Soviet ultimatum, Zumwalt said, partly because Gorshkov had U.S. ships outnumbered in the Mediterranean, 98 to 65, and could have attacked U.S. carriers and other warships with airplanes flying in from four directions.

Soviet planes had bases in Egypt, Syria, the Crimea and Yugoslavia—virtually surrounding the U.S. 6th Fleet in the Mediterranean—while "we didn't have a single land base in the area" because none of America's allies would allow their land or airspace to be used to help Israel, Zumwalt said.

As the Israeli troops encircled Egypt's prized 3d Army and threatened to annihilate it, Zumwalt said, Soviet leaders sent a "savage" ultimatum to President Nixon to pull back the Israeli forces or else Russian troops would rescue the Egyptians.

If Kissinger had given the American people "an accurate report of the situation at that time, Zumwalt said, "it would have indicated that detente was working very poorly."

The United States, said Zumwalt, pressured the Israelis to spare the 3d Army—as demanded by the Soviets— and the Israelis did.

Besides forcing the United States to back down, Zumwalt contended, the Soviet Union, with its strong hand in the Mediterranean, benefited from the Yom Kippur war because of:

Economic damage to the United States and its allies with the oil embargo and later quadrupling of oil prices.

The "radicalization" of Third World countries whose economic and farm policies were crippled by the high price of oil.

The opening of the Suez Canal for the Soviet navy, shortening its route to the Indian Ocean by thousands of miles.

The demonstration of the economic vulnerability of North Atlantic Treaty Organization nations and others to a cutting of sea lanes.

"The trends are going against us," Zumwalt said, despite talk of detente. He predicted Gorshkov will continue to enlarge the Soviet navy and to obtain land bases for it around the world—with Somalia, where the Russians have a missile repair facility, the beginning of this projection power.

Zumwalt acknowledged that the U.S. and Soviet navies have different missions—with American ships responsible for keeping sea lanes open and Soviet ships able to concentrate on cutting them. Thus, the U.S. and Soviet navies cannot be carbon copies of each other.

Although American ships cover more of the ocean, Zumwalt said the lighter and more varied Soviet navy is not to build big nuclear surface ships.

"It is quite clear we're spending our money wrong," Zumwalt said.

Granting that the submarine "is a different beast," and in most cases justifies the use of nuclear power, he charged that the U.S. Navy has gone overboard in putting nuclear plants in so many surface ships.

"It has been quite clear to analysts on both sides," said Zumwalt of the American and Soviet navies, "that there is a limit beyond which nuclear power ought not to go.

"But Adm. Rickover," he said, "and the nuclear-prone Congress are emotionaly convinced that nuclear power is the be-all and the end-all. The advantages have been overstated.

"Once you go beyond the aircraft carrier, it is absolutely foolish to be building nuclear-propelled surface ships."

Because of the extra cost of nuclear power, Zumwalt continued, "we give up five conventionally powered patrol ships for a single nuclear-powered frigate."

Significantly, he added, Gorshkov "has never built a nuclear-powered surface ship" for his fighting navy. But, said Zumwalt, Gorshkov has not had to contend with a Rickover, either.

"Rickover does recognize that he works for the President of the United States or the Navy," charged Zumwalt. "He works for the Congress.

"Adm. Rickover has done some very good things for the Navy, but needs to be controlled." And Congress is the only authority that can control him, he added.

Today's U.S. Navy, in contrast to its Soviet counterpart, "has too many nuclear ships" under construction or planned, "which are catastrophically overpriced," Zumwalt said.

Gorshkov's big advantage in building the Soviet navy since becoming its commander in chief in June, 1956, at the age of 46, has been his freedom to implement the product "of good analytical work," Zumwalt said.

This freedom has made Gorshkov "by all odds the most successful naval advocate" in the world today, said Zumwalt, who currently is president of Americans for Energy Independence, a nonprofit, nongovernment organization. He also is a consultant on defense planning for private research groups.

Zumwalt detailed his frustration in trying to implement "good analytical work" while chief of naval operations for four years."

Sixty days after taking office, he said, the Navy drafted and placed on the desks of then Defense Secretary Melvin R. Laird and President Nixon a blueprint for modernizing the Navy—a document called Project 60.

This design called for lightening the Navy—bufilding faster and smaller ships to cover more ocean at the expense of more giant nuclear-power vessels.

Declaring that President Nixon and the Secretary of Defense had approved Project 60—which included the nuclear-powered ships Rickover championed, an aircraft carrier, a new class of attack submarine and the Trident missile firing submarine—Zumwalt charged that Rickover torpedoed the nonnuclear part of Project 60 once it got to Congress.

"Rickover killed the sea-control ship, delayed the patrol frigate, delayed the hydrofoil ship," he said. "As a result, we got half of what we would have gotten in four years if it had not been for Rickover's obstruction. We achieved something halfway between an intelligent program and the Rickover program."

One reason Zumwalt and his backers were willing to go to lighter ships was that ship-to-ship missiles were evening the odds between the Davids and the Goliaths of the sea. Egypt's sinking in October, 1967, of the Israeli destroyer Eilath with a surface-to-surface missile fired from a torpedo boat provided dramatic evidence of the improved odds.

Another reason was their conviction that the modern U.S. Navy had to increase the number of ships it could buy with a limited budget by building smaller vessels.

"You can cut sea lines of communication with submarines," Zumwalt said of the need for a lot of ships, "but you can't use them (sea shipping lines) with submarines. As long as you have to import 69 of 72 critical resources, you have got to be able to defend surface ships."

Gorshkov knows this, Zumwalt said, and is designing his navy accordingly. Countries outside the Soviet orbit that must have raw materials will decide "you're better off making compromises" with the Russians rather than risk being cut off, he said.

"I don't see a war at all," Zumwalt continued. But Gorshkov with his navy and other Kremlin leaders with their military might will use their forces "in a very sophisticated way, forcing us to back down," he said.

Gorshkov and fellow Kremlin leaders, Zumwalt predicted will continue to push diplomatically and militarily wherever and whenever they sense a vulnerable situation for the West. Gorshkov will keep building more naval bases in the Indian Ocean and elsewhere to project Soviet power. Zumwalt predicted, and will increase the size of his naval infantry—the Russian marines.

The Soviet fleet, he further predicted, will span the spectrum from small patrol boats with big weapons to carriers with V/STOL (vertical and short takeoff and landing) aircraft to project power in Africa and Latin America.

What then does Zumwalt think should be done about the Soviet naval threat to the United States and its allies?

Zumwalt recommended increasing the annual defense budget by $10 billion to help right the military balance. He said the Soviet Union, according to Central Intelligence Agency figures, is outspending the United States by about 20 percent on military programs.

He also said Congress must reject Rickover's advice to build an all-nuclear combat Navy and must buy more conventionally powered ships with the same amount of dollars.

(A spokesman for Rickover said the admiral would have no comment on Zumwalt's statements about him.)

Under Secretary of the Navy David S. Potter said in an interview that "the global situation has changed" since Zumwalt drew his Project 60 blueprint—with the loss of Vietnam and the Navy's commitment to it one case in point.

"We're right now in the middle of a very timely reinquiry into what sizing of the U.S. Navy we're talking about," Potter said. "Our present direction is not at all that bad. In fact, I think it is pretty good."

The U.S. Navy does not need more money to combat the Soviet navy, said a longtime boat rocker and naval strategist, retired Rear Adm. George H. Miller. Instead, he argued, U.S. Navy and government leaders should look beyond the question of what kind and how many ships should be built.

"We don't know how to deal before we drop the bomb," Miller said in calling for more emphasis on economic competition, instead of military competition, to pull both powers back from the bomb.

"We have no options. Instead of trying to trade with North Korea, for example, all we talk about is dropping the bomb on them," Miller said.

Contending that the Soviet Union, by exploiting the combined leverage of its navy and merchant marine, is conquering the world without firing a shot, Miller said: "We should recognize this nonshooting war is still war" and develop a national maritime policy.

FINDINGS

1. Soviet maritime policy became global under Nikita Khrushchev and under current leadership promises to stay in the world arena and challenge U.S. preeminence.

2. Unlike fragmented U.S. maritime policy, Soviet policy unifies the many facets of ocean activities. The central unifying forces are the Soviet navy and the Communist Party of the Soviet Union.

3. By expanding all facets of its maritime capability, the Soviet Union may attain the position of overriding dominance of the oceans occupied until recently by the United States and earlier by Great Britain.

4. Now is the time for an assessment by American policy makers of the implications of future Soviet maritime dominance. If dominance in one or more facets of maritime affairs is viewed as unacceptable to U.S. interests, then, appropriate corrective or counter actions may be in order at this time.

5. While Naval developments are not discussed in any detail, the Soviet Navy is expanding very rapidly, and its naval strategy has shifted from a basically defensive posture towards inclusion of an offensive capability, appropriate for making global political impact and challenging the United States presence in many areas not contiguous to the Soviet Union.

6. Within a period of two decades, the Soviet Union has emerged from a primarily coastal fishing nation to one of the most modern—if not the most modern—of fishing nations in the world and is likely to become the dominant fishing nation of the world in the near future. In contrast, with the exception of its distant-water tuna and shrimp fisheries, the development of U.S. fisheries has been largely stagnant.

7. The Soviet merchant marine moved from the 23rd to the 6th place on the list of the major merchant fleets of the world. In contrast, the United States moved from the first to the eighth place over the same 1946 to 1974 period. Congressional and Executive action in 1970 was instrumental in stopping further decline.

8. The Soviet Union emerged from an inferior position in oceanography in the period following World War II to one of overall capabilities comparable with the United States today.

9. The Soviet Union is active in developing placer deposits of minerals on its continental shelf but is not known to have the capability to mine manganese nodules from the deep-seabed. In contrast, the United States mines only sand, gravel and shells from is continental shelf but has the technology capability to mine manganese nodules from the deep-seabed.

10. The Soviet Union has one of the most extensive continental shelves of the world. Altohugh the country produces only about a fifth of the U.S. offshore oil production, about 70 percent of the Soviet continental shelf offers good oil and gas prospects.

11. The Soviet Union is behind the United States in offshore drilling and production technology but is attempting to overcome this problem by importing capital-embodied technology in the form of drilling rigs and equipment from Western countries.

12. The Soviet Union is concerned about oil pollution, but Soviet authorities believe the offshore drilling is now so environmentally safe that "literally not even one drop of pollution-causing liquid falls into the sea."

13. The Soviet position on the Law of the Sea is consistent with that of a major ocean power with diversified interests in the seven seas. In contrast, some experts believe that during the negotiations on the Third Law of the Sea Conference, the executive branch of the U.S. Government did not at all times follow a policy consistent with the national interest of the United States as a major maritime power.

14. The Soviet Union presently lags behind the U.S. in manned and unmanned undersea research capabilities and technology both qualitatively and quantitatively.

15. The Soviet Union supports the largest fisheries-oriented marine biology and acquaculture programs in the world. The counterpart U.S. program, on the other hand, is small by comparison, although qualitatively equivalent to the Soviet program.

SOVIET POLICY FOR THE SEVEN SEAS

Traditionally, Soviet Russia has been an insular nation—introspective in its world view, coastal and river-oriented in its marine policy. This policy began to change under

the leadership of Nikita Khrushchev and, under his successor, Leonid Brezhnev, has approached the global dimensions of current U.S. and earlier British policy in scope.

In the Tsarist period, economic, military, scientific and political interests in the seas were limited to Eurasia. Russia did not have a notable maritime or naval tradition. Access to warm water ports—what Peter the Great referred to as holes in the ice—continued to be the limits of Russian external policy of expansion. Russian "Manifest Destiny" was primarily directed to the extensive land mass from the Baltic and Black Seas in the West to the Pacific Ocean and the Sea of Japan in the East. Indeed, their limited maritime ventures to maintain their coastal Eurasian positions were far from successful. The Tsarist naval and military activities in the Crimean War were not only a military failure but provided an occasion for reassessing the institution of serfdom as a justification for defeat. Later the Russian navy intruded into the Russo-Japanese War via a well publicized trip from Europe to Asia and met an inglorious defeat by Japan in the Tsushima Straits. The modest commercial and fishing activities were either coastal or used foreign bottoms.

The policy of continental land orientation was reinforced by a recurrent political strain of isolation and withdrawal. Periodically, "westernizers" pulled Russia out of its landlocked shell, but these brief interludes were overshadowed by returns of the xenophobic influence of the "slavophiles"—Russian isolationists.

The Soviet Revolution under Lenin and Trotsky looked toward an international arena for spreading Communism. However, confronted by a predominantly hostile and nonrevolutionary Western world, their successor Stalin returned to the Russian isolationist tradition with a policy he called "socialism in one country."

Thus, the current global policy of the last several decades is a new phenomenon in the long history of Russia under Tsars and Communist leaders. Yet it does not appear to be a temporary policy. Soviet plans for a global maritime policy appear to be accelerating in scope and scale. At the Twenty-Fourth Party Congress in 1971, a program for developing the world's oceans was launched in the context of the current Ninth Five-Year Plan (1971–1975). The forthcoming Twenty-Fifth Party Congress may be expected to use the upcoming Tenth Five-Year Plan (1976–1980) and the new Fifteen-Year Plan (1976–1990) as vehicles for expanding their efforts in developing the world's oceans.[1]

The current global role of Soviet maritime power may have a historical parallel with that of Victorian England in the wake of the Napoleonic Wars. The English global role represented a conscious projection of merchant and naval power in order to extend its imperial power over far-flung geographic regions. The parallel with the global role of the United States after World War II seems less apt as that appeared to be an American preeminence based on the filling of a power vacuum through many areas required by a national desire to ensure stability and foster development. The parallel with England's imperial period suggests a more persistent, conscious extension of Soviet maritime power directed toward attaining political and economic goals than would be the case if the American parallel were chosen.

The parallel with English maritime patterns suggest a Great Power rather than a revolutionary thrust to the Soviet global role. If, by seeking control or dominance of the various regions of the world, the Soviet Union acts like a Great Power, then they may be willing to compromise, negotiate, and settle for "spheres of influence." This Great Power flexibility and pragmatism might be easier to deal with than the inflexible, ideological thrust of a revolutionary, Communist, global power.

UNITARY NATURE OF SOVIET POLICY OF THE SEAS

The various facets of ocean policy have been integrated in Soviet development. Soviet leaders have considered the legal, political, military, scientific and economic aspects of the ocean as facets of a single coherent program. It does not appear to be by chance that growth in all of these interrelated areas proceeded concurrently. It is as if the high level political decision to be a global power was orchestrated with the subordinate policies for extending simultaneously the Soviet maritime, naval, scientific, and political arms of the Soviet Union beyond its continental borders.

The unification of ocean's policy comes naturally for a centrally controlled system such as that guided by the Soviet Communist Party. The close political ties among the various organizational elements of the Soviet system facilitate coordinated policy. The dominant institutional thread is the Soviet navy, which has strong influence over maritime industries. The administration of the Soviet merchant marine, fishing fleet and oceanographic vessels are very closely allied with the naval command in the Soviet Union and may be readily and directly militarized or mobilized under naval direction.[2] World War II-type militarization may still be an option for the leadership through this interlocked administration.

The Soviet leadership's plan for development of world's ocean resources is both integrated with their central economic plans and interconnected with Soviet global policy as illustrated by the following:

"The sea's economy today is determined by the fishing industry and maritime transport. The situation will change somewhat as we approach the year 2000. The fishing industry will continue to occupy the leading place in the maritime economy. According to our rough estimates, second place will be taken by the petroleum and gas industry, while maritime transport will move from second to third place. Other branches of the U.S.S.R.'s maritime economy will rise and be developed." [3]

MERCHANT MARINE

Although the Soviet merchant fleet began its expansion in 1956, the Seven-Year Plan (1959–1965) was a major take-off point for Soviet merchant marine expansion. From that date, the Soviet merchant marine grew faster in volume than the economy as a whole.[4] Prior to World War II, the Soviet Union was 23rd in world shipping (by tonnage); now it is 5th or 6th (depending on the measures used) and may rise higher; some speculate to first place by 1980.[5] The initial rationale for expansion was to provide Soviet bottoms to carry military and economic aid, Soviet commercial trade, and passengers throughout the world. The Soviet Union's global role apparently dictated the need for control of their aid and commerce in their own fleet. Another important consideration was the rising Soviet balance-of-payments deficits to hard currency nations, which were exacerbated by the cost of using foreign transport requiring hard currency payment.

Although large and growing, the Soviet merchant marine is not as diversified as they would like. Only recently have they entered the large-scale, ocean going, tanker business. Moreover, if the Suez Canal were reopened, their large fleet of small and medium tankers might now project the Soviet Union into the center of the world's tanker field.

While the rapid development of the Soviet merchant marine has been spurred by the broad need to carry military and economic aid to countries throughout Asia, Africa, and Latin America, the supply routes to Cuba and North Vietnam were responsible for a major share of the increase in the tonnage requirements for this purpose.

Marine transport has also been expanded in Eurasia. Opening of the "Northern Sea Route"—the formerly unnavigable Soviet Arctic routes—provides new opportunities for the Soviet merchant marine to expand its maritime activities in commerce between Western Europe and the Far East. Likewise, the "container bridge" stretching from the new Japanese-built Port Wrangel in the Far East to Leningrad in the West adds an overland alternative to very long set routes around the Cape of Good Hope to Europe for Japanese and West European trade.

Shipbuilding in Soviet and East European ports has been greatly expanded to support this maritime development. The Soviet concern over Polish riots in Baltic ports in December 1970 was heightened by the fact that they were building ships for the Soviet fleet, along with several other East European nations. Although some Soviet ships are still purchased abroad, they have also become a supplier of ships to other nations.

FISHERIES

Fish as a source of protein in the diet is an important part of the Soviet leadership's announced goal of raising the per capita consumption of protein. Massive imports of U.S. feed grains in recent years illustrate the seriousness of their animal husbandry program. The expanding fishing operations with large-scale equipment, such as the floating fish factories, correlates with this program. Serious discussions with the Japanese on rights to fishing waters and conservation measures highlight the importance of this industry. Perhaps in recognition of the limits of the ocean's supply of fish to meet this protein needs, Soviet nutritional plans have highlighted the need to animal husbandry (cattle, swine, and poultry). Still the current Ninth Five-Year Plan calls for an increase in per capita output of meat and meat products by 23 percent and fish and fish products by 43 percent.[6] If successful, the improved availability of protein products projected for 1975 per capita would only place the Soviet citizen at a rough par with his East European counterpart and about one-third the American level.[7]

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[1] Academician P. Bunin, *Ekonomika osvoeniya resursov mirovoga okeana* (Economics of Developing the Resources of the World's Oceans), *Voprosy ekonomiki*, No. 11, 1974, pp. 55–67.

[2] T. Reitz. "Soviet Defense-Associated Activities Outside the Ministry of Defense," *Economic Performance and the Military Burden in the Soviet Union*, Joint Economic, GPO, Sept. 1970, pp. 144–148.

[3] S. Mikhailov, review article in *Voprosy ekonomiki*, No. 7, 1972 of *Mirovoi okean i chelovechestvo* (The World's Oceans and Mankind), Moscow: "Ekonomika" Publishing House. 1969.

[4] Nicholas Shadrin, "The Soviet Merchant Marine, A Late Developing Economic Growth Sector", *Soviet Economic Prospects for the Seventies*, Joint Economic Committee, GPO, June 1973, pp. 719–765. J. L. Moulton (ed.) *Brassey's Annual: The Armed Forces Yearbook, 1973*, New York, Praeger, 1973, p. 136.

[5] Reitz, *op cit.*, p. 145.

[6] N. K. Baibakov, *Gosudarstvennyi pyatiletnyi plan razvitiia narodnogo khoziaistva SSSR na 1971–1975 gody*. (State Five-Year Plan for Development of the U.S.S.R. National Economy for the Period 1971–1975). Moscow, Gosplan, April 1972), p. 800.

[7] Peter Petersen, "U.S.-Soviet Commercial Relations in a New Era," Washington, U.S. Department of Commerce, August 1972, p. 2.

RESOURCES OF THE SEABED

Offshore development of energy and metal resources is to expand sharply in the next ten to twenty years. Offshore development of oil and gas is now underway near Sakhalin Island in the Pacific. Industrial cooperation in this area among the Soviet Union and Western companies is likely; foreign capital and technology will be paid for with oil and gas. Petroleum products have in the past been the major hard currency earned for the Soviet Union. With natural gas—from their continental shelf and elsewhere—the Soviet Union will attempt to reduce their chronic balance-of-payments deficit.

A wide range of metals are thought to be located in the coastal areas.[8] These may likewise enter foreign commerce if economically available.

The Soviet Union has become a leader in physical oceanography. This application of Soviet science may correlate with naval interests in possible submarine operations. The oceanographic efforts coordinated by the Soviet Academy of Sciences also benefit their merchant marine and fishery industries.

NAVAL EXPANSION

Admiral Gorshkov, in the special series of articles published in 1972 and 1973, in their authoritative naval journal *Morskoy sbornik* argued for a larger and more diversified Soviet fleet. According to his central concepts, this fleet would have the capability not only for defensive roles around the periphery of the Soviet Union, but also for an offensive capability appropriate for making a global political impact and challenging the United States presence in many areas not contiguous to the Soviet Union. The surface naval combat and support ships required by this new Soviet naval strategy imply a significant additional naval demand on scarce resources in the Ninth Five-Year Plan (1971–1975) and the year ahead. At a time when poor economic performance and rising civilian demands for resources to modernize their economy and better serve consumption needs have been acknowledged by General Secretary Leonid Brezhnev and his colleagues in the leadership, a new, substantial set of military claims on resources would seem especially unwelcome and untimely. At the same time, the appearance of the Gorshkov series after the Twenty-Fourth Party Congress and the formulation of the Ninth Five-Year Plan (1971–1975) strongly suggests that the issue was not settled at that time and even though Mr. Brezhnev and possibly Defense Minister Grechko may oppose the adoption of the full dimensions of the new naval strategy of Admiral Gorshkov, it does have support among top leaders. Although the precise resource claims of the new naval demand are not explicitly or publicly discussed by Admiral Gorshkov in the *Morskoy sbornik* series or elsewhere to our knowledge, we may assure that the integrated Soviet ocean's policy includes a major expansion of their navy.[9]

INTERNATIONAL RELATIONS AND LAW

The heightened interest of the Soviet leadership in a global oceans program has influenced their foreign policy, their position in international organizations, and their view of the law of the sea. In recent bilateral and multilateral forums, the Soviet position on many ocean issues have become more evident.

Negotiations between Norway and the Soviet Union on the status of Spitzbergen and the surrounding continental shelf provide an interesting case study of Soviet ocean policy. The full panoply of Soviet ocean interests and policies will be influenced by the outcome of these bilateral talks. In particular, the Soviets want to protect their claims to the potentially rich mineral resources of the Barents Sea and to keep foreign powers away from their major naval and maritime fleets at Murmansk. Soviet conduct in the negotiations may foreshadow new dimensions in their strategy in pursuing their interests in the world's oceans.

Soviet representatives have also played an active role in the United Nations Conference on the Law of the Sea. In this forum they appear to be faced with a dilemma on whether to support or oppose the position of small coastal states which want to increase their territorial and economic control over contiguous ocean waters. On the one hand, the Soviets are inclined to support the claims of small countries in order to gain influence in the world political arena, however, Soviet economic interests dictate a more traditional, open-seas approach to international law.

The position which the Soviet leadership takes in these forums will be influential in efforts to reach international agreements on the law of the sea. Moreover, Soviet interaction with other great maritime powers, including the United States, on issues of ocean policy is likely to have a profound impact on the future direction of East-West relations.

In negotiating on the law of the sea, the Soviet Union has distinct advantages over the U.S., owing to their global, unitary, coordinated ocean's policy. In specific areas such as merchant marine, fisheries, and oceanography, as well as their dominant, dynamic naval program—the Soviet Union each year comes closer to sectoral as well as a comprehensive overtaking and surpassing of United States efforts. Just as the United States replaced the United Kingdom as the dominant world maritime power, the day is fast approaching when the Soviet Union may take over this dominant position.

[8] Mikhailov, *op. cit.*, p. 108.

[9] M. MacGwire, *Soviet Naval Policy: Continuity and Change*. New York Praeger, February-March 1974. J. Hardt, "National Economic Priorities and Naval Demand," in M. MacGwire (ed.) *Soviet Naval Policy: Objectives and Constraints*, New York: Praeger, 1975.

PROPOSED INCREASE IN FEDERAL ESTATE TAX EXEMPTION

Mr. CURTIS. Mr. President, I previously introduced S. 1173 which would amend the Internal Revenue Code of 1954 to effect three necessary reforms in Federal estate tax law. Specifically, my bill would increase Federal estate tax exemption, increase estate tax marital deduction, and provide an alternate method of valuing certain real property for estate tax purposes.

The first of these reforms would increase the Federal estate tax exemption from $60,000 to $200,000. The $60,000 figure has been a part of the law for more than 30 years and the inflation we have experienced in that period warrants such an increase. I am pleased to note that several of my colleagues have also introduced bills to increase the Federal estate tax exemption to give recognition to the effects of inflation.

Further evidence of the effects of inflation on Federal estate tax was noted in an article in the Wall Street Journal of July 9, 1975. The article cited newly released IRS figures for 1972 which show 175,000 estate flings for estates exceeding $60,000. This is a 31-percent increase over 1969, the last previous year studied. This is further evidence that the $60,000 exemption is no longer adequate in today's changing economy. I am hopeful that the Committee on Finance will act favorably on my proposal to increase the estate tax exemption when it considers the general subject of tax reform later in this Congress.

BUT WHAT ABOUT THE CONSTITUTION?

Mr. PROXMIRE. Mr. President, the prestigious Columbia Journalism Review editorialized against the Federal Communications Commission's fairness doctrine in its May/June issue. In the current July/August issue, the CJR ran three letters—one with an editor's note—commenting on that editorial.

I find it interesting that neither the editorial nor any of the letters even hinted at the fact that there have been constitutional questions raised about the fairness doctrine.

The first letter took issue with the accuracy of the editorial, and thus the editor's note. That letter did not deal directly with the fairness doctrine. The other two letters defended the doctrine. So it would be asking quite a bit for any of the letters to question whether the fairness doctrine meets the test of the first amendment. One might deduce that the editors received no letter dealing with the constitutional question, or at least none worthy of publication.

Yet, why did not the editorial itself at least allude to the first amendment? It came close. But it did not hint at the major question about government regulation of one segment of the press.

I think I ask a fair question, for the editorial speculated on why no reporter bothered to look beneath the surface of the Red Lion case. That, of course, is the case in which the Supreme Court found parts of the fairness doctrine to be constitutional. Some say Red Lion gave judicial approbation to the entire fairness doctrine.

And that's the problem, perhaps: most people believe that when the Supreme Court has spoken, there can be no questioning of the decision.

Fortunately, under our constitutional system, there can be questioning. In fact, in Red Lion the Court said that it could see the possibility of such questions being raised under certain circumstances:

> It would be better if the FCC's encouragement were never necessary to induce the broadcasters to meet their responsibility. And if experience with the administration of these doctrines indicates that will have the net effect of reducing rather than enhancing the volume and quality of coverage, there will be time enough to reconsider the constitutional implications.

And the Court indicated that if the fairness doctrine led to self-censorship that would be grounds for a fresh look at the constitutionality of the doctrine.

I will get back to that point shortly.

The CJR editorial noted how the White House had used the fairness doctrine for its own ends.

It seems elemental that if Presidents can use a government regulation to control the press that a first amendment issue has been raised. To paraphrase the editorial,

> Why, one wonders, did not the editorial writers dig beneath the surface?

One reason might be found later in the editorial, in a reference to "the public's air waves."

As I have pointed out before, there is no direct reference in the U.S. Code to public ownership of the airwaves. Also, authorities have written on this subject, including Glen O. Robinson, now a FCC Commissioner, who has called public ownership of the spectrum a fantasy.

The point is, the fairness doctrine cannot be discussed with any real depth until those questions—the applicability of the first amendment to broadcasting and the ownership of the airwaves—are dealt with seriously.

I believe I am correct in my answers to these questions, thus the introduction of my bill, S. 2, the First Amendment Clarification Act of 1975. But I know there are those who disagree with me. Right or wrong, I believe the questions must be answered.

The third letter is signed by Jeremy Lansman of Los Gatos, Calif., who is one of two signers of a petition to the FCC to limit religious and public institutional use of broadcasting, it is not surprising he does not raise the constitutional question.

But for a magazine published under the auspices of the Graduate School of Journalism, Columbia University, to fail even to allude to that question is astonishing.

The fear of self-censorship by a free press is a real one. If broadcasters do not pursue their duty to program on controversial issues of public importance because of fear of trouble at license renewal time, or a fine, or loss of their license, then that is self-censorship.

The Supreme Court has required no proof of self-censorship when dealing with libel cases. It has been presumed. All one need do is look at the decision in Gertz against Welch last year. The same is true in New York Times against Sullivan, the landmark 1964 case.

In Gertz, the Court said:

> We also find no justification for allowing awards of punitive damages against publishers and broadcasters held liable under state-defined standards of liability for defamation. . . jury discretion to award punitive damages unnecessarily exacerbates the danger of media self-censorship.

What is a fine or a threat of license loss but an unnecessary exacerbation of the danger of media self-censorship?

And note, the Court in the Gertz case included broadcasters explicitly.

True, the Gertz decision was not unanimous. But even the four dissenters—each of whom wrote an opinion—disagree only with legal points, not on the basic need to preserve the first amendment rights of the news media.

Why then is the Court so careful of first amendment rights when dealing with libel and defamation and so indifferent to them when dealing with broadcasting?

Is there really something inherently different about using the electromagnetic spectrum to give public notice to events and opinions? If there were a difference, why does the Court treat printed and broadcast material the same in their decisions on libel matters?

Playing fast and loose with the truth is very serious. Yet, the Court has held that unless there is malice, a publisher or a broadcaster should not be punished for it for fear of self-censorship. Yet, a broadcaster may be fined or he may lose his license for giving his own opinion or allowing others to give theirs if he does not give those holding opposing points of view time to air theirs.

It is not that a good broadcaster should not be fair. He should, of course.

But the Government has no business telling him to do so with rules and penalties that can lead to self-censorship. That is the chilling effect that supporters of the fairness doctrine deny exists.

Mr. President, I ask unanimous consent that the editorial and the letters from the Columbia Journalism Review be printed in the RECORD.

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

THE TROUBLE WITH FAIRNESS

"It was in 1963," Fred W. Friendly informs us in "What's Fair on the Air?" [*The New York Times Magazine*, March 30]. "that the [Federal Communication Commission's fairness] doctrine began to change from a vague public-interest policy to an instrument of politics and inhibition." President Kennedy wanted to make sure that the Senate would ratify the Nuclear Test Ban Treaty, and he feared that unless advocates of the treaty were given air time to state their (and his) side of the issue the treaty might not be ratified. The fairness doctrine was invoked; advocates spoke on stations to which they otherwise would have been denied access; the treaty was ratified; and, Friendly writes, "The White House believed this political use of the fairness doctrine had made an important contribution to the eventual Senate vote to ratify." The first step had been taken. In the summer of 1964, by which time Senator Goldwater had been nominated as the Republican presidential nominee, "the Democrats decided to expand the fairness doctrine effort."

A crucial part of that effort, as Friendly shows, was devoted to investigative reporter Fred Cook's attempt to win in court the right to air a reply; he had been attacked by the Rev. Billy James Hargis in a program broadcast, among other places, on radio station WGCB, in Red Lion, Pennsylvania. It has not been generally known that Cook's effort, eventually successful, was politically inspired, backed by the Democratic National Committee, and aimed at conservative commentators. Yet the Red Lion case received wide coverage, and it developed over a long period—from November 1964, when Hargis delivered his attack, until June 1969, when the Supreme Court upheld the FCC's right to order WGCB to grant Cook reply time. Why, one wonders, did no reporter dig beneath the surface during the five years? The failure illustrates the need for journalism to do more investigating within its own ranks.

As luck would have it, of course, once such political usage of the fairness doctrine had been established by Kennedy and Johnson, it became available to Richard Nixon, who sought to apply it in retaliation for news coverage he didn't like.

Richard E. Wiley, chairman of the FCC, has been quoted as saying that "there is no question that [Friendly's] disclosures will provide ammunition for those who oppose the fairness doctrine." We, meanwhile, cannot fault the goal of the doctrine, which requires broadcasters to "afford reasonable opportunities for opposing viewpoints . . . [and] devote a reasonable amount of broadcasting time to the discussion of controversial issues." We question, however, whether any administration can long resist the opportunity of interpreting "reasonable" in a self-serving way. Further, we question whether it is still valid to regulate broadcasting in a way very different from the print media.

The underlying premise for FCC regulation is that the air, like a pie in the sky, can be divided into only so many slices, whereas newspapers can proliferate with the sort of wild abandon denied radio and television stations. The limits of the public's air waves were thought to justify such regulation of broadcasters. This may have been a persuasive argument in 1949, when the FCC first required broadcasting licensees to adhere to the fairness doctrine. Now, however, in metropolitan areas certainly, and in much of the country outside of the cities, radio and TV stations greatly outnumber, and out-earn, newspapers.

FAIR TO FAIRNESS?

TO THE REVIEW: As a regular reader of the *Columbia Journalism Review*, which I find useful, informative, and usually right on the button, I was a bit distressed to open your issue of May/June 1975 and to note that, under the heading, "The Trouble With Fairness," you have swallowed quite whole Fred W. Friendly's version of what has come to be known as the Red Lion case. (Mr. Friendly's original article, "What's Fair on the Air?", appeared in *The New York Times Magazine* of March 30.)

The Red Lion case stemmed from an article which Fred J. Cook wrote for *The Nation*, and which appeared in our issue of May 25, 1964, entitled "Hate Clubs of the Air." Subsequently Mr. Cook was subjected to personal attack by Billy James Hargis in a syndicated radio program which was broadcast by, among many other stations, WGCB in Red Lion, Pennsylvania. Mr. Cook demanded the right of reply, which WGCB refused. He then—acting entirely on his own behalf, and employing his own attorney at his own expense—sued the station under the fairness doctrine; the case through subsequent appeals wound up before the Supreme Court some five years later, which confirmed Cook's right to a reply under the law. Cook throughout was acting as an aggrieved private individual, and not on behalf of the Democratic National Committee or of anyone else. . . James J. Storrow, Jr., Publisher, *The Nation*.

(NOTE.—We know of no challenge to Fred Friendly's report that the Democrats sought, in 1964, to use the fairness doctrine to counter right-wing radio propaganda. And all parties agree, we believe, that Fred Cook, an able free-lance, was recruited to join the Democratic National Committee's propaganda effort. Cook was paid as a researcher. Radio broadcasts based on his research attacked the Rev. Billy James Hargis, among others. One program ties Hargis to the John Birch Society, another attacks his political gospel.

The question in dispute here: was Cook's suit against radio station WGCB, in Red Lion, Pennsylvania, a suit that sought the right to reply to Hargis, "politically inspired" as CJR said?

Cook says he was outraged when Hargis personally attacked him, and that his personal desire to respond led him to file suit. We see no reason to doubt this. It is also true that Cook had earlier helped the Democrats to attack Hargis. Cook's partisan work may have encouraged Hargis's attack; it certainly provided Cook with information about Hargis and his radio program. CJR did not intend to suggest that Cook was acting on orders, or contrary to his own desires. But we continue to believe that there is no clear line between the political effort and the personal

feelings that led, within months, to the suit.—The Editors.

SIR: The question of whether it is "still valid to regulate broadcasting in a way very different from the print media" is being asked more often these days. . . .

The need for government regulation is perceived because without a type of allocation process, no radio service can be functional. I would argue that as long as station licenses are granted and or renewed by a politically appointed FCC, the fairness doctrine should and must be available to counter that bias in selection and prevent that bias from going unchallenged in broadcasts. If the industry will come to accept a market system of periodic action of broadcast rights and so guarantee the opportunity for diverse interests to gain access to broadcast time, then we can question the necessity of the fairness doctrine.—Peter B. Thomas, Portland, Maine.

SIR: Although the fairness doctrine may not be God's gift to free speech, your "Comment" writer (May/June) has made a false comparison betwixt broadcast and print. The fallacious argument holds that we have more broadcast stations than daily newspapers. Maybe so. But the 8,708 (November 1974) total number of broadcast outlets cannot hold a candle to the plethora of diverse book, magazine, and specialty newspaper (not to speak of weekly and limited circulation daily) publishers. Not only that, but the reader can choose from publications printed almost anywhere in the world. But how can I ever get to see and hear the fearless BBC documentaries, the fantastic CBC folk and serious music specials, and BBC radio historical dramatizations? I have to go there.

You can bet that if we limited the total number of U.S. publishers to 8,708, we would have no Columbia Journalism Review and all the ideas you offer us would be lost to the reading public.

Well, you might guess that the very reason most U.S. broadcasting is bland, tasteless, and cowardly before controversy is the limited number of broadcast licensees.—Jeremy Lansman, Los Gatos, Calif.

THE CRISIS OF DEMOCRACY

Mr. BROCK. Mr. President, Mr. James Reston has recently written an excellent article entitled "The Crisis of Democracy." 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:

THE CRISIS OF DEMOCRACY

(By James Reston)

WASHINGTON.—It is hard to travel in Europe these days, or even to live in Washington, without recognizing that liberal democracy is now in serious trouble in the world. We are living in a time of widespread doubt about the capacity of free societies to deal with the economic, political and philosophical problems of the age.

Wherever you look, the leaders of the Free World seem to be overwhelmed by the complexities of modern life, baffled by the demands of special interest groups, and inclined toward autocratic methods in handling their dilemmas.

In France, President Valery Giscard d'Estaing is dining with the peasants and encouraging debates in the Chamber of Deputies on foreign policy, all of which looks good on the government-controlled French television. But meanwhile, he is weakening the civil service at the Quai d'Orsay and centralizing the control of foreign and domestic policy in his own hands, with the help of two or three loyal powerful lieutenants, at the Elysee Palace.

In Britain, Prime Minister Wilson has the opposite problem. With inflation running in his country at 25 per cent a year, the highest in Europe, his Labor government cannot even get the cooperation of the labor unions to abide by their "social contract" in the national interest.

In Italy, the situation is even worse. The country is going broke under a weak democratic coalition, and the Communists in the major cities are winning at the polls and insisting that the country cannot be governed against them or without them.

In Spain, after more than a generation of Franco's dictatorship, the forces of liberal democracy are crying for freedom, but across the border in Portugal, the "forces of freedom" are so divided and vicious with one another that the people are almost longing for the "order" of Salazar's dictatorship. All this is being watched in Madrid with the uttermost care.

So there is a kind of counterrevolution against liberal democracy now going on in the world. We may not like this trend; or even admit it, but the liberal democracies are obviously in trouble with the voters. Even President Ford is now governing with a combination of vetoes and good intentions. The Europeans like him, because he is so plain and candid, compared to Johnson and Nixon, but the question they have been asking in the last few weeks is what will the American people do in the 1976 election? Europe is clearly hoping for a new beginning.

Secretary of State Kissinger fascinates and baffles the political leaders of Europe. He talks about the "defense of Western civilization." He argues for a new alliance in defense of Western ideals, and he rebukes the Europeans for trifling with America's fidelity to NATO.

They should not think, Kissinger said in Atlanta the other day, that they are "doing us a favor by remaining in alliance with us." They should listen to his words, he said, for they were chosen very carefully.

"Any ally," he said, "whose perception of its national interest changes will find us prepared to adapt or end our treaty relationship. No ally can pressure us by a threat of termination; we will not accept that its security is more important to us than it is to itself."

On the 30th anniversary of the end of the last World War and the beginning of the United Nations, this was a bold and startling warning to the allies, but scarcely a newspaper in the United States printed the text of his speech, and the following day the White House said he didn't have any nation in mind, particularly, and was not threatening anybody.

So, obviously, there is considerable confusion within the Alliance, and not only within the Alliance, but within the Executive branch of the American government itself, and between the White House and the State Department and the Congress.

This confusion in the democratic world seems to be general. India is just the latest symbol of the point. Confronted by frivolous charges, Prime Minister Gandhi imagined a crisis and then created one, not only for herself, but for the whole democratic ideal. In the process, she has not only hurt herself, and India's experiment with democracy, but has proved that women are almost as stupid as men, and probably put back the women's liberation movement by almost a generation.

It is interesting, amidst all this turmoil in the western world, how much officials in Europe still look to America for answers to this crisis of democracy and capitalism. They are pessimistic about the inflation, unemployment, and monetary chaos in the West, but they still keep asking what Washington is going to do about this, and particularly in the next election.

Will there be a new start next year in the United States, they ask? Is there another creative American political mind like that of the two Roosevelts or Woodrow Wilson, or is there a young man like Kennedy in the campaign of 1960 who has some vision of the world of the Eighties?

The West is looking for answers to these shortcomings of liberal democracy and particularly it is looking to the United States for suggestions, but so far in Washington we have no optimistic answers to give.

TRIBUTE TO MAY CRAIG

Mr. MUSKIE. Mr. President, the death of May Craig was a loss for American journalism and the American people. It was a personal loss for me.

In 40 years as a reporter in Washington she became both loved and respected by the people she wrote for, and the people she wrote about.

Her school marm looks cloaked a brilliant mind, a tenacious and peppery manner, and a sensitive and generous heart.

It was the very qualities of persistence and tenacity which endeared her to both her news sources and her audience. She asked tough questions, and she often got revealing answers. She was determined to know what we knew, and in the process she became a great friend.

Those of us in the Maine congressional delegation had a special relationship, and a special friendship, with May. As a reporter for Maine newspapers she was in daily touch with members of the delegation.

Our contact taught me a great deal about journalism, and as a freshman Senator, I felt I learned at least as much from her as she did from me.

I will miss May Craig, along with thousands of her friends.

Mr. President, I ask unanimous consent that several letters from Maine people, a portion of the transcript of "Meet the Press," July 20, two newspaper articles on her death, and a series of articles which appeared on her retirement 9 years ago, be printed in the RECORD.

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

EXCERPT FROM "MEET THE PRESS," JULY 20, 1975

Mr. SPIVAK. Before we introduce our guest, I would like to pay tribute to Mrs. May Craig who died last Tuesday. For many years before she retired in 1965, she was one of the star panelists on Meet the Press and made an important contribution to the program.

Mrs. Craig was a reporter of sterling integrity, an informed and penetrating questioner, and a fine human being. Her legion of friends won't soon forget her. I know I never will.

BOOTHBAY HARBOR, MAINE,
July 24, 1975.

DEAR ED: May Craig was known by millions of Americans as a colorful and courageous political reporter and news personality. She was recognized as a scrappy little lady who persevered in her questioning of the great and near-great until the truth emerged.

During my service as a member of the U.S. House of Representatives from the State of Maine, I saw or spoke to May nearly every working day and developed a great respect and warm affection for her.

It was my privilege to have her as a guest in the House dining room after she had been retired for some time. And it made me very proud to see so many members of the House stopping by our table to pay their respects to "Miss May."

She was a unique worman in many ways. May was a woman's liberation leader decades before the movement became popular. She served her newspapers and our nation with great distinction.

With best wishes.

Sincerely,

STANLEY TUPPER.

NATIONAL TRANSPORTATION SAFETY BOARD,
Washington, D.C., July 24, 1975.

Hon. EDMUND S. MUSKIE,
U.S. Senate,
Washington, D.C.

DEAR ED: The death of May Craig marks the passing of an era. She was a unique newspaper reporter.

Even though May was a North Carolinian by birth we, in Maine, came to think of her as a "native." In recalling my contacts with her over the years I served as Governor of Maine, I especially remember the 1960 convention in Chicago. I never had to leave word at the hotel desk for morning wakeup calls knowing I could thoroughly depend on May to faithfully call between six and seven o'clock each and every morning to question me on the views and position of the Maine Delegation relative to candidates and platform. Soon I came to learn that she would not be deterred from her goal of securing every bit of news available. Her tenacious pursuit of the news, however, was always characterized by fairness and responsibility.

Once at a large dinner meeting at San Francisco I was truly amazed. All of the public figures and top leaders of the country were there—May knew each and every one of them and they, in turn, knew her. She had truly made her mark in the world of journalism. Her challenging and determined manner brought her instant recognition.

Maine and the Nation were fortunate to have had May Craig reporting the news and I consider it an honor to be counted among her friends in tribute to her memory.

Sincerely,

JOHN H. REED,
Chairman.

FEDERAL MARITIME COMMISSION,
Washington, D.C., July 23, 1975.

Hon. EDMUND S. MUSKIE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR: May Craig was a unique person, the modest possessor of a unique talent in the field of journalism. Her death leaves a void in the fourth estate of the Nation's Capitol. She was a lady dedicated to her profession who recognized and appreciated the importance of the news media.

She was unique in many ways, a lady who worked diligently gathering news for the Gannett publications of Maine. From the modest amount of news generated from the Maine State Society to the international news emanating from the Presidential press conferences, she covered them with accuracy and detail.

Truly, May Craig was a journalistic pioneer, a friend of Presidents, admired because she was always herself. She will be missed by those of us who enjoyed the genuine pleasure of her company.

With every best wish, I am

Sincerely,

JAMES V. DAY,
Commissioner.

RAILWAY PROGRESS INSTITUTE,
Alexandria, Va., July 18, 1975.

Hon. EDMUND S. MUSKIE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MUSKIE: As per conversation, in any tribute given to May Craig, I would much appreciate any use you might give for a few humble observations from one who was privileged to know and admire her over the years.

Fresh out of Bates College in Senator Muskie's Class of 1936, I went with the Portland Maine Press Herald as a cub reporter starting in 1937. I shall never forget the inspiration I immediately got from May Craig, then the Press Herald's Washington correspondent. I was terribly fascinated by the columns she would send from Washington and particularly the great specific detail which embroidered her descriptions of the events she was reporting. I sensed that somehow Mrs. Craig must be a great human being to make her columns come to life with such warmth and reality.

When I came to Washington for 16 years service in the Federal Government, I came to know May personally and found my highest hopes were exceeded. As I worked for seven Cabinet officers in the years until 1965, I had frequent contact with May in helping her cover events of interest as well as backgrounding for appearances of key officials on Larry Spivak's "Meet the Press" program. I endorse with all sincerity the very warm and deserved tribute which Larry has told me he plans to use on the opening of the July 20 "Meet the Press" show. On its programs, May used to tell me she would boil her questions down into the fewest possible words which would get at the heart of the problems that the guest of the day was encountering. Every encounter with May left all of us a little richer.

My good Skowhegan, Maine-born wife, Emily, and her mother, Mrs. Eula Weston, former Chairman of the Maine State Racing Commission, always appreciated May's wonderful small dinner parties at her Rhode Island Avenue home—which she always thoughtfully concluded with grapefruit for those who were diet-minded.

I did not see as much of May Craig after she retired in 1965 inasmuch as that same year I became President of the Railway Progress Institute, the trade association of some 200 companies, representing the nation's manufacturers of freight cars, locomotives and everything railroads buy. Not seeing as much of May was a real loss.

In addition to being a great human interest reporter, she also had the sharpest political instincts of any reporter on the Washington scene during her time. She was a great lady, a great reporter. She will long be missed.

Sincerely,

NILS A. LENNARTSON.

[From the Bangor Daily News, July 16, 1975]

MAY CRAIG, 86, JOURNALIST TO STATE AND NATION, DIES

WASHINGTON.—May Craig, a familiar figure on the Washington news scene for more than three decades, died Tuesday in a Maryland nursing home after a long illness. She was 86.

"Unchangeable May," to those who knew her well, was famous for her penetrating questions at presidential news conferences and for her Easterbonnet-type hats. Until her retirement 10 years ago, she was the Washington correspondent for the Portland Press Herald and other Guy Gannett newspapers in Maine.

"The essence of femininity with an ability to get to the heart of the burning issue of the day," was how one newsman described her.

Her career spanned five administrations, from Franklin D. Roosevelt to Lyndon B. Johnson, and her terrier-like tenacity at presidential news conference was legendary.

When President Roosevelt once described columnists as "an unnecessary excrescence on our civilization," she reminded him that he had a columnist in his own family—his wife, writer of the column, "My Day."

On another occasion, after he was asked a nettlesome question by Mrs. Craig, Roosevelt replied: "May, you must have stayed awake all night thinking up that question."

"As a matter of fact, I did," she shot back.

She gained national exposure through frequent television appearances on "Meet the Press," wearing the flowery hats that became her personal trademark.

One magazine described Mrs. Craig as "the small woman who always gets to the front row." The representative of the Maine media was also characterized as having "a mind as sharp as cider vinegar, as retentive as a lobster trap."

When not covering a war, flying around the world or over the North Pole, she did a radio program called "Inside Washington" which was broadcast over Maine stations.

Mrs. Craig was brisk in manner, and with her unbobbed hair tied in an old-fashioned knot, she looked like the stereotype of a precise school teacher.

Born Elisabeth May Adams in Coosaw, S.C., in 1888, she moved to Washington at the age of 12. Eight years later, she married Donald A. Craig, then Washington bureau chief for the old New York Herald.

Mrs. Craig began her news career in 1924. In addition to the Maine newspapers she worked for, she wrote pieces for the old New York World and newspapers in Montana, and North Carolina.

At the time of President Woodrow Wilson's inauguration, she marched in a suffragist parade, and she continued to be a strong feminist who believed in equal rights for men and women.

She protested that dues-paying women members of the White House Correspondents' Association were not permitted at the organization's stag dinners traditionally attended by the president.

As a founding member of Mrs. Franklin D. Roosevelt's press conference association, limited to women, she was the only one to vote approval of a man's application to attend the former first lady's White House news conferences.

Mrs. Craig was exceedingly proud of her firsts as a newspaperwoman.

She was the only woman to go with President Harry S. Truman's party to conferences in Mexico City, Ottawa and Rio de Janeiro in 1947. But she lost her battle to return from Rio with male reporters aboard the battleship Missouri because of the "no women" Navy regulations.

One of her victories in the first for equality for women came after the Senate Rules Committee heard her demand for a powder room to be used by female reporters in the congressional press gallery.

Mrs. Craig held numerous honors in her profession, and was a former president of the Women's National Press Club.

She is survived by two children, Betty C. Clagget of Wheaton, Md., and Don Craig of Bethesda, Mr., four grandchildren and two great-grandchildren.

[From the Portland (Maine) Press Herald, July 16, 1975]

NATION'S LEADERS PAY TRIBUTE TO MAY CRAIG

(By Donald R. Larrabee)

WASHINGTON.—President Gerald Ford and Vice President Nelson Rockefeller led a chorus of official tributes Tuesday to May Craig, recalling her dogged questioning at

press conferences and her peppery dominance of Washington journalism for four decades.

The President, calling her a "pioneer in American journalism," said he was saddened to learn of her passing.

"A reporter for some 40 years, Mrs. Craig spent most of her career here as a respected Washington correspondent," the President said. "Although Mrs. Craig was retired for a number of years, her influence on national and local journalism will not be forgotten. She will be remembered for her integrity and dedication to her profession.

"Mrs. Ford and I offer our condolences to her family."

Vice President Rockefeller said May Craig's death "is a loss to journalism and to the American scene." He added: "She was a reporter of high integrity and skill. Moreover, she was for decades a newsworthy figure in her own right, remembered with affection by all who knew her."

Mrs. Craig died early Tuesday at a Silver Spring, Md., nursing home. She was 86.

Senate Democratic Leader Mike Mansfield of Montana paid tribute to May Craig as "one of a vanishing breed."

"I knew her and admired her. I had great affection for her. She was a real pro. She asked the questions that had to be asked and she got the answers or knew the reason why. I feel a sense of deep loss, professionally and more important, personally. She was a great lady," said Mansfield.

Sen. Edmund Muskie, who knew her best among the Maine delegation, recalled Mrs. Craig as "one of the most alert, persistent and visible reporters on the Washington scene, widely respected and loved by the great and the small."

Muskie added: "Her personal characteristics were annoying and endearing at one and the same time. She was peppery, undaunted in her questioning and yet one never really resented it. She had an eye for the great issues and the key figures in the unfolding scene.

"She was everywhere," Muskie continued. "She was determined to know what we knew and in the process became a great friend."

Sen. William D. Hathaway remembered May Craig for her "sense of humor" as well as her fairness and accuracy as a reporter.

"I have a lot of fond memories of her," said Hathaway. "One of the last times we were together I remember sitting on a couch in the speaker's lobby of the House when an intruder gained entry to the House floor and went racing past us through the lobby.

"May asked me if I saw what happened," Hathaway recalled. "And that ended the interview. She had a better story then."

Former Maine Governor John Reed said she had a "unique ability to secure all the facts and write them in an interesting manner."

"Her early morning telephone calls to public officials were her trademark," said Reed, "and Maine readers were better informed because of her tenacious pursuit of the news. She truly made her mark in the world of journalism."

Federal Maritime Commissioner James V. Day, a Maine native, called May Craig a "competent reporter" and said she was highly regarded by her colleagues here. "She was truly a great lady," said Day.

In more than three decades as a Washington correspondent, Mrs. Craig covered the activities—and often forthrightly criticized the actions—of five presidents, Roosevelt, Truman, Eisenhower, Kennedy and Johnson. She kept in daily touch with the Maine delegation, whose work figured in her "Inside Washington" report, and though she occasionally socialized with them in her red brick home in the capital, she didn't allow friendship to affect her objectivity about them.

Oddly, the spunky little lady who served the Guy Gannett publications came to be so uniquely identified with Maine that a 1955 magazine article described her as having "a mind as sharp as cider vinegar, as retentive as a lobster trap." But May Craig wasn't a native, and never had a home in Maine.

Elizabeth May Craig was born Dec. 19, 1888 on Coosaw Island, near Beaufort, S.C. Her father was a mechanic employed in the Charleston Navy Yard. The family moved to Washington, D.C. when May was 12. Her formal education was completed with graduation from Washington High School though 40 years later she was to receive an honorary degree from the University of Maine. At age 20 she married Donald A. Craig, then Washington bureau chief of the old New York Herald.

Some years after the arrival of their two children, Betty and Donald, Mrs. Craig broke into newspapering with a feature for the old New York World on how reticent Calvin Coolidge, then president, dictated his correspondence. Payment for the article was $2. She then began capitol coverage for the same publisher's North Carolina and Montana papers, pitching in to help with the Maine news, which her husband was then handling.

After Don Craig's death in 1935, she approached Guy Gannett, late publisher of the Portland Press Herald, Evening Express, Kennebec Journal and Waterville Sentinel. They reached an agreement. Mrs. Craig would carry on, but would devote her time exclusively to her Maine assignment.

Though her column was not widely read outside Maine, it was her pert and peppery appearances on Meet The Press that gave Mrs. Craig—and the Maine newspapers—national exposure.

In that showcase where the petite reporter always appeared with her trademark, a flowery hat, she went into verbal combat with ambassadors, cabinet members and presidential candidates. Tabbed by Time Magazine as "the small woman who always gets to the front row," she posed her nettlesome questions with a terrier-like tenacity. She herself called her queries "dodge-proof questions" and many a notable squirmed before the onslaught.

In her 33 years, she covered wars, legislative sessions, conventions and presidential campaigns. Her travels girdled the world, and individual junkets—often as a guest of the U.S. Air Force—took her to the Pacific and Japan, the Middle East and North Africa, to Canada, Mexico and Brazil.

Though her syntax was sometimes thrown to the four winds, May Craig was the indefatigable newshound who conveyed her thoughts and feelings succinctly and with candor.

She was far ahead of her time in her struggles for women's rights, and she did valiant battle in her chosen field, of newspapering, one of those most reluctant to accept women on an equal footing. She often credited Guy Gannett with giving her a foothold in the profession, but the day-to-day slogging Mrs. Craig sturdily did for herself.

She was to be "first woman" in many other areas in connection with her work. Among them: first woman to fly over the North Pole, first woman to cover the London buzz bomb raids, the Normandy campaign and the liberation of Paris, first woman to fly the Berlin airlift, first woman correspondent accredited by the U.S. Navy and first woman reporter to cover the Korean truce talks.

HER HONORS WERE also numerous. She served as president of the Women's National Press Club, received the Business and Professional Woman's Association award for distinguished service in 1952, was named for the 1956 Woman of Achievement award from the American Federation of Soroptimist Clubs, the Big M Award from the Maine State Society in Washington, the first non-Mainer so honored, was cited by the GOP National Women's Committee in 1962 for covering every GOP women's conference to that date, and was made Headliner of the Year in 1952 by Theta Sigmi Phi, professional journalism fraternity for women.

Mrs. Craig was a member of the Women's National Press Club, the Overseas Press of America and Theta Sigma Phi.

She is survived by a son, Donald Alexander Craig and a daughter, Mrs. Albert (Betty) Clagget, and four grandchildren. Funeral services will be private.

[From the Portland (Maine) Press-Herald, Dec. 4, 1965]

NEWSWOMAN MAY CRAIG SLATED TO RETIRE DECEMBER 31

WASHINGTON.—May Craig, one of America's most famous newspaperwomen and for more than 30 years the capital correspondent for the Guy Gannett newspapers of Maine, will retire at the end of the year.

Mrs. Craig, who combined penetrating questions with pert hats, for more than 3 decades has been the most widely read columnist in Maine. She covered Washington and the world for Guy Gannett newspapers in Portland, Augusta, and Waterville.

For thousands of Maine families her daily column "Inside in Washington" was must morning breakfast table reading. Although little read outside Maine, Mrs. Craig became nationally famous as a panelist on the radio and television program "Meet the Press."

Millions of Americans came to know her as the Washington reporter who could be counted upon to enliven Presidential press conferences with the pointed question, the incisive query.

Yet, though her questions occasionally rankled the famous, she was a close friend of every President from Franklin D. Roosevelt to Lyndon Baines Johnson.

And, though she asked literally thousands of questions, "I never asked a question I later regretted," she noted as her retirement neared.

Her column reflected the same penetrating quality that punctuated her questions. One column in 1964, "Decline of the United States—And Fall" attracted nationwide attention, was reprinted in U.S. News & World Report as well as newspapers throughout America.

Her travels in search of the news took Elizabeth May Craig around the world, as a war correspondent in World War II, as the first woman to fly the Berlin airlift, as a correspondent during the Korean war, and to Africa as the continent merged during the early 1960's.

Maine readers followed her byline around the world as she reported the great events of more than 3 decades.

Yet May Craig also kept a close finger on the pulse of the Maine delegation in Washington as she furnished readers with the news that most closely affected them.

Mrs. Craig said that, when she retires at the end of the year, "I'm going to take a little time off to do nothing," but few readers will believe that she'll remain inactive long. She's been under contract for some time to write a book, so there's the strong likelihood that the typewriter, which for a third of a century had recorded the events that shaped the world, will not long be stilled.

Millions of Americans who have seen Mrs. Craig on "Meet the Press" and at Presidential press conferences, have come to think of her as a Maine native. It comes as a shock to learn that she's a native of Coosaw, N.C., who moved to Washington as a young girl.

No matter. She remains Maine in Washington to many. She knows Maine intimately and news of a postmaster's appointment in Waterville received the same close attention as a Washington national story.

Now in her seventies (although she main-

tains that she'll be 50 until she dies), Mrs. Craig never slowed down. Her columns from the beginning reflected her intense interest in almost everything and anything, from renovations of the White House to the war in Vietnam.

For years she was up and on the go at 6 a.m., and Maine Senators and Congressmen quickly learned to become accustomed to a telephone call from May Craig long before they had risen from bed.

She became in time almost as famous as some of the officials she covered; more famous than most.

Married to a newspaperman, the late Donald Alexander Craig, the Washington bureau chief for the New York Herald, as well as for the Guy Gannett newspapers, Mrs. Craig became the Washington correspondent for these newspapers in the early 1930's after the death of her husband. She has two children, a son and a daughter, and several grandchildren.

She maintains a home in Washington close to the Capitol.

During her career Mrs. Craig covered the V-bomb raids in London during World War II, the Normandy campaign, the liberation of Paris, and the Korean war. Her travels for these newspapers have taken her to almost every point on the globe.

She was made a doctor of human letters by the University of Maine in 1946. She is a member of the Women's National Press Club, the Overseas Press of America, and Theta Sigma Phi.

PRAISE FROM L.B.J.

President Johnson, learning in Texas of May Craig's retirement, sent her the following telegram Friday:

"It's a long time from May to September, but May will always be May to me."

[From the Portland (Maine) Evening Express, Dec. 3, 1965]

TRIBUTE FROM PUBLISHER

Mrs. Jean Gannett Arnzen, president and publisher of the Guy Gannett Publishing Co., issued this statement of tribute to May Craig:

"May Craig has for many years been as inseparable from our parents as their nameplates. She has made them known, not only in Maine but in the Nation. Competing in an environment of top talent and strong personalities, she has had the vigor and the ability to be outstanding.

"Obviously her retirement, so richly deserved cannot be treated casually. It will leave a lonesome place in our columns. Her departure is too close to me, personally, to be dismissed in the course of business.

"She was employed by our papers by my father, the late Guy P. Gannett, when he was establishing them and laying the foundations for their success. He always believed that one of the most important contributions was employing May Craig to represent his papers in Washington.

"I shall always remember my father's great pride in his Washington correspondent and the delight he had in her success."

[From the Portland, Maine, Sunday Telegram, Dec. 19, 1965]

"NATION IS BETTER FOR THIS OUTSTANDING WOMAN"—FROM PRESIDENT JOHNSON'S TRIBUTE TO MAY CRAIG

(By Donald E. Hanson)

To imagine a Presidential press conference without May Craig is like imagining the Capital without the Washington Monument.

For May Craig, to thousands of Maine newspaper readers, is Washington. For more than three decades she's been an indelible fixture on the Washington scene.

Presidents came and went. Elections changed the faces in the city and altered the complexion of the Nation. May Craig remained.

Now that too changes, for May Craig, who with pert hat and pointed questions became one of America's most famous newspaperwomen, retires at the end of the year.

Presidents from Franklin Delano Roosevelt to Lyndon Baines Johnson came to know and respect—and occasionally chafe at one of her barbed questions—the little and unquestionable First Lady of the Washington press corps.

Although for thousands of Maine readers her column "Inside in Washington" has been daily must reading for years at the breakfast table. Elizabeth May Craig was comparatively unread outside the State, except on occasions when her comments were reprinted in other newspapers and magazines.

Her face, however, became almost as famous as those of the personages she covered.

Visitors to Washington have, after viewing the landmarks of the city, often inquired of their host: "All this is fine, but where's May Craig?" And a Sunday Telegram reporter, traveling in California, had only to mention that he worked for the Portland papers to receive the reply, "Oh, you mean May Craig's papers."

To millions of Americans she became famous as a fixture on the radio and television program "Meet the Press." She once made President Jim Carey, of the Electrical Workers Union, gulp visibly by asking: "Don't you think it un-American for a man to have to belong to a union to earn a living?"

NO ONE IMMUNE

No President was immune from the sharp May Craig question. President Roosevelt, after fielding a sharp one on three hops, asked May if she stayed awake all night thinking it up. "As a mattter of fact," shot back May, "I did."

Roosevelt, Truman, Eisenhower, Kennedy, and Johnson all come to expect the unexpected from May. President Kennedy was wise enough to realize that when a press conference began to take a dull turn that it was probably time to recognize Mrs. Craig.

Yet, if Presidents occasionally rankled at a May Craig question, none was ever able to harbor a grudge.

She was often a visitor at the Hyde Park home of President and Mrs. Roosevelt. President Johnson, perhaps better than most, came to realize the many facets of May Craig. In 1956, when the then Senator Johnson suffered a severe heart attack, each day to his hospital room was delivered a private letter from May, cheering him and informing him of the activities in the Senate.

If the pointed questions, the unusual hats or the familiar features made May Craig a celebrity, they may also to some extent have obscured her real ability as a member of the Washington press corps.

Eisenhower's press secretary, Jim Haggerty, ranked her equal to any reporter he knew, man or woman. Pierre Salinger, George Reedy, and Bill Moyers also learned she was a press correspondent to be reckoned with.

May seemed to have a knack for knowing where a story was; if she didn't intuitively know, her apparently insatiable curiosity about nearly everything and everybody led her to it.

She wrote for more than 30 years with an unmistakable crisp style that occasionally crackled with brilliance. A 1964 column on the "Decline of the United States—And Fall" became an overnight sensation, was reprinted in U.S. News & World Report and many newspapers. Thousands of readers throughout the United States sought reprints.

After an early interview with Cuba's Fidel Castro, May rightly presaged that "Pistol packin' Fidel Castro will have to lay his pistol down if he is going to do the administrative job that lies before him. He is apt to find being a statesman is more difficult than fighting."

WITH THE TROOPS

Although based for most of her newspaper career in Washington, May Craig's byline appeared over datelines from throughout the world.

She was a tenacious war correspondent in World War II, heard the deadly buzz of the V-bombs over London, later was present at the allied liberation of Paris and became the first woman to ever fly the Berlin airlift.

She was in Korea during that war; in the early 1960's toured Africa as that continent emerged.

She went where the news took her, and diplomatic doors around the world opened to let her in.

Most readers think of May Craig, who incidentally is 77 years old today, as a Maine native, yet she was born in Coosaw, S.C., one of a family of nine children.

She moved to Washington, D.C., as a youngster and high school officialdom was the first to quail before her pen. She was suspended from high school for 3 days after a piece she wrote for the school paper was judged to be disrespectful of the faculty.

She later married Donald Alexander Craig, himself a topdrawer newsman who was the Washington representative of the New York Herald in addition to the Maine newspapers.

May's Maine newspaper career was launched when she began substituting for her husband, who was ill for a time before his death. In the early 1930's after her husband's death she agreed to continue as the Guy Gannett correspondent in Washington.

Since then May's working day has begun at 6:30 a.m. and Washington officials long ago became accustomed to being awakened by an early query from May. By 8:30 a.m. she was heading toward the Capitol, the White House, or some other Government agency in search of news.

"Miss May," as President Truman called her, for years wrote her personal column "Inside in Washington" six times a week, a chore in itself. In addition, she daily covered the major breaking news as well as the more local stories from Maine's delegation at the Capitol.

Although she is retiring, she's reluctant to decide whether to retain her red brick home close to the Capitol she is so much a part of, or move nearer her son and daughter who live in Maryland.

As a woman reporter, May fought hard for the same privileges as her male colleagues, but never used her sex as a plea for special consideration. She's long argued that women should be accepted for membership in the National Press Club in Washington.

In 1947, while accompanying President Truman on a trip to Brazil, the press corps was scheduled to return to the United States with the Chief Executive aboard the battleship *Missouri*. May, barred because the Navy argued they had no facilities aboard for ladies, gave the Navy something to ponder and 2 years later was its guest on a cruise.

Once dubbed "Dynamite in the blue dress" by a fellow journalist (she customarily wears blue), it's a description that somehow doesn't quite fit. For if May Craig's questions could be sharp or her battles with officialdom blistering, her underlying personality is far more pixie-ish than vindictive.

"It hurts me," she once confessed, "to be thought of as a wisecracker. Actually, I never ask a question for any other purpose than to bring out something important."

And only recently she declared that she'd never asked a question that she'd later regretted. May has always taken time phrasing her questions, mentally closing loopholes through which the answerer might escape.

Although she has described herself as 75 percent in favor of the New Deal, May Craig

has always prided that she belongs to no political party. No matter who was in office, May was after the news.

She clashed occasionally with public officials that she covered; most recently with Maine's other famous lady in Washington, GOP U.S. Senator MARGARET CHASE SMITH. But such clashes are usually short lived.

Her century-old Washington home is crammed with mementos of a rich Washington life and frequently she hosts intimate dinner parties for a small group of friends and dignitaries.

The menu is invariably the same, half a broiled chicken, sliced peaches soaked in brandy and a green vegetable for color contrast. And the after-dinner conversation, like May's writing, is never dull.

Few Washington correspondents have traveled as widely or interviewed more foreign officials than has May Craig. From Germany's Adenauer to the Congo's Kasavubu, to Cuba's Castro, May Craig has talked to them all. Thirty articles on her tour of Africa were inserted in the CONGRESSIONAL RECORD at the request of U.S. Senator EDMUND S. MUSKIE.

She's been behind the Iron Curtain into Russia twice, has toured Latin America, flown over the North Pole, has been to Korea and South America.

Yet, Washington remained her beat and her home and to many Americans she and the capital became inexorably entwined.

To these, a Washington without May Craig just won't be the same.

TRIBUTES

Since the announcement of May Craig's retirement, letters of tribute have been pouring in. In addition to the President Johnson tribute, others have been received from:

Vice President Hubert H. Humphrey, former President Harry S. Truman, former Vice President Richard M. Nixon, Thomas E. Dewey, Barry Goldwater, Senate President Carl Hayden, Senate Minority Leader Everett M. Dirksen, Senate Majority Leader Mike Mansfield, House Speaker John W. McCormack, House Minority Leader Gerald R. Ford, U.S. Senators Margaret Chase Smith and Edmund S. Muskie, U.S. Representatives Stanley R. Tupper and William D. Hathaway, former U.S. Representatives Robert Hale and Clifford G. McIntyre, Secretary of State Dean Rusk, Secretary of Defense Robert S. McNamara, Secretary of Interior Stewart L. Udall, Secretary of Labor William Wirtz, Secretary of Commerce John T. Connor, and Secretary of Agriculture Orville L. Freeman.

THE WHITE HOUSE,
Washington, D.C., December 4, 1965.

May Craig was not only one of the first women reporters in Washington, but from the first she was one of the best.

As Congressman, Senator, Vice President, and President, I have always found May Craig to be a help and an inspiration to me.

She knows the world. More importantly, she seems to hold a stethoscope to the heart of mankind. I think she does so because she cares deeply for people and she is concerned with decency and justice.

The Nation is better for having had this outstanding women on the scene to help chronicle the events of our day.

Her friends will not forget her, and her influence will remain.

LYNDON B. JOHNSON.

[From the Portland (Maine) Sunday Telegram, Dec. 5, 1965]

L.B.J. LEADS IN HONORING MAY CRAIG

Tributes from some of the Nation's leading citizens were pouring in Sunday for May Craig, Washington correspondent for

* * * * *

The guests enjoyed a lavish buffet from a table which featured Mrs. Craig's famed hats in a symbolic centerpiece. Topping a floral arrangement was a huge hat made of shredded newspapers and teletype tape. Lifesize photographic portraits of Mrs. Craig in familiar press conference poses, including a famous Life magazine action picture last year, were on display.

The entertainment feature was a 10-minute film, prepared by NBC, highlighting some of Mrs. Craig's appearances on the "Meet the Press" television show. Veteran United Press International White House correspondent, Merriman Smith, narrated and the show's producer, Larry Spivak, added his own tribute.

President Johnson's former press secretary, George Reedy, was there; also, Jim Hagerty, a vice president of ABC, who was President Eisenhower's press chief; Mrs. Elizabeth Carpenter, press secretary to Mrs. Lyndon Johnson; and assistant to the President, Douglas Cater, and Mrs. Cater.

From Capitol Hill came Senator and Mrs. Ernest Gruening, of Alaska; Senator Joseph Tydings, of Maryland; Senator and Mrs. Stuart Symington, of Missouri; Senator and Mrs. Frank Carlson, of Kansas; Senator Eugene McCarthy, of Minnesota; Representative and Mrs. Howard Smith, of Virginia; and Mr. and Mrs. Ed Hudson. Mrs. Hudson, the former Blanche Bernier, has served for many years as secretary to Senator Smith.

Representative William D. Hathaway was unable to attend. His office said he is under doctor's orders to restrict his social activities because of a recent leg injury. Representative Stanley Tupper is in Las Vegas, Nev., on a speaking engagement and also sent his regrets.

Other longtime friends from officialdom who attended included Adm. and Mrs. W. A. Raborn (the heads of CIA); Roosevelt, Director of the President's Committee on Equal Employment Opportunity; Prof. Albert Abrahamson, of Bowdoin College; Mr. and Mrs. Edgar A. Comee (he is a former Gannett papers editorial writer, now with the Agency for International Development); Maritime Commissioner and Mrs. James V. Day, of Kennebunk; former Maine U.S. Representatives Clifford G. McIntire, and Mrs. McIntire; and Mr. and Mrs. Stephen Leo. Leo is a former political writer for the Gannett newspapers and former Government official, now in private business here.

U.N. Ambassador Arthur Goldberg, who couldn't come, sent May warm greetings and said he was going to "miss you and your extremely able and discerning reporting—as well as your unfailing sense of humor and other fine qualities. We treasure our association with you on the Washington scene."

He said he'd been trying out "the muse" and sent a long poem dedicated "To May" written by Mrs. Steven Goldstein of New York, who was not further identified.

It went:

"To May—who's retiring much too young,
I join the chorus of praises sung.
Since first you started back with Hoover,
You've been the press corps' primest-est mover.
You've livened Presidential chats.
You've made us buy our wives new hats.
You've caught us blushing, you've caught us wincing.
You've caught us when we're not convincing.
But on each story that you file,
You never fail to make us smile.
Oh, don't leave future press conferences waiting.
They depend on you for their Neilsen rating.
For you've made the toughest hem and haw—
Thank God you didn't take up the law."

[From the Washington (D.C.) Post, Feb. 15, 1966]

WINTER TRIBUTES ARE WARM FOR MAY

(By Dorothy McCardle)

For years, Washington newspaperwoman May Craig was famous for two things—her flowery hats and her prickly words. Millions of Americans laughed or gasped at the words and gawked at the hats on TV's "Meet the Press" and televised Presidential press conferences.

Last night at a reception in honor of Mrs. Craig, she wore one of her famous hats, but she hadn't a single astringent word left in her. She was so touched by all the tributes paid her that she was close to tears.

The first moment of emotion came when President Johnson arrived unexpectedly during the reception given jointly by the National Press Club and the Women's National Press Club.

As he entered the clubrooms of the NPC, he embraced Mrs. Craig and whispered at length into her ear. She was already wearing a white orchid corsage which he and Mrs. Johnson had sent her.

"What did he say to you?" she was asked.

"It was just for me," she said, and her voice quivered.

A White House aid revealed how the President had spoken warmly of Mrs. Craig on his drive over from the White House. The President told his associates that he would never forget how thoughtful she had been to him when he had his heart attack in 1955.

"She wrote to me or sent me a poem or a book every single day," the President recalled.

May said later, "I have known him for 30 years, first as a Congressman and a Senator and Vice President. I never thought of him as the President. I worried about him when he had that heart attack, just lying there."

The President produced an even more tangible gift as he walked with Mrs. Craig among the 400 guests in the crowded club ballroom. He reached into his pocket for a small gold-wrapped box. "I brought you this," he said.

Mrs. Craig was so undone as the crowd surged about her and the President that she handed it back to him to open for her.

The President fished in his pocket for his glasses so he could see to upwrap a gold bracelet, bearing a single charm embossed with the Presidential Seal. The opposite side was blank, and the President noted that it should be engraved with the date. "You'll have to pay for the date," he quipped to her.

After a 10-minute round of the ballroom with Mrs. Craig on his arm, the President left before the formal tributes began. They came in the shape of roses and hats presented by Mary Gallagher, president of the Women's National Press Club, Windson Booth, president of the National Press Club, and Jean Gannett Arnzen, president of the Guy Gannett Publishing Co. of Maine, for which Mrs. Craig was a correspondent for 35 years before she retired in December. A poetic tribute was read from U.S. Ambassador to the United Nations, Arthur J. Goldberg.

Called upon for a speech, Mrs. Craig, wearing a Valentine red lace dress with matching hat of red velvet bows, said, "This is the loveliest thing that ever happened to me."

But there was more fun to come with a 12-minute film put together by Lawrence Spivak, producer of "Meet the Press," and selected from Mrs. Craig's more than 250 appearances on that TV show. Her hats and her hatpin sharp questions were on parade again, and she laughed as heartily as everyone else at her reruns.

MINERAL EXPLORATION

Mr. FANNIN. Mr. President, taking a hard look at the future we can see that

in addition to the energy crisis America also faces a shortage of mineral supplies. Such shortages would damage our economy and threaten the standard of living for the Nation as a whole.

In view of the materials crisis, it would be folly for us to continue policies which in effect can deny our people the minerals needed for the public good.

On Friday in Coeur d'Alene, Assistant Secretary of the Interior Jack W. Carlson gave an excellent talk before the Idaho Mining Association regarding this problem. He pointed out that when we designate huge amounts of land as wilderness areas, we may be sealing off potential mineral reserves which will be desperately needed in the future. Worst of all is the fact that in some cases this may be done without knowing how much mineral potential is being sacrificed in the name of environmental protection.

It seems to me that if we are to make rational decisions regarding the use of our public lands, we must know exactly what it is that we are doing. We should know what mineral potential is involved before we classify land in a category that precludes mining. Once we know what the mineral potential is, then we can balance this consideration against the desirability of taking the extreme action involved in wilderness classification.

Mr. President, I support the idea that there are areas in our country which should be designated as wilderness and set aside so there is a minimum disturbance of nature. Some of these areas are within my own State. At the same time, it must be emphasized that what we are doing is to take land which often has several uses and restricting it to a single purpose which produces no tangible assets for most of the 213 million Americans.

Mr. President, at a time when we are trying to make some important decisions regarding what our national priorities should be, this address by Mr. Carlson carries special significance. I ask unanimous consent to have it printed in the RECORD for the benefit of those Members of Congress who are deeply concerned over this problem.

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

REMARKS OF ASSISTANT SECRETARY OF THE INTERIOR JACK W. CARLSON

Thank you Mr. Chairman, and Good Morning, ladies and gentlemen. Thank you for inviting me out here into the beautiful mountain West which I call home. Thank you also for giving me the opportunity to talk to you about a problem which this Nation will have to face up to in the very near future.

The problem is—stated simply—how are we going to keep on supplying the minerals which this Nation needs, in the increasing quantities which will be required in the next two decades?

I am well aware that government may make plans, and government may pass laws, and government may change the regulatory climate which can have a very marked effect upon your industry—but I am also aware that minerals do not come out of the ground in accordance with governmental regulation. Minerals do not come out of these mountains and into gondola cars by reason of a legislative action. I am aware that minerals must be mined—and they must be mined by you—before this Nation can benefit from their use.

It is fitting that we address the problem of continued sufficiency in mineral supplies here in beautiful Coeur d'Alene. This area is one of the Nation's most important in mineral production, yet its very beauty is one of the reasons why this Nation is now on a collision course between the two disparate concepts—the production of minerals on the one side and the preservation of beauty on the other side. Can we achieve environmental objectives and at the same time meet the Nation's needs for minerals? Can we afford to dedicate land to a single purpose use—if that land is needed for many purposes and if that land is suited to many needs? Coeur d'Alene is a fitting stage for this discussion. Idaho's mineral production in 1974 was valued at $196 million, with Shoshone County contributing over half of that total. Idaho leads the Nation as a domestic primary producer of silver, is second in lead and fifth in the production of zinc—yet Idaho, together with the other mineral producing states, is not producing anywhere near enough of these three minerals to satisfy the Nation's needs. Last year we imported 70 percent of the silver we used, 60 percent of the zinc and 20 percent of the lead.

The amounts of these three important minerals which we will require in the next two decades will certainly increase. We do not feel that we can reduce our imports of these metals, but we certainly want to encourage domestic production. We need to remind this Nation that an adequate supply of minerals is equally important to an adequate supply of energy, if we are to maintain the standard of living which the American people want.

In 1974, the Office of Management and Budget—which is an official arm of the President of the United States—studied the implications of our dependence upon foreign supplies for lead, zinc, and silver. At that time, we had been jolted heavily by the cartel actions of the OPEC nations in turning off the flow of cheap, seemingly inexhaustible crude oil. The Nation had to determine if there was a chance that our supplies of lead, zinc and silver could be shut off in the same manner, and we had to determine what the results would be to the Nation's economy, and to the Nation's safety.

The results of that study, which relied heavily upon statistical information compiled by our Bureau of Mines, were that we could not be hit with a cartel-cause catastrophe in these metals, similar to the cartel-cause catastrophe in the crude oil situation. However, it was definitely seen that short term supply disruptions were possible and that they should be avoided to the extent possible. We are monitoring and will continue to monitor that situation.

No matter the extent of the disruptions which are possible, it is obvious that we must expand domestic production—if we are to continue our economic growth and if we are to continue to maintain a position of national security, free from outside dangers.

We estimate that the growth of demand is in the nature of 1.4% per year for lead; 1.2% per year for silver and 2.6% per year for zinc. We are forecasting annual U.S. primary demand in the year 2000 as being 1.5 million short tons of lead; 3.1 million short tons of zinc and 230 million troy ounces of silver. It should be obvious to anyone that the continued dedication of public lands to a single purpose use will not help the industry supply America's needs. Somehow we must remove some of the restrictions which are hampering our efforts—and your efforts—to produce the needed minerals in the quantities needed for an economically healthy Nation.

Obviously, the demand is increasing and will continue to increase. Even if Zero Population Growth could be achieved next year—the requirements of people who are already alive would dictate that we must increase our mineral production.

While common sense indicates that we must increase accessibility to minerals—there are many activities and actions currently under consideration, each of which will reduce accessibility of lands for mineral production.

In our part of the world, for example, consider the following: There is a proposal to establish the Hells Canyon National Recreational Area, which action would prohibit dam construction and create a national recreation area on the Middle Snake River. This proposal has the support of the Governors of Idaho, Oregon and Washington, and is supported by the Senators from Oregon and Idaho.

Although the southern part of this beautiful area contains potentially significant copper deposits and one active producing mine immediately adjacent to the south, we must remember that the NRA proposal—if enacted—would permanently prohibit future mineral entry in the area. The Administration proposes that no further action on NRA designation go forward until the ongoing mineral study by Interior's Bureau of Mines and Geological Survey is completed in 1976.

The United States Forest Service is conducting claim validity examinations on approximately 7,000 claims staked within the Sawtooth National Forest. The mineral potential study by the Bureau of Mines and Geological Survey put on record the fact that this area contains large undeveloped mineral resources and is one of the most highly mineralized and potentially productive regions in Idaho.

Governor Andrus wants the size of Idaho wilderness area increased over that recommended by the Forest Service, the Department of Agriculture and the President. The Governor has proposed upping the acreage to 1.8 million acres, and environmental organizations are pushing for a 2.3 million acre figure. Because this area is so beautiful, it is very attractive to environmentalists who seek to preserve natural beauty.

Each proposal to establish a wilderness area can be defended logically because so much of the mountain West fits the qualifications people have in mind when they use the words "wilderness area." But we must consider the other needs of man, in addition to his need for unspoiled beauty in his western scenery. And we must consider the cumulative effect of the addition of more and more wilderness areas. Is it possible to add up so many "good" proposals that their sum total is "bad"?

As of November 1973, 37 Idaho areas totalling 4 and a quarter million acres were identified as either existing or potential Forest Service wilderness area. In Montana, 46 areas totaling 3.6 million acres were identified; in Oregon, 22 areas with more than a million acres; and in Washington there are 29 areas comprising more than two million acres!

If all of these wilderness areas are incorporated into the Wilderness System, over 11 million acres will be removed from mineral entry on the public domain.

A summary of all the public domain shows that 55% of it has already barred from access for mineral exploration or production, and that percentage figure will rise to 78% if all pending proposals are adopted. Can we afford to dedicate such a tremendous part of our available land to the luxury of one-purpose use?

If each and every one of these proposed wilderness areas is a good proposal—if each and every one would make a valued contribution as a wilderness—can we afford the contributions and still remain strong and secure in our Nation's supply of minerals which are absolutely required?

But this is not the end of the story at all, insofar as reduced accessibility to the public lands is concerned. Let us go a bit farther . . .

The Alpine Wilderness Area in the Cascade Mountains of Washington calls for an area of 292,000 acres as proposed by the Forest Service. The Alpine Lakes Protection Society, a group of environmental organizations, wants a 575,000 acre wilderness core surrounded by a 437,000 acre national recreation area, which would remove not 292,000 acres—but more than a million acres, from the area upon which you must produce the Nation's needs in the next decades. I am sure that the Alpine Lakes area is worthy of designation as a Wilderness Area, or as a National Recreation Area. Its support by the mayors of Seattle and Tacoma, and even by Governor Evans of Washington shows that it is a worthy proposal.

But here—again—Interior's mineral resource study disclosed areas of potentially significant mineral deposits that were not considered in the recent hearing on the larger NRA held by the House of Representatives in Washington. More importantly, we have not had the resources to make a mineral study of about two-thirds of the larger area under consideration. So the question becomes, "Should we make decisions concerning public lands future use before we even learn what minerals those public lands contain?" . . . and another question grows louder all the time, "Where will the Nation find the minerals for generations yet to come?"

In addition to the problem of disappearing acres of public domain, the mining industry is facing another challenge—a battle between those who would preserve the native beauty and those who must produce the needed minerals. The mining industry is not winning that battle, not at the moment and not here in Idaho.

As you are aware, metal pollution of the South Fork of the Coeur d'Alene River and in the beautiful lake itself, is being studied by the University of Idaho and by Washington State University. The source of that pollution is reported as tailings from the Coeur d'Alene Mining District that have washed downstream.

Todays mining adheres to stricter standards than were in effect when this was a frontier land. Todays mining does not—must not—leave permanent scars. Proper extraction techniques can remove the minerals the Nation needs and still leave a landscape suited to recreational use for future generations.

The Environmental Protection Agency has ordered the Bunker Hill Company to reduce sulfur dioxide emissions by 85 percent by August 1975 and by 96 percent in 1977. The State plans call for a 72 percent reduction by August of 1975. The State Director of the Department of Health and Welfare says that the state plan will be enforced without EPA approval if necessary. Governor Andrus has been reported as saying that the state will not hesitate to defend Bunker Hill against EPA if EPA insists upon unrealistic regulations. We are very happy to report that the pilot plant which Bureau of Mines is operating at the Bunker Hill smelter, using the citrate process to remove SO_2, is showing excellent promise.

But the question comes louder all the time, how are we going to produce the needed minerals if the producing area is even more severely circumscribed?

As you are probably aware, the Energy Research and Development Administration is currently asking Congress for increased appropriations which would pay for the construction of a pilot plant in the Raft River Valley, a plant which will produce energy from geothermal steam. Yet, geothermal steam is no longer the darling of the environmentalists—and we have the suit filed by the Sierra Club to halt geothermal development as proof of this activity. The new concern for the environment is based on the fact that geothermal brines may pose an environmental disposal problem—and on the fact that the high temperature discharge of the geothermal steam or hot water may result in thermal pollution. We agree that these problems must be addressed and that they must be conquered. We do not agree that the orderly development of alternate sources of energy—nor additional sources of minerals—should be halted by unreasonable environmental attacks.

As I am sure you already know, thorite deposits in the Lemhi Pass area are being considered as a source of fuel for a nuclear reactor in Pennsylvania. The thorite resource appears significantly large. Obviously, this requires further exploration. The orderly development of nuclear reactor power sources has been seriously hampered, and in many instances stopped outright . . . by well meaning persons who worry about possible pollution, and/or about possible danger from nuclear reactors, or by worry about storage of the waste products of the nuclear processes. We must address the problems of nuclear radiation leaks, and the problems of waste product storage and the problems of thermal pollution potential which accompany nuclear plants. But there is a great difference between addressing and solving problems—on the one hand—and abandoning a very promising energy source because of hysterical attacks. Let's put things in perspective. It is certain that bee stings caused more deaths in the United States last year than did pollution from nuclear power plants.

Ladies and gentlemen of the mining industry, it is obvious that it is possible to have too much of a good thing.

Many wilderness proposals are good things. But we can have so many that our ability to provide for our needs is severely curtailed. It is possible to have too much wilderness recreation area and too much game range. But we do not have to have too much. We can address our problems and we can conquer them.

Clean air legislation is, of itself, good. It protects the health and safety of the human population, and that is a good thing. But it is possible to have too much of a good thing. It is possible to have restrictions enacted into law which unduly restrict production, without safeguarding human health. It is possible to have too much Clean Air legislation—of the wrong kind. At a time when this Nation desperately needs all of its energy sources, we have clean air legislation which makes it almost impossible to expand the use of abundant coal—yet which do not safeguard human life or human safety. We need to change those rules. Not abandon the principle, just remedy the excesses which have crept into the legislation, into the regulations and into the court decisions—most of which have been caused by our zeal to do a good job of protecting the environment.

In addition to the wilderness proposals shrinking the world we have to work with, and in addition to the necessary and unnecessary environmental constraints shrinking the area in which we have to work—there is another danger at the present time. There are many moves afoot to revise, reform, re-enact, amend and otherwise change the venerable old Mining Law of 1872, which has served this Nation well for more than a century. The Administration favors updating and improving the Mining Law of 1872. But we are worried that we may have too much of a good thing here also. We remember that the individual prospector is the man who located most of our minerals in the past . . . and we do not want to lose him. We remember the contributions made by the small mine operator in building the Nation we have today . . . and we don't want to lose him.

Last week I had the privilege of testifying before the Subcommittee on Mines and Mining of the House Interior Commitee relative to the proposals to change the Mining Law of 1872. I stressed five main points, objectives which we believe that any reform of the Mining Law should address.

1. Exploration, development and production of minerals on public lands should be encouraged through adequate access to the public lands.

2. The Federal Government should continue to rely on the private sectors for mineral exploration, development and production of essential minerals.

3. Any law would assure adequate security of tenure to the minerals discovered, but not necessarily to surface ownership. After completion of the normal mining cycle, title to public lands must remain with the public.

4. Claims, long since dormant, which remain as clouds upon titles to some of these lands, should be identified and either recorded or allowed to lapse.

5. Any new mining law should provide for sound environmental controls during exploration, development, mining, and should provide for land reclamation after mining.

It is our hope that the Congress of the United States will come up with changes to the Mining Law of 1872—changes which are overdue and needed. It will be a good thing if they do come up with some changes. But again, we don't want too much of a good thing.

By now I must be beginning to sound like a broken record . . . but my point is worth repeating, and we must repeat it over and over again to all segments of the American public.

Wilderness areas are good things, and environmental restrictions are good things. But it is possible to have so much of one good thing that it overbalances other desirable things, giving an overall negative effect.

It is possible to have so many good things that we cannot produce the minerals which this Nation needs.

We can have too much of any one thing. Thank you.

AN INSTITUTE FOR ENGINEERING RESEARCH IN THE OCEANS

Mr. HOLLINGS. Mr. President, over the last decade the Nation has become increasingly aware of the economic potential of the oceans. Reaping these potential benefits will call for continued technical advances in the area of ocean engineering. These advances are needed not only for achieving economic objectives, but also for protecting the ocean ecosystem and mitigating any adverse impacts that accompany development.

Being chairman of the Commerce Subcommittee on Oceans and Atmosphere, I follow closely the activities of both the National Advisory Committee on Oceans and Atmosphere—NACOA—and the National Oceanic and Atmospheric Administration—NOAA. Recently, after considerable study, a panel of NACOA proposed that an Institute for Engineering Research in the Oceans be established within NOAA. The Institute would coordinate the development of the rapidly growing field of ocean engineering. It would foster technical research in order to broaden the engineering alternatives for solving the problems of ocean resources management. The NACOA panel considered nine different existing Government entities as "parent" organizations within which to locate the new Institute. NOAA was recommended as

being the most suitable agency to contain a new program whose focus is on better coordination of civilian ocean technology and management of ocean resources.

With pleasure I call to the attention of my colleagues a recent article by David A. Katcher which appears in the June 1975 issue of the Marine Technology Society Journal. The article discusses the NACOA panel proposal in more detail; 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:

AN INSTITUTE FOR ENGINEERING RESEARCH IN THE OCEANS

(By David A. Katcher)

This is a brief account of how a proposal for an Institute for Engineering Research in the Oceans by a panel [1] of the National Advisory Committee on Oceans and Atmosphere (NACOA) came about. It will also state why research, regarded as a put-off by some engineers and practical people in a hurry, was deliberately made part of the title, and why such an Institute is thought to be a pragmatic approach to the practical demands of the ocean engineer who has to do a safe job in the ocean for the least cost.

PERSISTENT PROBLEM

NACOA is a new force in ocean affairs, having been created by statute in late 1971 as a consequence, in part, of the urging of the Stratton Commission for an oversight group drawn from outside the federal establishment. It meets about 10 times a year, is briefed extensively on marine and atmospheric affairs, and issues annual and occasional special reports dealing with topics it agrees are of national importance and on which it feels useful suggestions may be made.

Ocean engineering has been one of the perennial oceanic problems brought before the Committee since its beginning, and one problem it found difficult either to take on or to leave alone. Ocean engineering was hard to deal with because the relative roles of government and industry are not easily agreed to in the abstract, especially since the responsibility involved is costly. Also ocean engineering was hard to leave alone because it was unfinished business of both the Marine Council and the Stratton Commission, and is a legitimate, national need, which, however brought to national attention, however recommended, and however urged, had received little or no action in return.

NACOA had been urged, for example, to take up where the Marine Council had left off by Dr. Edward Wenk, Jr., the Council's Executive Secretary through most of its existence, who was a member of NACOA its first year. The Committee nevertheless hesitated, largely because its members were not in agreement on the role government should play in stirring up activity. It has been the general practice of the Committee to handle first those matters on which it finds a general consensus.

AN EXCHANGE OF PUNTS

This consensus was found in a brief "interim" measure proposed in NACOA's Second Annual Report. The Committee recommended that the Oceanographer of the Navy be appointed federal coordinator for Marine Technology Development in order to ease the technical transfer of Navy expertise in ocean engineering, where applicable, from the military to the civilian sector. It no longer makes sense to have generally useful information on ocean engineering segregated, unless questions of military security are involved.

Now, the Secretary of Commerce coordinates the response of the federal agencies with NACOA's Annual Reports (which are submitted to the President and the Congress with a delay enroute for these comments). The Secretary returned the compliment of NACAO's recommendation by suggesting an interim step be taken before its interim proposal be considered. He wrote asking that NACOA survey civilian needs in Ocean Engineering, define the specific application to which a federal program should address itself, suggest the relative roles of government and industry, and recommend what the government effort should be.

This time the Committee didn't duck. It appointed a Panel which set to work with the idea that it would find out what, specifically, needed doing and why it had not been done before.

The latter proved easier to do first. Ocean engineering proposals had been received quite sceptically by those outside the ocean engineering community. They were too open-ended. Costs were easy to identify, but the benefits were not. The guardians of the national purse saw the camel's nose coming sliding in under the tent flap. They were not about to sanction a costly technological adventure, like the space program, which had uncertain direct economic or social benefit.

Sympathetic with this cautiousness, the NACOA Panel assumed, in taking on the assignment, that by being specific it would avoid the curse of ominously undefinable downstream costs. The Panel would find out what real work was to be done. Perhaps the complaints were just talk, and the ocean engineering which needed doing was being done. Perhaps the cries of anguish were coming from people with few ideas who wanted funds to go looking for some. Ocean Engineering might really turn out to be a nonproblem.

In looking for the specific—indeed as the Secretary had requested—the panel accepted the necessary and important distinction between the need for engineering or for scientific foresight. The engineer must know *what for* and *why*, a restriction which would hobble the scientist. Yet this puts the engineer in a bind if he is held on too short a tether. He is supposed to get things done even if he doesn't know all he'd like to know. Yet what he does know may be quite marginal. What he seeks must be job-related. Yet specific problems having to do with gear or instruments, with site specific characteristics, etc.—no matter how important or critical they are by themselves—are trivial candidates for a national effort. Engineering "need" shows up too late almost by definition. Data becomes most important when it is needed, and the harder it is to get, the later it turns out to be. The Stratton Commission, by recommending work in "fundamental technology" attempted to break out of the engineers' paradox of being unable to prove a problem was important until it was so late you had to buy your way through. The suggestion didn't take largely, perhaps, because it was too open-ended.

The NACOA panel was going to avoid being trapped in generality—perhaps there were classes of specifics.

TOO MANY CANDIDATES

When it came to looking for specifics, the Panel found that the woods—or rather the waves—were full of them. "The ground has been well-ploughed," the Panel wrote in summarizing its findings in a report to the Secretary of Commerce; [2] "There is no question but that there are things to do in ocean engineering," the Panel wrote, "but too many to do all at once." What struck the Panel was that there were many reasonable suggestions for improving the national effort, a goodly number of which had been on the record for some time. Yet there was no agreement on what projects or programs ought to be done first, there was no specific application of ocean engineering to civilian needs on which there was general agreement that it was critical, urgent, of national breadth, yet ignored.

Midway in its deliberations the Panel considered the possibility that nothing stood out as critical because, as soon as it was, it got worked on. Perhaps many projects and programs ought to be worked on simultaneously with no particular push here or there, with emphasis shifting as the demand shifted.

Yet, "Drifting along until we hit a snag," the Panel wrote, "seemed hardly the useful thing to do." The Panel found what Mr. Wheaton, in testimony before the Subcommittee on Oceanography of the House Merchant Marine and Fisheries Committee, called "a general malaise about inaction on mid-range requirements 3 to 5 years off. This inaction," he said, "as experience has shown in the past, means expensive, hasty, and not necessarily successful engineering efforts when a practical requirement suddenly arises."

It was for this reason the Panel concluded (to quote now from the report) that "The paramount national civilian ocean engineering need is not a specific number of projects in ocean engineering, but rather a modest organization whose function it would be to:

"(a) work on and develop standards which

"(b) fund good ideas in meeting basic engineering;

"(b) fund good ideas in meeting masic engineering needs to the point where they could generate support on their merit or fade away on their lack of it; and

"(c) animate technical transfer and professional communications.

"The basic needs would be to be concerned not so much with systems as with special materials, techniques, and engineering characteristics required for many different kinds of marine operations."

The Panel arrived reluctantly at an organizational conclusion rather than a program of specific applications: ocean engineering is more expensive than engineering on land: drift meant we would all be losers; and needed are available technical alternatives when important commitments are made so that we are not trapped into expedient and possibly environmentally dertimental actions.

To recap: somewhat to its surprise, the Panel had found the "needs" of ocean engineering and been studied almost to death that by and large the terms in which these needs were specified didn't seem to change over the years, and that despite years of seasoning, strong priorities had not emerged. Yet it found also, along the line, the price was lost time, the cost of overdesign, and the expense of unreliability. Use of the oceans was expanding faster than the knowledge provided to support it. There was little reserve of technology to provide the technical alternatives to meet requirements. Indifference had not made the problem go away, and some sort of stimulus might be needed.

SELECTION SCHEME

The Panel had found that short-range ocean engineering problems and applications were being attacked and solved but often by

[1] The Ocean Engineering Panel consisted of Donald B. Rice, President of RAND, chairman; Mr. Charles F. Baird, Sr., vice president, International Nickel Co., Inc.; Dr. Dayton H. Clewell, Sr., vice president, Mobil Oil Corp.; and Mr. Elmer P. Wheaton, vice president, Lockheed Missiles & Space Co.

[2] "Engineering in the Ocean," a report to the Secretary of Commerce, by the National Advisory Committee on Oceans and Atmosphere. Government Printing Office, Washington, D.C. November 15, 1974.

expedient methods, costly because of haste. The conviction grew that some catalyst would help. This conviction grew from the hankering, expressed again and again, for an ocean enginering role similar to that ONR played in providing continuity in the support of basic research, and for the role the NACA played in drawing together the fragmented and uncoordinated development of aeronautical engineering.

The conditions which made these agencies so appropriate do not exist for ocean engineering today, but there is no good reason why results similar to those produced by ONR and NACA could not be achieved. If a catalyst is needed to stimulate engineering in the oceans because a programmatic solution does not seem sensible, why not create one? The Panel proposed an Institute for Engineering Research in the Oceans.

Details of the characteristics and organizational structure of this Institute were not spelled out. The Panel felt the concept would be best detailed by the legislative process which would allow all interested parties to be heard. But it felt that certain broad features were essential, especially since it made the Institute something of a hybrid:

The Institute would need the technical competence to know technical competence when it saw it and so funding would have to be used to support some in-house effort although the major portion would have to be used to support outside work at universities and in industry.

Matching-fund requirements for outside effort would take advantage of local judgment and local priorities and test Institute judgments.

A Board of Governors, representative of industry, the universities, and government, would keep close tabs on management and keep it representative.

The mission of the Institute should be ranging the field rather than getting bogged down in expensive demonstration projects. Thus, would it hedge its bets, use seed money, avoid taking on dependents.

The Panel felt that about 150 professionals would be a critical mass, a budget of $5, 15, 25 million (at full strength) would provide reasonable funds but would have to be carefully dispensed, and early review in two years, and major reassessment in five years would hopefully help such an Institute on a useful course.

NOAA OR THE NAVY?

Where to put this Institute was, of course, a matter of great concern. In discussion since the Report came out, one of the questions most frequently asked was: Why NOAA? Why not the Navy?

The Panel considered the possibility of suggesting that the role of the Oceanographer of the Navy in civilian ocean engineering be enlarged by providing funds for him to dispense funds in its support. But they could not escape the fact that it would be inappropriate today to fund a purely civilian endeavor in that manner.

It had always been a matter of deep regret that it proved so difficult to take advantage of the Navy's expertise. But whatever the reasons for this difficulty may be, no one felt they would go away easily. To depend on removing the normal obstacles to military/civilian transfer, or to sugest initiating military oversight of essentially civilian functions, seemed to the Panel to be unrealistic.

The Panel considered, in addition to the Navy, the National Science Foundation, the National Bureau of Standards, the National Academies of Science and Engineering, the National Aeronautics and Space Administration, the Maritime Administration, the Department of the Interior, and the National Oceanic and Atmospheric Administration. Each agency had its strengths, each its drawbacks. The principal reason for finally suggesting NOAA was that, despite the fact NOAA has never developed a large marine program (outside of fisheries), it is the agency NACOA has found to be the logical focus for the management of ocean resources and for the coordination of civilian ocean technology. It is a young agency. The Institute, reporting directly to the Administrator of NOAA, would have to be protected against fragmentation within the agency, and provided with close, high-level contact with the Navy, the USGS, the USCG, and other federal agencies with marine responsibilities. This matter of liaison is the key. An independent Institute would have a hard hoe to row. NOAA seemed a logical umbrella.

ENGINEERING "RESEARCH" IN THE OCEANS

The normal ambiguity, confusion, and downright disagreement about pure and applied research and advanced development in science becomes even worse when it comes to engineering because engineering comes when you have something specific to do. It comes when you have to build something to last and perform as desired, when you look for service rather than for understanding. By definition it is applied; marching orders are required.

Yet who is to provide the information and data to allow engineering to proceed efficiently if the handbooks don't have it? Economic and technological demands require an understanding of and control of material and environmental characteristics which are demanding and precise, and in the rapid changes of today not necessarily on hand. This means an orderly approach must be taken to developing technological alternatives *in advance* of their actual requirement so that they are available when the engineering is undertaken. Cut and try is too expensive a luxury and time consuming.

That is why "research" was made part of the title. *"Engineering"* is to keep the work purposeful, *"research"* to give it foresight. *"Engineering research"* is risky and therefore necessarily subject to constrained support.

The payoff? Better engineering in the oceans as the nation grows, more and more, to depend on use of the oceans' resources.

There are times, and the panel felt this to be one, when failure to make an expenditure early means greater cost later. Modern technologic demands on engineering impose precise demands for the understanding of and control of complicated physical characteristics without relaxing the practical constraints of budget and schedule. Ocean engineering is more expensive than engineering on land and it is precisely for this reason that its currently uncoordinated development—the lack of data communication, the failure to test components, the uncovering of difficulty when it's too late to head off, makes an Institute an economical investment. It is not a new idea so much as it is a late idea. It should have been tried before.

LEARNING WHAT WORKS

Mr. BROCK. Mr. President, program evaluation does not sound like a very exciting subject, but it is something that is absolutely essential to the legislative process. For too long, the Congress has been content to stumble around in the dark, throwing huge sums of money at a problem and hoping it does some good. We have simply got to do better.

I am not talking about setting up a massive, new oversight and evaluation bureaucracy, nor about conducting a long, drawn-out study before we pass a bill. What we must do, however, is to build an effective evaluation mechanism into the programs we do pass. We have to spend just a little bit of a program appropriation to see whether that program is working. If it is working, that is fine. If not, we had better fix it. But the Congress needs to know. It needs effective program evaluation.

Three professors from Harvard have conducted some interesting research in the program evaluation area, and their findings are discussed in a timely and thought-provoking article in the Wall Street Journal. The article—"Learning What Works" by Alan L. Otten—deals with a study conducted by Profs. Frederick Mosteller, Richard Light, and John Gilbert.

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:

LEARNING WHAT WORKS

WASHINGTON.—Government spends billions on big new programs to improve society. Yet many don't work very well, and officials know surprisingly little about which do and which don't, or why.

One reason for this costly ignorance, according to an exhaustive study by three social scientists, is that the White House and Congress don't insist on good procedures to evaluate whether and how well each new program is achieving its intended goals. Better evaluation, they insist, would save time and money and produce greater progress.

The study, commissioned by the Battelle Memorial Institute, was conducted by Harvard professors Frederick Mosteller, Richard Light and John Gilbert. They examined some 30 well-evaluated innovative programs, pubic and private, ranging from school subsidies and bail reform to rehabilitation for the mentally ill and new types of surgery.

They didn't try to pass on the cost effectiveness of these innovations, but simply whether the programs seemed to do much good, regardless of cost. Their conclusion: A surprisingly "modest fraction," perhaps a fifth or less, actually were "clear and substantial successes." These achieved such results as higher test scores for black males in specially-subsidized integrated schools; better recovery from a new type of duodenal ulcer operation; sharper performance by police officers after a novel training approach.

Perhaps another fifth had smaller success, while the other innovations surveyed had little or no effect. For instance, a program giving intensive counselling and treatment to reduce delinquency among teen-age girls produced no significant differences in behavior between a group getting the help and a control group that didn't.

Even those programs that worked well usually produced relatively small gains, but the authors insist that's okay. Small gains, they emphasize, are highly valuable, and a key contribution of well-designed evaluation is in spotting just such small changes.

Most social progress doesn't come in large leaps, the Harvard professors maintain; rather, "small changes continued through time often result in large changes." Society's root problems have been around for centuries, they point out, and "are unlikely to be solved, especially in a massively successful way, in a short period of time."

Once small changes have been identified, however, "it may be possible to build improvements upon them." Officials can discard program features that don't work, and expand those that do.

Besides, even small progress can be of great value to the individuals affected. A new medical treatment may lengthen survival time for victims of a particular disease by

only a year, but for the victims and their families, that's a significant gain.

Many politicians and social scientists argue that large new social programs should be delayed until careful tests determine just what works, and the current study would seem to support that argument. But the authors reject it.

In many cases, they declare, such delay is "politically unrealistic." Says Mr. Light: "If a substantial coalition has formed for day care centers, you're not going to be able to hold them off for four or five years while you run a careful field experiment."

Moreover, the authors contend, it's probably wrong to do that anyhow. Evaluation, they say, shouldn't be a "go or no-go" proposition, with one test determining whether a major social effort is launched or not. Rather, evaluation should be built into the new program, examining its strengths and weaknesses while it goes forward.

"It would be a shame," Mr. Light declares, "if we got painted into a corner where we never tried anything until we knew it was going to work. We say, 'Try it, but just be sure you build in a good mechanism to see how it's actually working.' "

More government programs are indeed including some evaluation now, but problems persist: Program goals aren't always clear, officials in charge won't cooperate, results aren't stated intelligibly. Much of the difficulty, though, according to the Harvard team, stems from poor evaluation techniques.

Simple observation, sample surveys, or uncontrolled field tests may all be suspect and open to challenge, they say. Results may be related more to the way the samples were chosen or the tests were carried on than to the worth of the innovation itself. Poor tests often produce poor and misleading information.

Their strongly-endorsed evaluation preference is the "randomized, controlled field trial." Chance assignment determines which individuals or groups are to be included in the new program. The program is then observed under actual operating conditions—not in a laboratory—and results compared with results for a similar randomly-selected control group.

Critics charge this type of testing takes too long and is too expensive, and that it's also unethical—"fooling around with people"—to give benefits to one group and not to another. The authors reply that going ahead with treatments or programs that don't work is also "fooling around with people," and in the long run is far more time-consuming and costly.

From 1963 to 1971, they note, Washington spent $6.8 billion on manpower training programs, including $180 million for evaluation. Yet recent reports by the National Academy of Sciences and a congressional staff group concluded that because the earlier evaluations hadn't been good ones, "little is known about the educational or economic effects of manpower training programs."

Declares the Harvard team: "It is too expensive to pour large sums of money into programs, year after year, with no reliable indication of their value and no firm data on how to improve them."

Future government ventures, they insist, must earmark some small amount for first-class, continuing evaluation. Only then, they say, will society begin to know what innovations really work and be able "to reap the full benefits of its expenditures for new programs."

RIGHTS AND RESPONSIBILITIES

Mr. HARRY F. BYRD, JR. Mr. President, on June 23 of this year, in Richmond, Va., 37 people became citizens of the United States in a naturalization ceremony in the Federal District Court.

These natives of other lands received a unique welcome to their new citizenship.

Before them appeared Mr. Ernest M. Gunzburg, a native of Germany, who 40 years ago fled Hitler's persecution of Jews and who long ago took the step that they were taking on that June day—became a citizen of the United States.

Mr. Gunzburg, having known tyranny first hand, does not take citizenship in this country lightly. He has spent many years reflecting on an aspect of citizenship which many of us too often neglect: the responsibilities of being an American.

Speaking to the new citizens, he declared that America needs a "bill of responsibilities" outlining the duties and obligations of citizenship—as a kind of parallel to our Bill of Rights.

I believe that the 37 new Americans who took the oath in Richmond were fortunate to have had so thoughtful an introduction to citizenship.

I feel that the thoughts voiced by Mr. Gunzburg are worth pondering by every American, whether his or her citizenship be by right of birth or by naturalization.

Contemplation of our responsibilities will serve well the cause of freedom.

As our Bicentennial year approaches, it is particularly appropriate that we consider the responsibilities of every American for the conservation and strengthening of the principles upon which our Nation was founded.

For example, if all Americans took an active interest in their Government, at the local, State and National level, the weight of special interests would be greatly reduced and true democracy to that extent enhanced.

A like effect would be achieved if all qualified voters went to the polls in every election.

But responsibilities go well beyond the purely political sphere.

Consider this: if all citizens at all times fulfilled their responsibilities, we would need no police forces; for all crime is a rejection, by the criminal, of his duty as a citizen.

Moreover, if every citizen did his best to discharge his responsibilities as a son or daughter, as a parent, as a brother or sister, as a friend—would there not be a tremendous decrease in the need for public welfare?

Is it not true that the taxpayers at large are carrying the burdens which in other days were borne by families and friends of those "out of luck"?

Perhaps these are Utopian thoughts. But such thoughts serve as a measure of the degree to which many of us have failed in our responsibilities to our fellow man.

I offer these views as suggestions for citizens to contemplate.

Each of us needs to reexamine his responsibilities. Much too often all of us tend to focus on what we call our "rights." But we also have great responsibilities. Only if we fulfill those responsibilities do we protect our rights and guard against the nightmare of tyranny.

I salute Ernest Gunzburg for his sincere patriotism and his dedication to the cause of better citizenship.

Mr. President, my attention was drawn to Mr. Gunzburg's address by an editorial which appeared in the June 23 edition of the Richmond Times-Dispatch. I ask unanimous consent that the text of this thoughtful editorial be printed in the RECORD. The editor of the editorial page of the Times-Dispatch is Mr. Edward Grimsley.

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

AND RESPONSIBILITIES

Thirty-seven people will become citizens of the United States in naturalization ceremonies here today, and Ernest M. Gunzburg will give the new Americans an appropriate sendoff into their new citizenship.

He will call on them to suggest what should be a Bill of Responsibilities which will be proposed to Congress as a companion to the nation's Bill of Rights.

Mr. Gunzburg feels strongly about citizens' rights—and responsibilities. He fled Germany's Nazi persecution of Jews 40 years ago. Here in America, he is obsessed—in a healthy, laudable way—with the joy of living in a free country, as well as with the need for each citizen to perform his citizenship responsibilities in return for the cherished rights he enjoys.

It is fitting that today's naturalization ceremonies in the Federal District Court will be followed by a celebration in the park directly across the street from St. John's Episcopal Church. As they enjoy the tenth anniversary luncheon meeting of the Newly-Naturalized Citizens, an organization Mr. Gunzburg was instrumental in forming, the new Americans will figuratively be within the shadow of the hallowed place where Patrick Henry sounded the soul-stirring call for freedom in his historic liberty-or-death oration.

In his brief address today, Mr. Gunzburg will tell the new citizens:

"It was not until 10 Amendments were added to the Constitution that the common man was actually guaranteed his freedom by the government. Now is the time to develop an additional bill, the Bill of Responsibilities, responsibilities of citizen to citizen, and citizen to government."

He will urge his listeners, who have come from 19 different countries around the world, to send him their ideas of what should be in the bill. The document, when completed, will be sent to Virginia's representatives in Congress for possible congressional adoption.

It is Mr. Gunzburg's belief that if the people of the United States fulfilled their responsibilities, as well as enjoying their rights, it would "rejuvenate this country." Certainly it would immeasurably strengthen the nation and go a long way toward curing some of the ills which the country suffers today.

The meaning of citizenship will be very much on the minds of the individuals who take the oath of allegiance today, and long-time citizens would do well to give thought to the subject too, especially during this period of celebration of the nation's 200th birthday. If other Americans, in addition to those participating in today's ceremonies, would like to add their suggestions as to what the Bill of Responsibilities should include, they may write to Mr. Gunzburg at the Richmond Chapter of the American Red Cross, 409 E. Main St., Richmond, Va. 23219. The Red Cross and the Monacan Junior Women's Club are assisting in sponsoring today's celebration.

Whether one submits a suggestion or not, devoting a bit of time to consideration of citizenship responsibilities should be a worthwhile mental exercise for any American citizen.

THE BICENTENNIAL CELEBRATION: TRAGIC WASTE OF A GOLDEN OPPORTUNITY

Mr. BROCK. Mr. President, recently, a very good friend of mine, Mr. Gilbert Stein of Chattanooga, spoke to a group in my home town. His speech was entitled "The Bicentennial Celebration: Tragic Waste of a Golden Opportunity." Mr. Stein is a businessman. He is concerned about the direction of our Nation, particularly our economy and our entire economic system. He makes very eloquently a point which I deeply believe needs to be taken to heart by every American.

Mr. President, I ask unanimous consent that this speech be printed in the RECORD, and I add I hope that its message will not be ignored.

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

THE BICENTENNIAL CELEBRATION: TRAGIC WASTE OF A GOLDEN OPPORTUNITY

(By John Gilbert Stein)

(EDITOR'S NOTE: Mr. Stein delivered the following address to the Chattanooga Civitan Club and the Chamber Board of Directors on Friday, April 4, 1975. His provoking question is one that deserves support of the business and professional communities. It is a challenge to our Bicentennial planners as well as to our Congress. By unanimous vote, the Civitan Club elected to forward Mr. Stein's analysis to the Congress of the United States for inclusion in the CONGRESSIONAL RECORD and, hopefully, for prompt, positive action.)

1776 was a momentous year in the history of the United States. It is proper that we recall and celebrate our two hundred year old political heritage and honor that small group of inspired men headed by Thomas Jefferson, author of our Declaration of Independence. But 1776 was also the date that a relatively obscure English philosopher named Adam Smith published his nine hundred page volume entitled Sources of the Wealth of Nations, in which he recognized the then emerging market place as the only viable vehicle for the efficient organization and control of man's productive efforts. His perception of and blueprint for economic democracy must rank along with the development of agriculture as a milestone in the progress of society, and is no less a stroke of genius than is Einstein's formula for energy: $E=MC^2$.

The synthesis of a classless political society envisioned by Jefferson and his compatriots and of Adam Smith's economic democracy autonomously operated by millions and perfected on this vast, rich wilderness continent has produced a cornucopia of wealth unequaled in the history of man. It is this combined heritage which would be brought into focus in our Bicentennial Celebration. In fact, if a medal were struck fairly commemorating the events of 1776, it would depict Jefferson the Politician on one side and Adam Smith the Economist on the other. Unfortunately, there is no evidence that such a balanced view will be presented. While we are from childhood steeped in our political history and familiar with identifiable personalities, term of office, generals, battles, sites and landmark documents, we know nothing of our complex economic democracy or of its individual contributors and leaders. We vote for them only through the purchase of their wares in the market place; thus, we take the accomplishments of these, the creators of our economic heritage for granted.

When Neil Armstrong landed on the moon, I watched the event live and in color on TV with my eleven year old grandson. I turned to him and said, "Taylor, do you realize you are witnessing two of the greatest achievements in recorded history? Not only are you seeing the first landing of a man on the moon but you are also seeing it live and in color." He responded with a shrug and said, "Papa, I don't see anything so unusual about it." And from his viewpoint he was right, because he could not recall a time when satellites were not circling the earth or when televisions were not commonplace. We take for granted the advanced state of our society and the mechanism which made it possible. Were any of us to be born in the Garden of Eden with our full complement of genetic equipment, but without our heritage of accumulated knowledge and skills—the odds are astronomical that we wouldn't discover how to make fire, much less the wheel, in 10,000 years.

We see nothing unusual in the fact:

That last year median income families earned over $10,500.00.

That four out of five families own a car, a luxury vehicle beyond the dream of kings or potentates of only 20 years ago.

That 95% of our people own TV sets, 43% of which are color sets.

That both radio and TV provide entertainment, education and unequaled news coverage as advertising for available products.

That only five percent of our work force is needed for agricultural production and that this five percent feeds our two hundred million people better than any other people on earth while providing food for export to millions of less fortunate people.

That many deadly epidemic diseases have been eliminated and that the average life span has been extended at least ten years in only the past twenty years. It would take days to describe in detail our affluence in America where six percent of the world's population controls thirty percent of the world's wealth.

Those of us in the business sector are constantly being urged by our trade and professional associations to speak out for the private enterprise system. Lewis F. Powell in 1971, before his elevation to the Supreme Court, urged in a 6,000 word memo prepared for the U.S. Chamber of Commerce that the American public be provided with a more balanced view of this country's economic system. Justice Powell pointed out that our system is under broad attack, not unexpectedly, from Communists, New Leftists and others who would destroy the entire system, both political and economic, but these are the perennial minority. More disturbing, he said, is the criticism from the more respectable segments of society: From the college campus, the pulpit, the media, the intellectual and literary journals, the arts and sciences, and the politicians.

I think I understand our two hundred year old political and economic system. My lifetime spans one third of its total existence. For one fourth of its entire history, and by far the most productive, I've been in responsible charge of a small segment of the system, in the purest sense, providing employment and remuneration for others.

My academic qualifications are not too impressive. In four years at a cost of $5,000.00 I earned a Bachelor's Degree in economics, sometimes characterized as The Dismal Science, and dismal it is as taught in the classroom. But in forty-four years of practice, at a cost of $500,000.00, I found economics to be an exciting and rewarding art which is available to people of all ranges of age, sex, intelligence and talent and indispensable to their freedom.

My post graduate work included experience as:

(1) A cotton farmer

(2) A cattle and milk producer

(3) A retail milk distributor

(4) A manufacturer of a patented item sold through exclusive dealers

(5) A franchise equipment dealer for one of the largest corporations in the U.S.

(6) The operator of a sixty-two-year-old construction company through which my sons and I are privileged to direct in the public interest that volume of business which we are able to obtain in the competitive market place In 1974 our share of the Gross National Product was .0000037.

With a batting average of 500 in these ventures, I learned that it doesn't take an act of Congress to start a business nor an act of Congress to get dumped on the street and forgotten; and I learned that, fortunately, an individual or company can do either or both with the greatest of ease.

I also learned that nothing is really complicated or beyond comprehension if the basic building blocks are recognized and fully understood. When I was in college in the 20's, chemistry was the exotic science of the time. But chemistry did not emerge from "stewing and brewing" until it understood the molecule and could theorize about the atom.

As late as the 1920's physics was a dull and uninteresting science consisting of Newtonian Physics, heat, electricity, etc. As soon as is was able to decipher the atom, however, it became the exotic science, both superseding chemistry and in fact making it more productive.

When a layman looks at a large construction project where many people are doing many things at the same time, he may be impressed by its seeming complexity. The truth is that no one is doing anything more complicated than laying a brick, sawing a board, or pulling a wire. It is only when viewed as a generality that these simple operations seem complicated. When the average individual looks at a complicated machine, he is confused by the complexity of whirling parts. But then the most intricate of machinery consists of simple movements of simple parts operating in concert to achieve a designed result.

The Central Soya Company has a huge plant in Chattanooga which processes soybeans. It is probably the largest processor in the world, handling million of bushels and billions of beans. But its whole business is based on the analysis and characteristics of a single soybean.

To understand our economy we must first understand its basic building block, the human module, that most exotic product of nature, equipped with a fabulous computer coupled to visual, audio and physical sensors which direct a servo mechanism (hands & feet) rated at ⅛ HP for continuous operation. When it arrives from the factory, its tape is blank and it is utterly helpless. Short term self-interest will be its prime motivator; harnessed, its major asset; uncontrolled, its major liability. And although philosophy and religion have for several thousand years been trying desperately to improve the nature of this human module, the best that can be said is that only a thin veneer of civilization has been added. Yet we see nothing unusual in the fact that our market system provides it with full care and support for the twenty odd years required for its growth, programming and training and that with its ⅛ HP rating for physical work—worth ⅛ of the current 10¢ value of one HP—or a real worth of 1.2¢ per hour, it then is guaranteed a minimum wage of $2.30 per hour for 45 years of minimum value effort and after age 65, a pension for life.

The market game was designed for and is played by sinners who have only a thin veneer of love, brotherhood and lightly etched on ethical principles. All of these principles seem in practice to become less visible as the odds for self gain increase.

What success we might have achieved without the programming provided by home, church and school is frightening to contemplate. Even today we require part of one day per week to maintain our ethical programming. In addition many of us pray for the help and guidance of a higher power before each meal. Often we open our business and other meetings with a prayer and on some occasions at the half way point in some meetings I have thought it would be advisable to adjourn temporarily for a booster shot.

The genius of Adam Smith lay in being the first to recognize labor, capital and profits as abstractions. He was neither anti-labor nor anti-capital. His only apparent bias was in favor of the consumer (shades of Ralph Nader). Consumption, he said, was the sole aim and purpose of production. He was against the meddling of government in the market mechanism, against the sheltering of industry from competition, against monopoly in any form. If the market is trusted, he said, to produce the greatest number of goods at the lowest prices, then anything that interferes with the market impedes social welfare. Do not try to do good, said Adam Smith; let good emerge as a product of selfishness.[1] Adam Smith's model for industrial production could not have anticipated the phenomenal growth of knowledge, the use of power and sophisticated technology. However, his concept of the breaking down of production into simple repetitive operations performed by numbers of narrow specialists is the basic pattern used in the production of everything from shirts to autos and in the specialties within law, education, medicine, engineering, government, in fact, in everything.

The critics always ready to point to the many abuses in the system must remember that it started as a brand new ball game, played for high stakes, for which ethical rules had not yet been devised and which, when promulgated, required constant revision. To condemn the system for the transgressions of its operators is as logical as blaming the Constitution for Watergate.

Fortunately, we have for comparison the alternative to the market system with its one-hundred-year track record of failure. Its creator was Karl Marx, a nineteenth century German social and economic philosopher who was as sincere and dedicated a consumer advocate as Adam Smith or Ralph Nader. Its modern practitioner was Lenin.

Marx, viewing the massive injustices and lack of concern for the consumers evidenced by the embryonic market system of his time, exhibited a commendable grasp of the obvious when he said, "The Bourgeois during its rule for 100 years has created more massive and colossal productive forces than have all preceding generations together." But then he displayed amazing intellectual myopia, when instead of working to improve the distribution of the products of these forces, he started the violent revolutionary class movement which wrecked the market vehicle itself by placing both production and distribution under political control. Today, thanks to this classic blunder, over 1½-billion people have neither political nor economic freedom and only a modicum of an equal distribution of relative poverty.

By contrast, since its condemnation by Karl Marx, capitalism has succeeded in doubling production seven times, an average of every sixteen years[2] and nobody sees anything unusual about this phenomenon. Yet the obtuse thinking of Karl Marx is today a constant threat to our free society. Though generally dormant, it reappears on every occasion when impatience with real or imaginary short term dislocations of production lead to political interference with the market mechanism, saddling it with social and distributive functions which are the direct responsibility of government.

It seems incredible that after two hundred years of phenomenal success the basic enterprise mechanism should need defending, as Justice Powell suggested. It is difficult to see how anyone understanding that night and day result from the revolving earth and not a rising and setting sun cannot comprehend the simple market mechanism through which two hundred million people, each day, make billions of buy-sell decisions, each involving profits or losses, each making minute adjustments in the amount of what is to be produced and more importantly, who is to manage it. All technology and intelligence cannot perform this vital function without the market concept of Adam Smith. This concept is not something to be defended but must be taught each generation, along with arithmetic, language, history and science.

Widespread economic illiteracy is endemic in every segment of our society, in business, government, and education—and it threatens our whole way of life.

It took 154 years ending with the Great Depression before anyone of note (except Henry Ford) recognized that the employees of businesses were also their customers, that with the phenomenal increases in productivity through the use of power and technology, payrolls alone were insufficient to provide purchasing power to buy what was being produced. But the trauma of the 1930's which stemmed from this imbalance proved a timely catharsis. Overlooked was what John Stuart Mill had pointed out in 1848 in his classic treatise Principles of Political Economy. The province of economics is production, not wealth distribution, and that the laws of the market are as impersonal and absolute as those of chemistry or physics, but distribution of wealth involves ethical questions, obeys human law, and thus is capable of progress.

And progress we got, thanks to Franklin Roosevelt, a new and innovative President, when government assumed its responsibility by devising a new two-step distributive mechanism.

(1) Labor was authorized by law to organize and bargain for wages which included a share in the increased productivity resulting from the use of power and technology, and though workers do not fully earn this share—it is good that they get it.

(2) Government thereafter would, through taxes, become an agent of transfer of purchasing power to a broad spectrum of citizens not otherwise the beneficiaries of direct wages.

Thus was born the welfare state—today's essential adjunct to our enterprise system. But, being politically controlled and without the restraints of the market, its sound administration depends on the economic intelligence of our whole society.

Yet forty years later, as more and more is produced by fewer and fewer for the benefit of all, the recipients of both high wages and income through numerous avenues of political transfers see no connection between their affluence and the private enterprise system which provides it.

The cause and solution to this economic illiteracy is the direct responsibility of the academic community, which is supported by our market system to serve as the professional custodian of accumulated knowledge with prime responsibility for its acquisition, relevance to our needs, and transmission to our youths. It has done a good job in educating and training manpower for specialized jobs, but somehow it has failed to perceive and transmit the basic design of the mechanism for which it supplies the operating parts.

In the academic's own field of competence, the total fund of man's knowledge only doubled from the time of Christ to 1776. But, since the discovery of and paralleling the development of the market system, it doubled again by 1950 and—what is really incredible—the next two doublings took place in 1960 and 1968. In other words, the fund of man's knowledge has doubled four times in two hundred years—three times in my lifetime. Yet few in business, government or education credit this two hundred year explosion of knowledge to the creativity inherent in the private enterprise system.

We must seek out and correct this remarkably persistent myopia, which obviously stems from some long overlooked deficiency in formal education.

Our education process is roughly divided into four stages: Primary, intermediate, secondary and college. Since some economics is taught at the secondary level and is taught as an elective speciality at the college level without imparting a notable understanding or appreciation of the enterprise system, we might consider the cardinal maxim of engineers: "The finest engineering is no better than the basic assumptions upon which it is based." We can conclude that the finest higher education can be no better than the primary instruction upon which it is superimposed. Then if we closely examine primary education we will quickly discover that the economic illiteracy which has plagued us for two hundred years stems from deficiencies in primary instruction—grades 1-6, ages 6-12 years.

Primary education is universally recognized as preparation for citizenship. Secondary schooling tends to be selective and, with some exceptions, is not viewed as citizenship preparation in many countries.[3]

The Communist countries understand this principle and fervently infuse their Communist ideology from the very beginning of schooling.

In the U.S. primary education supplements the programming provided by the home and church, teaching what is right and wrong, good and bad—adding by stages, arithmetic, language, history, team play, and so on, and in grades four through six some basic knowledge of our constitutional political government. From the first grade such knowledge is subtly reinforced by displaying pictures of our founding fathers, by the display of the Flag, by the singing of patriotic songs, by providing facsimiles of the Declaration of Independence, the Constitution and the Bill of Rights. Thus by age twelve, our children have acquired an appreciation if not an understanding of the political half of our system.

During these early formative years we are programmed by our total environment, including home, church, school, the media, etc. This programming is followed by a period of training. After this point we operate largely on automatics with little evidence of subsequent updating. Witness, for example, generation after generation of confirmed Republicans and Democrats, of Protestants producing Protestants; Catholics; Jews; and so on.

Organized religions have universally understood the importance of primary programming and have designed their efforts to prepare children for confirmation in a specific belief by age twelve. The Communist countries begin their indoctrination as soon as a child can read, and the little red book labeled "Quotations: From Chairman Mao" is proudly carried and displayed by all the children of China. And what does the book say? "Destroy the imperial capitalist dogs of the U.S.A., however long it takes." And what do we teach during these sensitive formative years about our capitalist system? Nothing!

Meanwhile our children spend two hours in front of the TV set for each hour spent

[1] Robert L. Heilbroner, *The Worldly Philosophers* 1972, Pages 66, 67, 68.

[2] David T. Wendell, *David L. Babson & Co., Inc.*, Staff Letter 1/2/75

[3] *Encyclopaedia Britannica*, Volume 6, 1974, Page 698.

in classes, soaking up depressing news and comments about the faults of individuals who operate our political and economic system. But having been taught political appreciation, few seriously question the merits of our constitutional government of laws because of the transgression of its operators.

On the other hand, our economic system, which has no constitution, no creed, no anthem, no special flag, no pictures of its leaders on the school walls and which is not even mentioned in class before the sixth grade, is blamed for sins of its operators.

Correction of this oversight in primary education will first require some classroom tools, such as the following:

(1) A simple (post-facto) charter for capitalism, consisting of Adam Smith's proven basic market concepts, updated to describe the essential role of government as a supplemental distributor of purchasing power, and defining the areas of private and public responsibilities and jurisdictions which each must respect.

(2) An ethical creed for capitalism.

(3) Provision for public recognition in print and pictures of individuals who have made massive contributions to our economic affluence.

Then should follow:

In grades one through five—some simple primary instruction to impart an awareness and appreciation of our do-it-yourself free enterprise system using such aids as are available—visual, auditory, games, trips, etc.

In the sixth, seventh and eighth grades there is an increase in development of abstract thought capabilities, a greater sense of responsibility, leadership and personal identity—here should be introduced the rough basic structure of the market system—which can be explained with fourth grade math and is as simple as many of the games children play.

Beyond this point, economics might as well be taught as an elective because for two hundred years most people have learned by osmosis what little is necessary to become a capitalist or to perform successfully in some narrow specialty, which is the genius of the system.

I know a spinster who without a high school diploma or any business knowledge or experience became a capitalist in 1935 by saving $200.00 via a cookie jar and investing it in a savings account paying 2¾% interest. In 1937 as a capitalist and sole manager of this $200.00, she withdrew it and bought a 5% partnership in a local, capital starved, business operated by a young man in whom she had confidence. At no time in the thirty-seven years since has that $200.00 earned less than 20%. Today her net worth from that $200.00 investment exceeds $164,000.00. In 1974 from this business which played the game according to the rules and benefited many others, her income was $25,500.00 plus $3,050.00 of social security benefits mandated by law since, as a partner, she is technically self-employed. If the explanation of such a phenomenon is "a dismal science," then Michelangelo was a house painter.

In addition to improving the economic programming of our youth, we should take steps to eliminate the prevailing widespread adult economic illiteracy. This will require some subtlety—for which the coincidence of our Bicentennial Celebration is made to order.

We should request of the Congress of the United States two bicentennial actions as a token of government's recognition and appreciation of the private sector which produces the wealth which they only tax, administer and redistribute.

(1) Adopt by resolution of both Houses of Congress a charter for our economic democracy. Such a document would be invaluable as a yardstick to evaluate the business environmental impact of present and proposed practices and actions by both the private and public sectors and as an aid to adult education.

(2) Grant belated recognition of the private sector by the regular issuance of some U.S. currency bearing the images of individuals who have made massive contributions to our material wealth. For two hundred years the private sector has produced the wealth which is taxed and sent to Washington, laundered and returned as currency memorializing only political figures. Correcting this imbalance should not be too difficult—since both the private and public sectors have identical constituencies—and our government has in the past issued coins immortalizing the Indian, the Buffalo and the Statue of Liberty.

IN SUMMARY

We have a heritage of economic democracy every bit as precious as our political freedom.

It was given us by our forefathers as our republic was being established. Adam Smith called it, The Perfect Democracy.

This, our economic system of private enterprise has produced more food, shelter, clothing, leisure and luxury for more people than any system in all of recorded history.

The system is little understood and has been and will, unfortunately, continue to be abused by selfish opportunists in both the private and public sector.

Whatever evolutionary changes may ensue, our basic free enterprise market mechanism, self energized and regulated by profit and loss must be retained.

Our children must know of this heritage. They must understand the need for both political and economic liberty: That eternal vigilance is the price of economic as well as political freedom.

Judge Powell's eloquent pleas for a more balanced view of our enterprise system is both timely and challenging to our intelligence. But like a commencement address, it is of little value until implemented by specific actions.

The Question is: Will we use the unique opportunity offered by our Bicentennial Celebration to take specific actions to provide widespread economic education and understanding or will we waste this golden opportunity?

ACKNOWLEDGEMENT

For helpful suggestions, criticism, and encouragement in the preparation of this "analysis," Mr. Stein is indebted to several local friends. Especially to H. James Hitching and Joe V. W. Gaston, Attorneys, and to Dr. Joseph W. Johnson, Jr., Medical Director of Interstate Life & Accident Insurance Company, and to his daughter-in-law, Carol D. Stein, and sons, Gilbert T. Stein and J. Douglass Stein.

MENTAL HARM AND THE GENOCIDE CONVENTION

Mr. PROXMIRE. Mr. President, opponents of the Genocide Convention have often stated that the convention could be interpreted so that mental distress resulting from segregation or discrimination would be acts of genocide. This is not so.

According to the records of the legal committee of the U.N. General Assembly, the term "mental harm" refers only to such drastic acts as the use of stupefying drugs and other such harmful substances.

Indeed, the Senate Foreign Relations Committee expressed their concern and understanding to this issue when reporting the Genocide Convention out of committee. They issued four specific "understandings" to the convention, one of which stated that—

> The U.S. Government understands and construes the words "mental harm" appearing in article II of the convention to mean permanent physical injury to mental faculties.

Keeping this understanding in mind, it is obvious that the act of genocide cannot be claimed by those who have been discriminated against. There are very reasonable laws in this country to accommodate such cases, but genocide is certainly not one of them.

Mr. President, I once again rise to call upon my colleagues to join me in the effort to outlaw the atrocities associated with genocide, by immediate ratification of this treaty.

DOOR STILL OPEN TO SHALE DEVELOPMENT

Mr. GARN. Mr. President, as we struggle with the legislative demands made upon us before we recess, an important part of our time is taken up with energy legislation, and the crisis in petroleum supplies which faces this Nation. Our dependence on foreign sources increases, and the Congress takes actions which can only make that situation worse.

In this discussion, very little attention is paid to the sources of domestic oil, and the kind of incentives which need to be provided to make them available. I am speaking, of course, of oil shale, tar sands, and the various processes which are under development to improve the supply side of the petroleum equation.

In this debate, the State of Utah, and its elected officials, can make a real contribution. I ask unanimous consent to have printed in the RECORD, Mr. President, an article from the July issue of Shale Country featuring an interview with the Governor of the State of Utah, the Honorable Cal Rampton. I believe the Governor outlines clearly some of the options that are avaliable to us as a Nation on this question.

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

UTAH'S GOVERNOR RAMPTON: "DOOR STILL OPEN TO SHALE DEVELOPMENT"

On a boat in the Flaming Gorge of Utah in 1967 Governors Calvin Rampton, Stan Hathaway and John Love met to draft an oil-shale policy for their three states—Utah, Wyoming and Colorado. Today, of the three chief executives, only Rampton is still a governor, in his home state of Utah. And since 1967, federal oil-shale leases, more restrictive than the three governors proposed, have been bid—but oil shale still remains untapped commercially.

Gov. Rampton recently told the Oil Shale Committee of the Rocky Mountain Oil and Gas Assn. that state government is not to blame for the lag in shale development. He pointed out that when the U.S. Dept. of Interior made some oil-shale leases available in 1968, "Oil had just been found on Alaska's North Slope and frankly, you majors dropped us like hot potatoes, and we just couldn't get you interested for several years in even looking at oil shale properties in our states." But today, Rampton observes, both government and industry are "now very deeply interested in the development of the oil shale."

He points out that another change in

the past few years is in attitude; the public now requires that any contemporary economic development go hand in hand with ecological preservation. Meeting ecological considerations will be easier for Utah than it will be for Colorado, Rampton suggests, because Colorado's oil-shale beds are, in many places, nearer the surface and lend themselves better to surface mining than do the deeper beds of Utah.

A familiar figure on the Utah scene, Rampton is a third-term Governor, having held the office since 1965. He is also immediate past head of the National Governors Conference. Before his election as Governor, Rampton had served at different times as an administrative assistant to a Utah Congressman, as a county attorney, as the state's assistant attorney general and had practiced law for more than 15 years in a Salt Lake City firm.

In an interview with Shale Country and during a recent meeting with oil-shale developers, Rampton talked about Utah, oil shale and ecology, new towns, planning and the state's role in private oil-shale development. He began by telling the oil-company executives: "We feel that oil shale is a major asset of this state and we want to make sure your methods use all of the product, and that a minimum is left to waste in the earth. We want to make sure that the method is compatible with the best interests of our people. But we want to be regarded as partners in this effort and not as antagonists." Other points he covered are summarized below.

Q. You have said that oil-shale plants and related developments should "lie lightly on the land . . . and . . . not despoil our countryside." How will Utah insure such development?

A. The Mined Land Reclamation Act (passed by the state legislature in 1975) will make sure we protect the land. Also, a (Governor's) planning commission with representatives of local and state governments is beginning studies on new towns, roads, schools (and other needs of oil-related development in the eastern Utah counties of Uintah, Duchesne and Daggett).

Q. You're referring to the advisory council you appointed last November. How would you assess its progress, especially as compared to the similar planning council set up for the five-county area affected by the Kaiparowits power plant in Southwestern Utah?

A. They (the Uintah Basin group) are not nearly as far along as the Kaiparowits group is, but that's because Kaiparowits has been at it several months longer. But they (Uintah Basin) are proceeding well. One of the things we still have to determine is where the water is going to come from for oil-shale development.

Q. You recently told oil-shale company officials, 'As far as the initial development of oil-shale properties in Eastern Utah, I think there's no question we will have the water there available for you.' What 'initial' size of industry do you have in mind?

A. We can certainly allocate up to 100,000 acre feet of water. We do have most of our allocation of the Colorado River allocated, except for almost 600,000 acre feet—unused even though it is allocated. We're going to . . . make certain, first, that water is not held by people who have no intention of developing it, and second, and above all, that it is not held for ransom by speculators to sell off to the highest bidder when it had never been put to proper use (in the first place).

We believe that we do have, if we properly use it, sufficient water in this state to do these things for an indefinite period of time: first, to provide community water for people; second, to have enough water to flow in our streams to keep them alive; third, to provide adequate water for agriculture to produce the food we're going to need; and, fourth—and I'm sorry I have to put this in the fourth category priority, but I think that it is, to provide the water that is needed for industry, including the development of natural resources. And then, depending on the methods used to produce oil shale—the state of the technology—you'd have to determine what that (amount of water) would yield at the time of the commercial development of oil shale.

Q. You have maintained that industry may have to help foot the bill for new towns. What portion of the cost?

A. In the Kaiparowits area, where we're further along, we expect that industry may advance all of the money—$40 million. A bill (passed in the last state legislative session) provides that industry may advance money for social development to accommodate their industry, then deduct from their sales tax as the plan is completed. The incentive is that industry is not going to be able to get employees without agreeing to it (helping fund community development through tax pre-payment).

Q. What is your view of the oil-shale industry today, its pitfalls and its prospects?

A. Its problems are, of course, the cost of recovering the shale and getting the oil out of the shale. Second, it has the environmental problem of disposing of spent shale. The actual preparation (to begin commercial development) is, I suppose, at a lull, but there's a lull in all oil activities.

Q. Do you think a federal subsidy is going to be necessary for commercial development of oil shale?

A. I would hope not.

Q. If Utah's claims to the federal oil-shale lands, which include the prototype leases of the U-a and U-b tracts, are recognized by the courts, would there be any difference in state enforcement of the leases, even though the state has agreed to honor the terms of the federal leases?

A. It would not be materially different. But I think we can react more quickly to new situations. We're here; and thus we have a deeper concern both with the economic impact and the environmental impact.

AN IDAHO SOLUTION TO THE COMPLICATED PROBLEM OF MEDICAL RECORD SYSTEMS

Mr. CHURCH. Mr. President, in the July issue of Modern Healthcare, an article entitled "The POMR in Long-Term Care" describes an innovative medical record system developed by the Boise Convalescent Center.

This system was designed by Lawrence L. Weed, M.D., and instituted by the former director of nursing, Reita E. Musser, R.N. Through the use of this new system, the administrator of the facility has discovered that "the patient's problems are no longer lost; they are identified and reidentified until they are solved."

To me, this is commendable. As chairman of the Senate Special Committee on Aging, I have often heard testimony asserting that long-term care institutions are not as responsive as they should be to individual needs of patients. I believe that quite often this is so, but in the development and implementation of health legislation and programs everyone should be aware of sensible problem-solving techniques such as those employed by the convalescent center and therefore 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:

[From Modern Healthcare, July 1975]

THE POMR IN LONG-TERM CARE

A system of problem-oriented medical records (POMR) has eliminated duplication of charting, improved the quality of medical records, and helped staff members use their time to better advantage at Boise (Idaho) Convalescent Center, a privately owned 168 bed facility offering both skilled nursing and intermediate care.

Investigating ways to improve record keeping, former nursing director Reita E. Musser, R.N., and the center's staff researched the problem-oriented system of keeping records that was originated by Lawrence L. Weed, M.D., and began adapting it to their facility.

Mrs. Musser, who is now continuing her education, says that a goal of problem-oriented medical records is to improve patient care. She adds: "The POMR system groups all pertinent data in an easily readable and usable sequence. It eliminates meaningless notes and data from charting. It reduces time spent charting by reducing duplication. POMR promotes communication and understanding within the nursing department and with the personnel of other departments. It is a system of record keeping that can be adapted readily to computer storage."

There are four components to problem-oriented charting: (1) a data base, (2) a problem list, (3) a plan of action, and (4) progress notes. The data base consists of a list of information obtained within the first two to three days after admission on all patients regardless of the reason for admission.

Sources of the data base are: the discharge summary, if the patient is being admitted from a hospital; the admission note, if he is admitted from home; the history and physical exam; the results of any lab and X-ray tests completed before admission, or the transfer form when the patient is admitted from a hospital.

A social profile or history is an essential part of the data base and includes information on the patient's living arrangements, the family structure, the support to be expected from the family, and the physical aspects of the home. The social profile data are collected before admission or immediately thereafter.

A nursing assessment—including a statement on mental status with notes on behavior patterns, memory, orientation for space and time, and comprehension of printed or verbal instructions—is an essential part of the data base. Consultation reports of the physical therapist and occupational therapist provide data necessary in defining impairments, planning treatment, and setting goals for the future.

A dietary survey may indicate food preferences and allergies as well as make direct observations on the patient's eating abilities and on the nutritional adequacy of his food intake. An often-neglected but essential patr of the data base is an assessment of auditory and visual acuity.

"In long-term care the total health of the patient must not be forgotten," maintains Mrs. Musser. She notes that there should be a system for periodic review of data base items such as blood chemistry, chest X-rays, physical exam findings, visual acuity, auditory acuity, and other selected items which may reveal the development of correctable disease. After an assessment of the data base, the information is stored in the back of the chart.

The second major element of the charting system is the problem list. Traditionally, this has been used as the face sheet of the chart. In the Boise center's system of problem-oriented medical records, the problem list is

on a large inside sheet of the patient care plan or card index. This placement eliminates the recopying of the problem list from the chart to the card index. The card index and its forms have been incorporated as permanent parts into the chart. This puts the problem list and its accompanying plan of action in a place easily accessible to all members of the healthcare team.

From the data base, a problem list is prepared that indicates psychosocial problems as well as medical problems. Each problem has an index number and a date of onset. The list is divided into active and inactive problems. An appendectomy performed several years previously would be listed as an inactive problem or as a resolved problem. During the patient's course of treatment, active problems that are resolved are noted along with the date at which they became inactive. As new problems develop they are added to the active list. The list may consist of a documented diagnosis, abnormal physical findings, such as an enlarged liver, or unexplained symptoms, such as headache. Problems are listed only according to the knowledge available in the data base.

Subdivisions of problems are made when there are specific management plans, *e.g.* respiratory tract or urinary tract problems of the quadriplegic patient. In cases of senile psychosis it may be advantageous to sublist major manifestations such as disorientation, depression, aggression or day-night reversal. Sublisting also is indicated when additional information from clinical tests and observation is desired.

The third component of the POMR system is a plan of action. It includes the following: (1) possible problem causes and appropriate procedures for determining the causes, (2) proposed treatment for each problem, (3) proposed education of the patient and family about the problem, and (4) reasonable and anticipated solutions to the problem. The goal may be for total resolution of the problem, partial resolution, or maintenance of present status.

The treatment may be subdivided according to functions, *i.e.* the medication record with observations by the RNs and LPNs, the therapeutic techniques of the physical and occupational therapists, and the work of the social service department, which may include psychological testing and therapy. The plan should include criteria for monitoring the course of the illness and the treatment. For example, the body weight, urinary sugar, and blood sugar determinations are needed to assess the course of diabetes mellitus. The educational component of the plan includes education of the patient, the family, and the staff in preparation for the discharge of the patient to his home. According to Mrs. Musser, "There must be an assessment of the level of functioning necessary to the patient in terms of family and community support and the physical characteristics of his home. It is important that the entire staff understand the patient's educational plan so that reinforcement may be obtained and conflicts avoided."

The progress notes, the final element of problem-oriented charting, indicate the patient's course as related to each problem. Indexing the notes ensures relevance and eliminates the recording of useless information. A narrative progress note is divided into subjective patient complaints, objective observations, assessment and plan (SOAP). After the subjective complaints of the patient are recorded, the objective observations are listed and an assessment of their significance is made. This is followed by a plan for responding to the assessment. All staff members, including physicians, nurses, physical therapist, dietitian and social worker write narrative progress notes. The progress notes are a permanent part of the patient's chart and appear in chronological order by problem number and title.

Another form of progress notes is the graphic flow sheet. This is a graphic system in which the dates are recorded vertically on the left margin of the page, and the observations and treatments are recorded across the page. By this method it is possible to record a month of data on one page. This form has been placed in the upper portion of the card index so that it is accessible to all staff members, including nursing aides, LPNs, RNs, activity director, physical therapist, social worker, and dietitian.

The problem-oriented system of medical records provides a format for periodic review, in staff conferences, of treatment plans and goals. Medical audit is another function of the review. The course and treatment in a case under staff review is compared with those in similar cases. If unsatisfactory results are being obtained, consideration is given to altering the institutional or departmental policy and approach.

Implementation of the POMR system at Boise was achieved as follows: All full-time RNs attended a workshop to familiarize them with the concepts of problem-oriented charting. The materials to be used and the formats of charting were developed in group sessions by the professional staff. Inservice training was conducted to familiarize all staff personnel with the POMR concepts and materials. Next, the nonprofessional staff members were instructed in charting techniques. The nonprofessional personnel use the flow sheet to record observations pertinent to a problem or condition. The head nurses worked closely with the aides during the initial instruction and implementation period. Continuing inservice education is essential in a facility using problem-oriented medical records, stresses Mrs. Musser.

The next step in implementation occurred when the flow sheet was placed in the card index and staff members began using the sheet to collect and record data needed to monitor the patient's daily course and treatment. Two months were allotted for the transition to this flow sheet.

At the beginning of the second month, staff members began collecting a data base and implementing problem lists with a plan of action on all new admissions and in-house patients. Two months were allowed for collection of data on in-house patients. Data base development was required on all new patients within three days of admission. Three months were required to complete the development of the data base on in-house patients.

At the end of the first three-month period, all of the professional staff began using the SOAP format to record the narrative progress notes pertinent to a specific problef. A narrative summary note is made once a month by each nursing shift following a review of data collected on the flow sheet and the narrative progress notes.

Standardized care plans have not been developed or used in this system, says Mrs. Musser, because "an objective of problem-oriented medical records is to implement a patient care plan focusing on the patient and his problems as they affect him individually. Standardized care plans save some time, perhaps, but unless used very carefully they become a substitute for tailoring the plan to the individual's needs."

This system incorporates nursing care plans (problem list and plan) and ward work sheets (flow sheets) into the card file as an integral part of the chart. The flow sheets are filed in the back of the chart on a monthly basis. If the problem list and plan page becomes filled, a new page is inserted in the card file with only the current problems carried forward. The first page is filed in the chart as an inactive problem list.

Administrator M. J. Taylor said of the system: "It gives more information to personnel without breaking the confidentiality of the patient's chart. Nurse's aides, for example, now find answers to their questions by looking at the patients' chart; they don't always have to ask. Most important, the patient's problems are no longer lost; they are identified and re-identified until they are solved."

THE CONSERVATIVE PROSPECT

Mr. BROCK. Mr. President, yet again, Prof. Irving Kristol has very eloquently addressed himself to the changing society of our Nation. In his article, "The Conservative Prospect," which appeared in the Wall Street Journal, Mr. Kristol paints a very interesting picture of our political atmosphere and perhaps what it may mean in the near future.

I ask unanimous consent that Mr. Kristol's article be printed in the RECORD.

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

THE CONSERVATIVE PROSPECT

(By Irving Kristol)

It could be a touch of spring fever, but quite suddenly I find myself feeling rather optimistic about the outlook for liberal democracy in the United States. I say this not despite the fact that my own city of New York is now effectively bankrupt, but because of it. The experience has been most instructive.

That New York City was going to go broke sooner or later was obvious to anyone who could count on his fingers. That the only way out is a drastic and painful cut in public services and public employment, has long been equally obvious. What was never clear was how the citizens of New York would react when the moment of truth arrived. Would we have, as our politicians said and perhaps believed, panic in the streets? A general strike? Riots and civil strife?

Well, though the dog days of summer still lie ahead and prophecy is a bit risky, it seems that New Yorkers are confronting the realities of their situation with fortitude and maturity. There is no strike talk, though television reporters are naturally trying their best to get union leaders to make dramatic and scary statements. There is relatively little riot talk—though here, once again, television reporters keep probing away in the hope of providing their cameras with the kind of inflammatory material that photographic journalism feeds on. No doubt, if there are enough TV cameras around, someone will eventually oblige by burning something down. But as of now, the prevailing attitude is most akin to the stoical resignation with which one copes with a well-earned hangover. Even The New York Times, which was never particularly critical of the frenzied finance of the Lindsay years, and which did its part in nourishing all those Great Society illusions, now is speaking editorially with a candor and firmness that is altogether admirable.

And it's not only in New York City that a freshened spirit of fiscal realism and fiscal responsibility is asserting itself. That spirit seems to be experiencing some kind of national revival. All of those newly elected Democratic governors, who promised so much for so little, are confounding their supporters and critics alike. In New York State, Governor Carey announced in his inaugural address that "the days of wine and roses are over," and he has been expending most of his energies in trying to persuade his legislature to balance the budget. In California, Governor Brown publicly muses that "sometimes we need fewer programs, less planning, more space to our lives"—and then proceeds actually to cut the University of California budget. Governor Dukakis of Massachusetts, that most liberal of states, has

declared a reduction in the welfare rolls to be the first order of the day. Governor Lucie in Wisconsin talks about a balanced budget and the need for economies in governmental expenditure in a way that even some Republicans had come to think anachronistic. And one hears rumors that even at the very edge of the real world—in Washington, D.C.—Congressmen are murmuring to themselves that perhaps money doesn't really grow on trees.

TAKING THE CURE?

Not everyone, to be sure, takes a benign view of this new and unexpected phenomenon. A reporter for Newsweek, while recounting it in conscientious detail, keeps referring to the "sour-mood" of the American public, to its "alienation" and its "shrunken view of itself and its prospects." Well, that's one way of looking at it, and there is no doubt that with the left wing of the Democratic Party there is much consternation, even a sense of betrayal. For the rest of us, however, this "shrunken view" of the possible benefits of government expenditure and government programs is less distressing. After 15 years of addiction to "managing social change" through perpetual deficit financing, the American public seems prepared to abandon the pleasures of political and economic fantasy, to take the cure—and to do it "cold turkey." As anyone who has been involved with addicts—whether it be to alcohol or drugs or cigarets or whatever—will tell you, that is the only kind of cure that really works. It hurts, but the willingness to suffer that hurt is the surest sign of the will to be detoxified, and the best guarantee of eventual success.

I do not wish to sound more cheerful than the realities permit. Though the 1960s—the "decade of rubbish," as the late Richard Hofstadter called it—seem finally and belatedly to be over, the afterglow lingers on. In the academy and the judiciary especially, the cast of mind and the habits of thought of that decade still prevail and still plague us (e.g., the dogmatic and irrational court decisions on school busing). Moreover, the new service bureaucracies and regulatory bureaucracies that were created in Washington have by now developed their own powerful constituencies, both outside Congress and in, and it is going to be exceedingly difficult to diminish their size or curb their powers. So we shall be living with the consequences of the 1960s for quite a while—and to some degree, in some respects, we may well have to live with them forever.

But there is little question that the ideological atmosphere as a whole has changed, and in a direction that can fairly be called conservative. Becoming more realistic about money is rather like becoming more realistic about sex: such realism almost automatically spills over into all other areas of one's life. It then becomes less possible to talk glibly about "the revolution of rising expectations," as if perpetual fantasies of wish-fulfillment were natural and healthy. Expectations that outdistance reality by too much create unstable people and unstable societies. A politics which constantly incites such expectations is a politics of disorder, and ultimately of self-destruction. We have, in this past period, lived through such a politics and have experienced its baleful power. Now the American people seem to be saying that it is a time for sobriety and self-discipline.

It is inevitable and unsurprising that various commentators on the left should see in this new spirit a testimonial of despair and hopelessness. What is more surprising, however, is that this new sobriety should be interpreted by some conservatives as a sign that the time is ripe for an exhilarating "counter-reformation." I am referring, of course, to those who see the Ford administration as weak, tepid, and out of phase with the new climate of opinion. These are the people who are agitating in favor of a "realignment" of American politics, and foresee some kind of Reagan-Wallace coalition as a new political force to be reckoned with.

Though this segment of American opinion is commonly designated as conservative, a more accurate description would be "right-wing populist." Its deepest aim is to create a *popular movement* that is much more than a mere *political party*—the difference being that a movement appeals to people's frustrations and passions, as distinct from their long-term interests and deliberate opinions. A movement agitates the electorate, a party persuades it. A movement seeks "power"; a party aims to govern.

A DELAYED BACKLASH

The "new politics" of the 1960s was a left-wing populist movement, and the dream of an effective Reagan-Wallace coalition is best understood as a delayed "backlash" against it. As such, it is a phenomenon of the 1960s, not the 1970s—a spasmodic reaction to yesteryear's provocations. Those provocations were real enough, and the frustrations which are their legacy are real, too. Big government, expensive government, intrusive government, ineffectual government—yes, there is increasing disaffection with the whole business. But it is precisely because that disaffection is now so widespread within both political parties that there is so little solid ground on which a new mass movement, dedicated to a "counter-reformation," can establish itself. Twelve months from now, I predict, Governor Wallace will loom a lot smaller than he does now.

The Ford administration, it seems to me, is proceeding quite skillfully along the main lines of the emerging American conservatism. It is recruiting to the thin ranks of this conservatism many of those "old liberals" who, after the chastening experiences of the '60s, appreciate the ambiguities of reform and the virtues of moderation. It is trying to evolve a social policy which, while not abolishing the welfare state in the name of "free enterprise" (that would be absurd and suicidal), would reshape, delimit, and—above all—de-bureaucratize it. (The substitution of housing allowances for public housing projects is an instance of such an approach.) It is struggling to increase the capacity of the private sector for economic growth, so that various classes and interest groups will be encouraged to think more in terms of achievement, less in terms of redistribution. It would certainly like to see the regulatory agencies behave in a less arbitrary and more sensible manner—though, in view of the strength of the Democratic left in Congress, there is little it can do about this for the moment.

There is every reason to think that, in the shorter run—i.e., through 1976—this strategy will be both popular and effective. If the economy is in fair condition this time next year, Mr. Ford will, in my opinion, be a very strong candidate indeed. But in the longer run, of course, American conservatism will have to face up to a far more profound problem: its cultural impotence—its inability to propose an ideal of moral and spiritual excellence that could challenge the predominance of liberal egalitarianism in our educational system and in the culture generally. That, however, is another story, to be told on another day.

HURRICANE ISLAND OUTWARD BOUND SCHOOL

Mr. MUSKIE. Mr. President, the Hurricane Island Outward Bound School, in my home State, is one of six Outward Bound schools which have been established in the United States during the last 13 years. Last year, Hurricane Island celebrated its 10th anniversary of operations. On a number of occasions I have had an opportunity to be briefed on the school's progress, and I have watched its growth with great interest. Outward Bound is an exciting concept, and I am proud of the successful development of the Hurricane Island School in Maine and the contributions it has made to the development of young people from Maine and other parts of the country.

The expression "outward bound" refers to a ship heading for the open sea. The first school was established in 1941 in Aberdovey, Wales, and was designed as survival training for young British merchant seamen during World War II. The success of the school as a training ground for personal growth led to the establishment of several additional British schools, administered by the Outward Bound Trust in London. Since then, 32 schools have been established in Europe, Africa, Asia, Australia, and North America. In the United States, there are now six Outward Bound schools in operation, serving more than 5,000 students each year, with over 30,000 alumni. The American schools are located in Maine, Colorado, Minnesota, North Carolina, Oregon, and Texas. In addition, there is an Outward Bound Center operating at Dartmouth College in New Hampshire.

The founder and guiding spirit of Outward Bound was a German and British educator by the name of Dr. Kurt Hahn, who died last year at the age of 88. Dr. Hahn's educational philosophy can be summarized in his own words:

> The aim of education is to impel young people into value-forming experiences . . . to insure the survival of these qualities: an enterprising curiosity; an undefeatable spirit; tenacity in pursuit; readiness for sensible self-denial; and, above all, compassion.

Hahn observed that "youth suffer from the misery of unimportance" and was deeply concerned by what he viewed as a "progressive inhumanity of the society in which we live." He saw in the Outward Bound concept a means of countering the "decline in fitness due to the modern methods of locomotion; the decline in initiative, due to the widespread disease of spectatoritis; the decline in care and skill, due to the weakened tradition of craftmanship; the decline of self-discipline, due to the ever-present availability of tranquilizers and stimulants; and the decline of compassion, which William Temple called 'spiritual death'."

The Outward Bound schools in this country and abroad have their own special approaches to implementing Dr. Hahn's philosophy, and their programs are adapted to their unique environments. For example, the Colorado school concentrates on mountaineering, hiking, and rockclimbing. The Hurricane Island school, on the other hand, is basically a sea school—like the original Outward Bound school—and its programs are designed to take advantage of the unique seamanship opportunities available in Maine's Penobscot Bay and surrounding areas. Hurricane Island itself is located 12 miles east of Rockland—where the school's main offices are situated—close by to the much larger Vinalhaven Island.

The program at the Hurricane Island school concentrates on sailing and navi-

gation in 30-foot open pulling boats, and students will go on ocean-going expeditions in various directions—100 miles "down east" to the Machias, south to Portland and Casco Bay, out to the farthest offshore islands on the eastern seaboard. In addition, the school teaches basic rock-climbing techniques in abandoned quarries and on the ocean cliffs at Acadia National Park. A key part of the program at Hurricane Island is search and rescue training and firefighting which are undertaken on the school's powerboats whenever called upon by the U.S. Coast Guard and the Maine State Forest Service. Rescue training was a principal part of Dr. Hahn's philosophy, since he believed that the "experience of helping a fellow man in danger, or even of training in a realistic manner to be ready to give this help, tends to change the balance of power in a youth's inner life with the result that compassion can become the master motive."

With a new rescue station in operation at Hurricane Island and manned around the clock, the school now participates frequently in search and rescue missions in the area.

Participants at the school vary in age and background. About two-fifths of the students are women. Although the minimum age for admission is 16½, over one-third of the students are over 21 years old. A large number of the students come from poor families in the inner city, under special grant programs, and the school has been involved in helping several States develop special programs for disadvantaged youths using Outward Bound concepts. Literally hundreds of schools, colleges, universities, and other organizations have adopted Outward Bound principles for their own programs, several of which the people at Hurricane Island helped start.

Mr. President, I ask unanimous consent that two articles on Maine's Outward Bound School be printed in the RECORD—"Sailing Through Outward Bound: No Easy Trick," from the January 1975, issue of Boating magazine, and "Outward Bound at Moosehead," from Down East magazine.

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

[Reprinted from Boating, January 1975]

SAILING THROUGH OUTWARD BOUND: NO EASY TRICK

(By Toni Brodax)

Two days of extensive seamanship, navigation, ocean sailing and rock climbing. Three days on a solo—isolated on an island with a gallon of water, the clothes you wore, a sleeping bag, and tent. Sound interesting? I thought so, and signed up for a five-day Outward Bound course on Hurricane Island, Me.

The course began Monday October 9 aboard Maine's 1240 Vinalhaven ferry where the 12 of us in the course met for the first time. Barely had the ferry left the pier before our instructor, Franklin Mullen, had us tying knots as he explained what we'd be doing at HIOBS (Hurricane Island Outward Bound School). It wasn't a day-by-day account or, believe me, I would have returned to Rockland on the next ferry. In fact, we never knew what would be happening until it happened.

There were relatively few opportunities to make entries in our logs. The following is my first and nearly last entry, made at 0420 on October 10, 1974 to record my impression of the first day: "I was wakened from a cold, restless sleep 20 minutes ago to take the 0400–0600 watch with Bob Simicrope. Somehow I've managed to make it through the first day. I don't think I like it here—am sure I will be the first to leave. My body feels like it's about to collapse and my brain is telling me I'm crazy. At 22, I wonder if I'm too young to die from a heart attack?"

I was sure the Marines had adapted their basic training course from Outward Bound, but in fact Outward Bound began as a survival school for British Merchant Seamen in 1941 in Aberdovey, Wales. Since then, more than 30 private, non-profit Outward Bound Schools have sprung up.

"What Outward Bound offers," Franklin said, "is experiential education—you learn by doing." While demonstrating a square knot he added, "There are some basic ingredients in all the Outward Bound Schools—stress, risk, and adventure—I'll find each of your limits and stretch you beyond them."

Before reaching Vinalhaven, we had learned how to tie four knots and we'd learned the name of our watch. Each course on Hurricane Island is assigned a name for their watch. Ours was Aurora.

While HIOBS is in operation from April to November each watch assists, in cooperation with the U.S. Coast Guard, in search and rescue to local island and coastal communities as well as all mariners in Penobscot Bay. Hurricane Island is located 10 miles east of Rockland.

Pulling boat No. 10 was waiting at the dock for us at Vinalhaven.

Number 10 was an ugly onboard as she was from ashore. For the next five days this 30-foot, 3000 lb. gray and orange pulling boat would be our second home.

I guess it was about 1430 when we started to row and not much later when my muscles began to tighten. Afraid to look at the palms of my hands for fear of bright red, juicy blisters, I just followed Franklin's commands, "Give way together, hold oars, backwater, give way together," for the next four hours.

Resting for a brief ten minutes I felt every muscle in my body tense up as Franklin gave us a short lesson on sailing. We spent the next 15 minutes putting up and taking down sails, but there was no wind. Back to the oars.

Towards sunset we reached Hurricane Island, tired and hungry. First things being first, we grabbed our gear and jogged to our tent and then to a 12-foot wooden wall. We were to get over it anyway we could, using only our bodies. Pyramids and a lot of pushing, pulling and tugging got us over in 25 minutes. (Record time is 39 seconds.)

Off and jogging to the watch locker for sleeping bags, jogging back to the tent, jogging to the watch locker for foul weather gear, and jogging back to the tent. A couple of things ought to be added here: all this jogging was done in complete darkness, our sleeping bags were made of cotton (mine had a broken zipper), and our foul weather gear didn't fit.

Our last jog of many was to the mess hall.

It must've been 2300 when Franklin ended our charting and navigating lesson, informing us that we'd be taking two-hour, two-man safety watch shifts that night. Fortunately I'd be able to sleep for five hours before my 0400–0600 radio watch with Bob. Our duties entailed radio watch and boat check.

Franklin walked in to the Safety house at 0600. I had just gotten through the longest day of my life and thinking today would be better when he told me to wake Aurora watch and tell everyone to put on their sweat suits and bring a towel for the morning's run-and-dip.

We jogged for half a mile before reaching the dock where we'd take our "dip."

"I thought swimming was optional," I said to Franklin, outraged.

"Swimming is optional, but run-and-dip is not!" came his curt reply.

Eight feet below me was cold water. I though it couldn't be that bad—it was worse. The water at most, was 45°. Fact: Exposure for more than 20 minutes would result in death.

Hiking through the beautiful Maine woods in autumn splendor followed breakfast. I could have hiked through those woods for the rest of the afternoon and wished we had when I saw the rope climbing course set up for us.

We were supposed to complete the course in one hour. I never thought I would, but with determination, encouragement, and a great deal of stubbornness, I did—about two hours later.

For the first time, being the last to finish worked to our advantage. Had we completed on time, the next event would have been capsize drill. Instead we observed another watch capsize a boat. A remarkable job.

Rock climbing and rappelling consumed what was left of our afternoon. I had no knees left after climbing straight up over 100 feet of solid granite with no sort of footholds to grab onto. All the time I hoped Tom Riedy was belaying for me the way we'd been taught. One slip and my life would be over in two seconds, if Tom wasn't careful.

However, rappelling down the cliffs was very exhilarating. After the first step it's all down hill, bouncing and swinging off the rocks all the way down. I controlled my speed while Dick Barbieri gave me slack on the safety line.

Planning a three-day sailing expedition occupied our time Thursday night. As Quartermaster I stowed away the food (six lb. can of tuna, five 10 lb. loaves of homemade bread, six gallons of water, etc.) while the others stuffed duffel bags (one for 2 people) with sleeping bags and plastic tarpaulin, clothes, and flashlights. There would be three days to try the other positions of Captain, First Mate, and Navigator as they were rotated to prevent any mutinies.

Three people in our crew had decided to leave HIOBS the next morning. It was more than they expected, they said, and they weren't prepared to go through any more of what we'd done.

Showers never felt so good. This was the first luxury I'd had in two days. Aside from being tired, I felt good. I was going to make it through the next three days "come hell or high water" even if it killed me.

Sunrise and Franklin—the two were like bread and butter—coming to wake us every morning. Sweats but not towels. I was ecstatic and the first to start jogging; the last to finish. However, we were in time for the most fantastic sailing weather. In minutes we had the sprit rigged main and mizzen up, making way at five knots. Clear skies, brisk northeast winds, and an oncoming cold front—couldn't ask for more.

Our first hours of sailing was confusing, comical and haphazard. Only two or three of us had sailed before. When we finally managed to raise the mainsail, it was momentful as raising the flag on Iwo Jima. Enjoying our new prowess in tacking and jibing, we forgot about lunch until Franklin suggested we picnic on Little Rye Island, four miles from Hurricane Island. Having unloaded our lunch and two duffel bags and started to eat, we suddenly noticed Franklin sailing away.

"Franklin, where you going? Looking for another anchorage?" we yelled from shore.

"I'll see you tomorrow, maybe," was his reply. Franklin doesn't talk much.

We stood there stunned and surprised, especially when we discovered three sleeping

bags instead of four. Then we started enjoying the idea of being alone on a deserted island like Robinson Crusoe. No matter what, we'd survive, whether it be for one day or three. We were going to make the best of it and of what we had: one gallon of water, 19 tuna fish sandwiches, 26 plums, granolo, three sleeping bags, and a plastic tarpaulin.

Scouting the island, which took no more than 20 minutes, we found a place to camp, firewood, mussels, snails, and a lot of vegetation. George Appleton filled us in on the edibles, having read one of Euell Gibbon's books. Glasswarts are delicious but salty, rosehips make great tea and are filled with plenty of vitamin C, and mussels were plentiful. We steamed some that evening after pitching a makeshift plastic tent.

The nine of us slept shoulder-to-shoulder with the three sleeping bags covering us. Enough body heat diffused through all our clothing and foul weather gear to keep us relatively warm through the 40° night, without a sniffle in the morning.

To our dismay, Franklin came for us at 1000. There was some urgency in getting off of Little Rye Island because of low tide and rocks. Within a half hour we were all aboard and heading for Burnt Island. We caught the wind after a short time of rowing.

Clouds began to clutter what was a magnificent sky while we proficiently tacked and jibed through three-foot swells. Appreciative of the foul weather gear, we sailed with ease and for once enjoyed the scenery, waving while a convoy of HIOBS pulling boats passed us by.

It wasn't long until we reached Burnt Island and anchored in Mullen Cove. We disembarked, making sure Franklin was not the last aboard. With no foreseeable problems, we divided into two groups. One group would make camp not far from where we beached, and the other would collect firewood and prepare dinner.

There were no problems as the sun set, and in fact, I had really enjoyed the day's events. John Donovan and I had volunteered for boat watch that night. I figured we had a relatively easy job compared to the others who would have to take shore watch—similar to our first night on Hurricane Island.

Shortly before 2100 at high tide, John and I boarded No. 10 prepared for an easy, restful night. We had two sleeping bags and two chocolate bars between us and the most magnificent view of the milky way above us. It was also one of the warmest evenings we'd had thus far on the trip.

An hour or so must've passed when I heard John yelling to shore. "Get Franklin, the wind's changed and the anchor might be shifting!"

What was once a gentle southerly had shifted direction. Now a cold, bitter northerly brought ominous and foreboding clouds.

Things were hectic on shore. Franklin was telling shore watch to break camp and move down to the fire on the beach. I could see people running and moving about.

Our only connection to shore was 200 feet of line. And 50 feet of line connected us to the anchor. Rocks were two feet below us.

The wind had shifted again, coming strongly from the northeast, crossing our deck broadside. For the first time since the beginning of our trip, we all felt helpless and unsure. A decision had to be made. We could stay put and wait out the weather or get everyone on board and look for another anchorage. We chose to stay. We'd know at 0917, high time, if we had made the right decision. Getting to shore amidst the rocks was our biggest problem.

Low tide came at 0230. The swells had grown to about four feet with incessant cold winds penetrating foul weather gear and warm clothing. John and I had no protection from the cold. Our sleeping bags were soaked and there was no cabin to rest in. We were two bitter cold people in a completely open boat in a rough sea.

Our most warming sight came during low tide—the Northern Lights, which I had never seen before. Surrounding us was the most magnificent light show. Flashing spurts of light instantly changed into a neon-like rainbow. It was a radiant demonstration of nature at its best.

We knew high tide was a few minutes away, and our best hope for getting ashore without going on the rocks. We had to make it then, or John and I would be where we were for the next 12 hours. We were prepared to radio for help. I couldn't take much more. All night long I thought things would get better, but they hadn't.

We finally had a solution. We threw the life preserver towards shore, where the tide brought it in. A line was tied to it on shore and we pulled it back, cleating it down. Dennis Blender and Lennna Dower slowly let go of the first line while the others pulled in on theirs and I slowly let out the anchor line. The bow was heading to shore, under control.

In five minutes we had reached shore, stowed the gear and gotten everyone aboard. Soon Burnt Island grew smaller as the wind filled the sails. Now there was plenty of time for conversation as we ran with the wind almost all the 12 miles back to Hurricane Island.

Sailing back to Hurricane Island was fantastic. The wind was with us all the way, filling the sheets until they looked like pillows. And we'd just watch those big fiberglass sailboats pass by with a smile on our faces. We were no beauty in comparison, but I don't think any of us would have exchanged our boat for theirs.

We reached Hurricane Island late that afternoon, sailing straight to the dock. While we unloaded our gear and cleaned up our mess, I observed the other watches coming in from their expeditions. They too were tired, hungry, elated, and content.

Dinner would be served at 1830 after we had showered and changed. We'd been wearing and sleeping in the same clothes for three days. Three meals a day, and all the extra luxuries of our homes had been forgotten.

I spent the remaining time before dinner down by the dock watching the sunset and thinking. There was No. 10 next to the other moored boats. Had she been a smaller, less sturdy boat, I probably wouldn't still be here. Had she been bigger and more elaborate, well, I probably wouldn't have seen the Northern Lights or experienced freezing cold weather. "Experiential Education' it says in the brochure.

At 2230, a night navigation lesson preceded dinner on two small HIOBS cabin cruisers. Franklin said we had to put on foul weather gear. I was putting on all my warmest clothes underneath the foul weather gear. One thing that night on the boat taught me is that I never want to be cold again.

We divided into two groups and boarded the rescue boats. Taught how to use the depth sounder, radar, compass, and charts, we navigated to an island eight miles away.

"This is Aurora watch isnt it?" were the exact words Franklin woke us with. The last day of our course and he told us to put on sweats. And if he told us to bring a towel, well, I would have, without argument.

While we jogged to a point on the island I realized my muscles weren't sore and that I felt good, really good. My accomplishments, no matter how difficult or how long they took, made me feel great. And whether I was doing chinups or freezing in an open boat, it was working with the elements and making the most of each situation.

There was no dip that morning and within a few hours we were aboard the Rockland ferry. Our course was over; the most incredible five days of sailing, rock climbing, and camping I've ever experienced. Where did the time go?

OUTWARD BOUND AT MOOSEHEAD

(By Eliza Cocroft)

When the weather turns cold in the fall, Hurricane Island Outward Bound School of Rockland closes down its operation on an island off Vinalhaven and moves its training program to Maine's north woods near Moosehead Lake. During the months of January, February and March it offers a 23-day course in outdoor winter living to groups of students of both sexes, 16½ years and older.

The winter program began in 1972 with the help of the Great Northern Paper Company, which gave the school use of Grant Farm, a former lumbering depot, located ten miles from Kokadjo (winter population, one). In 1973 the base was moved to its present location at Mountain View Farm at the foot of Squaw Mountain on the outskirts of Greenville.

Training at Moosehead is modeled after that followed in the summer at Hurricane Island and at other Outward Bound schools in this country and abroad. The goal is to provide students with the kind of experience that will challenge them both physically and emotionally and develop in them self reliance, confidence and a greater understanding for others.

The course includes snowshoe expeditions, cross-country skiing, camping, first-aid training, map and compass work, marathon-style running and a "solo" experience during which a student spends three days and two nights alone in the woods fending for himself. Each day at Mountain View Farm begins before sunrise and ends after eight at night.

Besides learning to live outdoors in the winter, both as individuals and in groups, students become acquainted with what life was like in the north woods three generations ago. They harvest ice from Moosehead Lake, cook over an open wood fire, and travel long distances on foot in the cold.

Upon arrival at Mountain View Farm students are divided into groups of from eight to twelve members. Each group, or "crew," functions as a unit throughout the training period under the supervision of two instructors. As their students become more proficient, the instructors gradually relinquish the responsibility for decision-making until the students themselves assume the full initiative.

Physical conditioning is a part of each day. An early morning run soon after daybreak wakens tired bodies and sleepy minds. Supplying the needs of the farm provides initial experience in splitting wood, gathering water from a nearby stream and cooking for a large group. Then the students move out from the farm to practice in the woods what they have learned at the farm: coping with the cold, handling minor medical problems such as frostbite, and providing hot food and a warm, dry shelter on the trail.

Midway in the course each student is given an opportunity to put into use as an individual what he has learned in the group. Solo begins when the instructors leave their students alone and apart deep in the woods. The student must then immediately provide for his needs: building and tending a fire, cooking, and digging a cave in the snow for a shelter or designing and building one from evergreen boughs. Then as he settles into the days and nights he must spend alone he has time to listen to the sounds of the forest and observe the wild creatures that share it with him.

For some, the period is a lonely vigil; for others, a time in which they come to realize how important other people are to them. Usually, a higher level of tolerance for others and a keener understanding of differences between people are developed.

The return to the farm after three days of solitude is a joyful occasion. Students rejoin their group and share the insights they have gained during solo. Then one full day is spent working for others outside the school. This may mean a visit to a senior citizens' home in Greenville or instructing local school-children in physical fitness on an obstacle course.

Finally, comes the real test—a five-day expedition, planned and executed by the students themselves. They elect a leader, a quartermaster to be in charge of food, a safety officer and a navigator. Their route must be carefully planned and their objectives clear. If all these conditions are met, the instructors give them permission to proceed. From then on they are on their own, with the instructors interceding only if a student's safety is at stake.

With 40-to-50-pound packs and either skis or snowshoes strapped on their backs, the students leave the farm behind as they set out over the ice of Moosehead or deep into the forest. Their objective may be to scale a mountain peak or to reach a point forty miles from the base. Since winter days are short, rising before daybreak is not unusual. The days are busy and filled with hard traveling, but before students return to the farm five days later they may have passed beaver dams, traversed wind-swept Moosehead or perhaps climbed Mt. Kineo in the moonlight.

One last event, the marathon, confronts each student with an individual physical challenge. The route may be a four-to-six-mile run across the frozen lake on foot, a cross-country run on snowshoes, a running climb uphill for several miles, or even a 13-mile lope along an open road. Whatever the course, students are asked to run farther than most of them have ever imagined they could. Bodies in motion for up to two hours ring with "I can!" New horizons have been set—and met—in winter days with Outward Bound at Moosehead.

FURTHER SALE OF GRAIN TO THE SOVIET UNION

Mr. STONE. Mr. President, there is a growing concern being expressed throughout the country in all areas of life as to the impact of the newest Soviet grain purchases on our economy.

Secretary of Agriculture Earl Butz stated in his testimony before the Senate Agriculture and Forestry Committee on July 11, 1975, the following:

I want to assure the American public that we can meet a sale of grain to the Russians, for example, in the magnitude of 5–10 million metric tons, and this 10 million is the upper range of what everybody is talking about, the upper range of our estimate.

That was on July 11. Total sales have now reached 9.8 million metric tons. Private grain firms have thus far sold the Soviets 4.2 million metric tons of hard winter wheat, 4.5 million metric tons of barley. We have now reached the upper range of our estimate as stated by Secretary Butz.

What is happening now? How much grain is going to be sold to the Soviets? Last Friday, Assistant Agriculture Secretary Richard Bell stated that the drought is so bad in the Soviet Union that purchases of U.S. grain might amount to a new figure—14 or 15 million tons. Secretary Butz stated last week that he personally feels that the Soviets will not need much more grain than was originally anticipated. Travelers returning from the Soviet Union have brought word of bad drought conditions.

The American people need to be assured that we are not risking another round of inflated prices for grain, such as we experienced in 1972 which led to increased prices for beef, vegetables, and all commodities.

Mr. Butz states that we have record harvests and there is nothing to worry about. In response to a telegram sent to Mr. Butz voicing concern over the large sales of wheat to Russia, the Agriculture Department replied:

Fortunately, we had a bumper wheat crop last year and have ample carryover reserves. We have a near-record crop this year so there is no need to fear runaway wheat or flour prices.

Mr. President, that response was not given last week. It was Mr. Butz's response to a telegram sent to him on September 21, 1972. These facts were disclosed in an article in today's Wall Street Journal by Robert E. Grant, chairman of the executive committee of American Bakeries Co. Needless to say, Secretary Butz was dead wrong. Wheat at that time was about $1.80 a bushel. It climbed in the next 18 months to over $6 a bushel, the highest price in history. Mr. Grant calls for "further discussion and study—before we can confidently accept the most recent assurances concerning the Russian grain sales."

What effect does the price of wheat have on other foods? Mr. Butz stated before Senator JACKSON's committee in 1973 that meat, eggs, poultry, dairy products, fruit, and vegetable prices were in no way related directly to the market price of wheat. However as Mr. Grant further points out in his article in this morning's Wall Street Journal:

In major farm areas farmers have learned that if wheat is at a sufficiently high price, it is better to switch to raising wheat than to raise other popular vegetables. And, furthermore, if vegetables are to be grown at times of high wheat prices, then the farmers will demand higher prices for growing vegetables.

Remember the soaring meat prices of 1973? Feed grain prices had risen sharply because of higher export sales and in sympathy with higher wheat prices, and as beef cattle, hogs, and poultry are fed on feed grains, meat prices increased.

What can we learn from all of this? As Mr. Grant suggests:

It is reasonable to suggest that one of the single greatest contributors to the economic woes of the U.S. in recent years, along with the price escalation and a severe drought, was the extreme size of the wheat sales to Russia in 1972. They depleted U.S. reserves, wheat prices rose, feed grains rose in sympathy, meat prices rose with feed grains, certain major vegetable and fruit prices rose with wheat prices; high food prices brought on wage increases. Inflation, with high food prices a major contributor, cut sharply into family purchasing power, thus setting the stage for the recession.

Mr. President, that is what happened in 1972. Do we have any indication that the same spiral is going to hit us in 1975? I believe that we do and it is rather clear and also rather frightening. This morning's Wall Street Journal points out that Mr. Dawson Ahalt, an Agriculture Department economist, has stated that there "may be some" increase in consumer food prices because of recent Soviet purchases which have already been completed.

He stated:

I am reluctant to increase our estimate that food prices will rise six to eight percent this year but there may be some increase by the end of the year because of Russian sales.

The Soviet grain sales have spurred wheat prices from $3.07 a bushel on July 3, 1975, to $3.75 a bushel on July 11; corn prices at $2.81 a quarter bushel up from $2.57; and September soybeans at $5.92 a quarter bushel up from $5.13 on July 3. This rapid increase is ominous to me. Before we continue to sell grain to the Soviets we need additional assurances that our carryover positions from this year's harvest will be strong.

I have written Secretary Butz, asking that he call for an immediate halt to further grain sales to the Soviet Union. Further sales should be subject to scrutiny by the administration and by Congress. USDA and the sellers of grain should be called in to testify as to the risks of these sales. We cannot allow these sales to contribute further to inflation. We have a duty to the American public to protect their pocketbooks from unnecessary, preventable inflation. Let us live up to that duty.

NURSING HOME REFORM

Mr. MOSS. Mr. President, the Federal Council on Aging was established by the Older Americans Act Amendments of 1973. The purpose of the Council was to advise and assist the President on matters relating to the special needs of senior citizens. According to the law, the Council must annually file a report with its recommendations for action and suggested priorities.

In their March 1975 report to the President, the Council recommends forthright action in the area of nursing home reform. The report states in part:

The Council urges legislative action to develop high standards of safety and care in nursing homes.

I was most pleased with the Council's recommendation because of my keen interest in nursing home problems having served as chairman of the Subcommittee on Long-Term Care of the U.S. Senate Committee on Aging since 1963. In this capacity I have chaired some 35 hearings and taken over 5,000 pages of testimony. I also introduced, and the Congress passed, a comprehensive series of nursing home reforms in 1967.

Unfortunately, these reforms have never really been enforced by the Department of Health, Education, and Welfare. The subcommittee's November 1974 report, "Nursing Home Care in the United States: Failure in Public Policy" contains ample documentation of HEW's failures. The report states:

Despite the sizable commitment in Federal funds, HEW has been reluctant to issue forthright standards to provide patients with minimum protection. Congress in 1972 mandated the merger of Medicare and Medicaid standards, with the retention of the high-

est standard in every case. However, HEW then watered down the prior standards. Most leading authorities concluded at subcommittee hearings that the new standards are so vague as to defy enforcement.

Another portion of our report extends this theme, criticizing the administration for its failure to provide alternatives to institutionalization:

Despite the heavy Federal commitment to long-term care, a coherent policy on goals and methods has yet to be shaped. Thousands of seniors go without the care they need. Others are in facilities inappropriate to their needs. Perhaps most unfortunate, institutionalization could have been postponed or prevented for thousands of current nursing home residents if viable home health care and supportive services existed. Although such alternative forms of care may be more desirable from the standpoint of elderly patients—as well as substantially less expensive—the Department of HEW has given only token support for such programs (less than 1 percent of Medicare's total outlays are spent for home health care.)

Another part of the report charges that nursing standards are not enforced and that nursing home inspections are a "national farce." It says:

There is no direct Federal enforcement of these and previous Federal standards. Enforcement is left almost entirely to the States. A few do a good job, but most do not. In fact, the enforcement system has been characterized as scandalous, ineffective, and, in some cases, almost nonexistent.

Finally, the report evaluates the Nixon nursing home "reforms" of 1971 and the so-called 1974 "reforms." It concludes that such "reforms" had "only minimal effect" and that "they fall far short of a serious effort to regulate the nursing home industry."

The report urges immediate action by the Department of Health, Education, and Welfare to end this national disgrace. Specific recommendations call for a cadre of Federal inspectors to test the quality of State inspection and mandatory auditing by the States along with suggested new programs designed to help nursing homes upgrade.

Mr. President, with this background aside, I cannot tell this body how sad I am that the President of the United States has apparently turned a deaf ear not only to the Congress but to his own Advisory Council. In his statement yesterday, the President said:

The enforcement of these standards (nursing homes) is one of my Administration's highest priorities.

In fact, it is one of this administration's lowest priorities.

President Ford need look no further than the State of New York to find the massive fraud perpetrated on the American taxpayer by unscrupulous operators. The ultimate losers, of course, are the Nation's 1 million elderly who cannot but receive poor care when operators divert money to profit of unrelated real estate transactions.

I sincerely hope I am mistaken, but the President's statement reads as if he believes HEW has a sterling record in enforcing nursing home standards and that nothing further need be done. Only incredible myopia and insensitivity to the most devastating of human needs would support that point of view. I urge an immediate Presidential nursing home iniative to make up for the last 8 years of inaction by HEW.

ANNOUNCEMENTS FROM THE FEDERAL ELECTION COMMISSION

Mr. CANNON. Mr. President, I ask unanimous consent that certain announcements from the Federal Election Commission be printed in the RECORD. These include requests for advisory opinions.

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

[From the Federal Election Commission, Notice 1975-16, AOR 1975-18—1975-23]

ADVISORY OPINION REQUESTS

In accordance with the procedures set forth in the Commission's Notice 1975-4, published on June 24, 1975 (40 FR 26660), Advisory Opinion Requests 1975-18 through 1975-23 are published today. Some of the Requests consist of similar inquiries from several sources which have been consolidated in cases where appropriate.

Interested persons wishing to comment on the subject matter of any Advisory Opinion Request may submit written views with respect to such requests within 10 calendar days of the date of the publication of the request in the Federal Register. Such submission should be sent to the Federal Election Commission, Office of General Counsel, Advisory Opinion Section, 1325 K Street, NW., Washington, D.C. 20463. Persons requiring additional time in which to respond to any Advisory Opinion Request will normally be granted such time written request to the Commission. All timely comments received by the Commission will be considered by the Commission before it issues an advisory opinion. The Commission recommends that comments on pending Advisory Opinion Requests refer to specific AOR number of the Request commented upon, and that statutory references be to the United States Code citations, rather than to the Public Law Citations.

AAR 1975-18: Continuous Reporting of Campaign Debts From 1972.

A. Request by Muskie Illinois Campaign (Continuous Reporting by Inactive Committee with Outstanding Debts) (Request Edited by the Commission)

"* * * Since 1973, there has been no activity in the Muskie Illinois Campaign. The political committee has (i) disbanded; and (ii) not received any contributions nor made any expenditures since 1973, in an aggregate amount totaling more than $1,000, and does not expect to make any such expenditures or receive any such contributions. In other words, *all* activities have ceased.

The Committee still owes, however, the sum of $166,432.75, as reported in Section D, Part 12, of the 1972 and 1973 Comprehensive Revised Report. This "debt" will continue to be owed, since the Committee has no funds to extinguish the debt, and does not contemplate the receipt of any funds or contributions from any source at any time in the future.

Please advise if the "Committee," which no longer exists, is under an obligation to continue to file the report, setting forth that it owes a debt of $166,432.75, and if so, for how many years this report is to be filed. * * *"

JAMES R. SNEIDER,
SNEIDER AND TROY.

Source: Muskie Illinois Campaigns by R. Sneider, Esq., Sneider and Troy, One North LaSalle St., Suite 2025, Chicago, Illinois 60602, (June 16, 1975).

B. Senator Ellender Campaign Committee (Continuous Reporting of Disputed Debt under Litigation) (Request Edited and Paraphrased by the Commission)

The subject committee has been inactive during the last reporting period except for receiving contributions and refunds of $577.50 and paying a late-arriving bill for $428.50.

"* * * There is an outstanding claim by Innovative Data Systems of Louisiana, Inc., for $43,194.68, which is disputed by the Committee. The claimant has filed suit for this amount in the Thirty-Second Judicial District Court, Parish of Terrebonne, State of Louisiana, against Dr. Allen J. Ellender, Jr., as the sole heir of the late Senator Ellender, against the Committee, and against its individual members, Elward Wright, George Arceneaux, Jr., and myself. It probably will be a long-drawn out lawsuit, and I can see no need for the committee to continue to file reports showing no activity. In fact, the Committee is non-existent, except for the lawsuit. Would you please advise if it will be permissible to discontinue reporting until the pending lawsuit is terminated? At that time we would file a final report." * * *

FRANK W. WURZLOW, Jr.,
Treasurer, Senator Ellender Campaign Committee.

Source: Senator Ellender, Campaign Committee by Frank W. Wurzlow Jr., Treasurer, Ellender, Wright & Wurzlow, 254 Barrow Street, Houma, Louisiana 70360 (May 19, 1975).

AOR 1975-19; Candidate's Relationship to Unauthorized Committees Acting in Candidate's Interest. (Request by Senator Packwood) (Request Edited by the Commission).

* * * * *

"A committee has been formed in Oregon under the name 'Packwood 1980.' I have not authorized this committee, either to receive contributions or make expenditures. It is the committee's understanding that the only effect of a lack of authorization is that a disclaimer must appear on any literature from the committee. Please advise me whether the committee's understanding is complete and accurate."

BOB PACKWOOD,
U.S. Senator.

Source: Senator Bob Packwood, 6327 Dirksen Senate Office Building, Washington, D.C. 20510 (May 8, 1975).

AOR 1975-20: Status of Political Education Committee—Committee for Thorough Agricultural Political Education (Request Edited by the Commission).

"Gentlemen: In addition to financially supporting candidates in their campaign efforts our Committee is considering undertaking some or all of the activities listed below.

1. Pay for the cost of educating and training dairy farmers how to be efficient and effective in organizing and participating in (1) political campaigns, (2) voter registration drives and (3) get-out-to-vote campaigns.

2. Pay for the expenses incurred in voter registration drives and get-out-to vote activities.

3. Reimburse the travel expenses of dairy farmers, their spouse and employees of dairy cooperatives in connection with the following:

a. travel to visit the public officials who represents them in either state or federal offices;

b. travel to attend fund raising dinners, political rallies, etc.;

c. travel to testify at hearings held by elected officials or public agencies.

4. Pay per diem to dairy farmers in addition to the reimbursed expenses under 3(a), (b) and (c).

5. Pay for the cost of informing public

office holders, consumers, and the general public about farmer cooperatives, dairy industry, beef and dairy imports, agriculture, etc.

Possible expenses involved would be:

a. films;

b. speakers;

c. media advertisements;

d. information mailings;

e. meeting facilities, meals, travel expenses;

f. professional consultation in this activity;

g. membership and participation in the consumer and/or agriculture organizations.

6. Share in the expenses of non-campaign meeting or functions held by public office holders. A few examples would be:

a. Governor conference;

b. Annual meeting of various associations of local and state public officials;

c. Innaugural balls.

7. Purchase small Christmas or birthday gifts for public officials, i.e., cheese ($5–$25).

8. Pay honorariums to public office holders to speak to dairy farmer groups.

The original purpose and powers clause of C–TAPE is broad enough and is intended to cover many activities * * *

'1. *Purposes and Powers.* The Committee is organized for the purpose of carrying on lawful activities to foster governmental recognition and adoption of policies and practices, which are consistent with the sound and effective functioning of the agricultural, and in particular the dairy industry. The Committee may conduct such educational and voter registration activities, support the enactment of such legislation, and the nomination and election or appointment of such elective and other public officials, solicit and accept contributions of such services, money and other property, make contributions and expenditures of such services, money and other property and take such other action, all as it may deem will properly further such purpose.'

Before undertaking any of the above activities the Committee feels that official guidance is needed. We respectfully request * * * an 'advisory opinion' in these matters."

J. S. STONE,
Secretary, Committee for T.A.P.E.

Source: J. S. Stone, Secretary, Committee for Thorough Agricultural Political Education, P. O. Box 32287, San Antonio, Texas 78284 (May 1,1975).

AOR 1975–21: Corporate Contributions To Political Committees, Supporting State and Federal Candidates, (Request of Republican Central Committee of San Diego County) (Request Edited by the Commission).

"DEAR SIR:

* * * * *

We have in the past accepted contributions from corporations, placing them into a separate account. Funds from that account are used only for State candidates, not federal, and in compliance with state and federal law.

The questions is, can corporate donations be used by the Central Committee for day-to-day operational uses, i.e., office rent, utilities, secretarial salaries, office supplies? No direct or measurable benefit to federal candidates is involved, we feel, and certainly none distinguishable from benefit to the party as a whole.

If this question is answered affirmatively, the next would be, can such contributions be used to finance a Republican registration drive. Again, benefit to federal candidates as opposed to state candidates is indistinguishable. * * *"

Mrs. D. C. WILLMON,
General Counsel.

Source: Mrs. D. C. Willmon, General Counsel, Republican Central Committee of San Diego County, 432 E Street, Room 200, San Diego, California 92101 (June 10, 1975).

AOR 1975–22: Contributions or Transfers from Principal Campaign Committees.

A. Endorsing Contribution to Political Party Committee (Request Edited by the Commission).

"DEAR MR. CURTIS:

* * * * *

The principal campaign committee of a candidate is the payee of a check. Upon receiving the check, the only action taken is an endorsement by the treasurer and immediate forwarding to a state committee of a political party. Does this constitute a receipt and expenditure by the principal campaign committee? * * *"

STROM THURMOND,
U.S. Senator.

Source: Senator Strom Thurmond, 4241 Dirksen Senate Office Building, Washington, D.C. 20510 (April 17, 1975).

B. Expenditures of Committees Not Authorized by Candidate (Request Edited by the Commission).

"DEAR MR. CURTIS:

* * * * *

If a person or political committee is specifically authorized to solicit and receive contributions, and specifically unauthorized to make expenditures, will the incidental expenditures of that person or committee be treated as expenditures by the candidate's principal campaign committee or as independent expenditures? * * *"

STROM THURMOND,
U.S. Senator.

Source: Senator Strom Thurmond, 4241 Dirksen Senate Office Building, Washington, D.C. 20510 (April 17, 1975).

AOR 1975–23: Establishment of Political Action Committee and Employee Political Giving Program by Corporation (Request of Sun Oil Company).

DEAR COMMISSIONERS: Pursuant to Section 437f of Title Two, United States Code, it is respectfully requested hereby that the Commission issue advisory opinion with regard to the following Sun Oil Company Responsible Citizenship Program.

Sun proposes by appropriate corporate action to create a political action committee (Sun PAC) which will be maintained as a separate segregated fund and will be a reporting political committee under the applicable Federal laws and regulations.

In addition Sun proposes, also by appropriate cprporate action, to establish a political giving program for its employees (Sun EPA) which will be separate and apart from the activities of Sun PAC.

Sun PAC will be established as a voluntary nonprofit unincorporated political association of certain employees of Sun appointed by Sun's management for the purpose of creating such a committee. Sun PAC will be a membership association and every full-time hourly or full-time salaried employee of Sun or any of its subsidiaries shall be eligible for membership. (The Commission notes that Sun PAC has recently registered.) Sun PAC will be independent of any political party, candidate or organization except that Sun will defray the costs and expense incurred in the establishment and administration of, and the solicitation of contributions to, Sun PAC.

The purposes of Sun PAC as stated in its Articles of Organization will be the "protection, preservation and furtherance of the private enterprise system and, in particular, the protection and advancement of the industries and other types of businesses, in which petroleum-oriented industries may be engaged from time to time."

To achieve its purposes, Sun PAC will solicit and accept contributions from individuals and from other political committees. Any funds so received will be expended to influence the nomination for election and the election, of candidates for Federal and State elective public office. It is further contemplated that Sun PAC could make contributions to National, State and local committees of National political parties.

Sun PAC will have a Chairman, Vice-Chairman, Treasurer, Assistant Treasurer, and Secretary. These officers will be appointed by Sun. The Articles of Organization of Sun Pac (Article VIII) specify that each officer shall continue in office until his successor is appointed and qualified. Section Three of Article VIII responses in the Treasurer the responsibility for all funds collected by Sun PAC and for maintaining all financial records. Further, the Treasurer is specifically authorized by the Articles to prepare, sign and file all reports required of Sun PAC by law.

Sun PAC will also have a Contribution Committee which shall be responsible for the overall financial operations of Sun PAC and which shall have the responsibility of selecting the recipients of contributions by Sun PAC. Section Two of Article IX, however, provides that the Contribution Committee may delegate to the Chairman, subject to the overall direction of the Contribution Committee, the responsibility for managing the financial affairs of Sun PAC including the power to determine the candidates and/or political committees that Sun PAC shall support.

The contributions to Sun PAC will be voluntary. No contribution to Sun PAC will be solicited or secured by job discrimination or financial reprisal, or by threat of job discrimination or financial reprisal, or as a condition of employment by Sun or any of its subsidiaries.

The Articles of Organization provide that no funds of Sun PAC will inure to the private benefit of any member of Sun PAC, or any contributor thereto. The Articles also contain the usual provision regarding their amendment, except that certain sections are not susceptible to such amendment. In addition, the Articles make appropriate provisions for the distribution of funds upon dissolution of Sun PAC.

Sun also proposes to establish a mechanism, whereby its employees may engage in political giving without contributing to Sun PAC. This political contribution plan, known as Sun EPA, will permit employees to contribute directly to political candidates, committees, and parties of their choice. As its involvement in Sun EPA, Sun will establish a payroll deduction program whereby an employee may direct that a certain amount of his compensation be deducted and sent to one bank chosen by Sun where the funds will be maintained on deposit in a separate account for such employee.

When and if such employee wishes to make a political contribution out of his Sun EPA account, he will notify the bank directly, stating the name and address of the recipient of such contribution, and direct the bank to draw a check to the designated payee. The bank will then draw the check to that named payee, deducting the amount from the employee's account. The bank will transmit the draft directly to the candidate, committee, or political party designated by the employee.

The Sun EPA program is also entirely voluntary. An employee's participation will not be encouraged or secured by job discrimination of financial reprisal, or as a condition of employment by Sun or any of its subsidiaries.

Further, Sun EPA will be entirely confidential. Except for the employee and the bank, no one will have any knowledge as to the recipients of contributions made by Sun EPA participants. It should be pointed out here that the bank, on a quarterly basis, will inform Sun of the total amounts of contributions under Sun EPA for the quarter to specific candidates, committees, or political parties receiving them, so it may be published

for those participating in the plan. However, there will be no report as to the individuals whose contributions are included in those totals.

In establishing Sun EPA, Sun proposes to assume costs incident to implementing the payroll deduction plan, plus any charges by the bank. These charges, if any, will cover the costs incurred by the bank in establishing and administering the separate accounts for participants, and for postage costs in mailing checks to candidates, committees, or political parties. In short, no participant in Sun EPA will incur any cost as a result of his participation in Sun EPA.

KENNETH R. BURTON, Jr.,
Senior Attorney.

Source: Sun Oil Company by Kenneth R. Burton, Senior Attorney, 240 Radnor-Chester Road, St. Davids, Pennsylvania 19087 (July 9, 1975).

SURFACE EFFECT SHIP

Mr. TAFT. Mr. President, what I believe to be an important article appeared on July 24 in the Washington Star, entitled, "The Navy's 100-Knot Warship: Civilians Aren't Convinced." I ask unanimous consent that the article be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. TAFT. Mr. President, the article discusses the Navy's surface effect ships program. A surface effect ship is a type of hovercraft, a ship that rides on a cushion of air. It is of great interest to the Navy because it is capable of very high speeds: 100 knots should be possible with a ship of this type.

As the article from the Star notes, the surface effect ship program, currently in the research and development state, is meeting stiff resistance from some people in the Department of Defense, particularly certain people in the Office of the Secretary of Defense. I think that, in order to put in perspective the objections to this program, we must look at the possible military potential for a 100-knot ship.

A thorough understanding of the potential military importance of a 100-knot ship is vital if we are to evaluate effectively the need for the rapid development of such a ship. Perhaps the most important potential relates to antisubmarine warfare.

The threat we face today from the Soviet submarine force is awesome—much more serious, I believe, than many people are aware. As I noted when I spoke on the floor on this subject last May 15:

> In total, the Soviets today possess about 300 submarines—the United States has 115. Of that total 68 are nuclear powered attack submarines—the kind used to attack shipping, and 40 of those 68 carry antiship missiles. These are supported by numerous conventional attack submarines, of which 28 carry antiship missiles.

To counter these 300 submarines, the United States today possesses 99 destroyers and 66 other escorts. Thus, the Soviets have about two submarines for each American antisubmarine escort ship. Yet, as admiral of the Soviet fleet Gorshkov notes, in World War II for each German U-boat, there were 25 British and U.S. warships, and 100 aircraft, and for every German submariner at sea there were 100 British and American antisubmariners. Yet, nevertheless, this significant numerical superiority of defenders was insufficient to force the attackers to fully curtail their active operation.

We get some perspective on what the number of Soviet attack submarines means if we look at the number the Germans had in World War II. I am certain every man in this Chamber remembers the dark days when the U-boats seemed to rule the Atlantic, when few Allied convoys got through to England without heavy losses, and when it appeared that German naval power might well succeed in starving the British into surrender.

How many submarines did the Germans have in their battle for the Atlantic? When war broke out in September of 1939, Germany had a total of 57 submarines. Of these, only 39 were ocean-going attack submarines. Again, if war broke out today, the Soviets would have about 300—about 10 for each the Germans had.

The crucial phases of the U-boat war were conducted with very few boats. In June of 1940, the Germans had 19 U-boats at sea—two-thirds of their total operational boats. During that June they sank 63 ships, totaling 355,431 tons.

In September of 1940, a year after the outbreak of war, Germany had only 27 attack submarines, 12 fewer than at the outbreak of the war. By February 1941, the Germans were down to 21. Yet during the following month of March, the Germans sank 43 ships, totaling 236,000 tons.

Again, I think this gives a useful perspective on what 300 Soviet submarines mean in terms of ability to cut the sea lanes.

The surface effect ship program is one of the most promising potential answers to that Soviet submarine threat. Whereas a modern Soviet submarine can do over 30 knots, our latest antisubmarine escort vessel can make only 28. A surface effect ship escort with a 100-knot capability would have a vastly greater capability against that Soviet submarine than do present escorts. I remember the account of the commander of one of the few German-type XXI submarines to get to sea before World War II ended. The type XXI was a much faster submarine than the standard U-boat—it had a top speed of about 18 knots, compared to the 8 or 9 for the standard-type VII and type IX U-boats.

This type XXI put to sea in the closing days of World War II. It encountered an allied submarine hunter-killer task force in the North Sea—a task force of destroyers and an antisubmarine aircraft carrier. According to the commander of the U-boat, his type XXI's speed enabled him to play tag with the antisubmarine task force—literally to play games with it, with no danger to the submarine. He did not sink any of the ships in that task force, because he knew the war was virtually over and had no desire to waste more human lives. But the antisubmarine force was no threat to him. Today, the Soviet nuclear-powered submarine is almost twice as fast as that type XXI and has unlimited endurance; but our antisubmarine ships are no faster than were the destroyers in that allied task force.

I believe we have not faced up to the Soviet submarine threat, and that we must face up to it with new and much greater efforts. Our whole commitment to NATO is meaningless if the Soviet submarines can control the Atlantic for 6 months. It does not matter what happens on the ground in Central Europe if we have no way to supply and reinforce the Allied forces there. Just as Germany came close to winning two world wars with the submarine, the Soviets could use the submarine to win a future war in Europe.

Again, the surface effect ship is a very promising answer to the ASW problem. Its speed would give the antisubmarine ship the speed advantage it had in World War II—of being two to three times as fast as the submarine. As the Star article notes, it would enable the ASW ship to keep its ASW helicopter—a very effective weapon against submarines—on station up to twice as long, because the surface effect ship can fall back behind a convoy to hunt a submarine, and then catch up to the convoy again because of its superior speed.

Against this background of the submarine threat, and the important ways the surface effect ship would give us a new tactical superiority over the submarine, let us now look at the objections some raise to the SES program.

The stated objection, according to the Star, is that some believe further paper studies to be needed, to determine whether we should examine possible alternatives to the surface effect ship in the ASW and other potential roles. I agree fully that all alternatives should be evaluated, in terms of any mission. However, the real question is, in the face of the Soviet submarine threat, do we halt or substantially delay one of our most promising answers to that threat while the study is undertaken? Or is the threat serious enough that we should push ahead with this program, and possibly with other potential programs, while we undertake the study? To me, the latter answer is the only correct one. I have already outlined the threat, and what I believe to be its seriousness. Even if some waste in money would be involved in pushing ahead with a program to answer that threat. I believe it should be done. Let us ask ourselves, what will the cost be if the Soviet submarines come to control our sealanes? Is it worth paying some money now, in order to avoid that cost? I believe it is. We should note that when the Soviets want to test a new idea, they build not one ship but a class. The *Moskva* and *Leningrad* are a good example of this.

There is, I believe, another objection to the surface effect ship program, one that is not stated. Quite simply, it is that a new program such as this is hard to analyze from a scientific systems analysis standpoint, and the persons in Office of Scientific Development opposing the program are systems analysts.

It is always difficult to perform an effective systems analysis on a new pro-

gram, because we have no hard data. That is inherent to a new program, a new system, or a new idea. It is true of the surface effect ship. It would have been equally true of other great advances in naval science, such as steam propulsion. But that does not justify delaying or killing the program. It justifies, perhaps, objections from the systems analysts, but it does not justify letting the systems analysts go far beyond their proper role and function, and override or ignore the military potential of a new system in making the overall OSD decision on that system. We saw under Secretary McNamara some of the danger of letting systems analysts run the whole show. I fear the McNamara lesson is being forgotten in OSD in relation to the surface effect ship program.

I intend to work for the surface effect-ship program. I supported it in the Research Development Subcommittee, in the full Armed Services Committee and on the floor of the Senate. The basis of my support is not any vested interest—it is not built in the State of Ohio—but my tremendous respect of the Soviet submarine capability and my belief that we must act rapidl yand decisively to develop a corresponding antisubmarine capability, which we do not now have.

I do not wish to see pennyise and pound-foolish economizing destroy what may be our most promising answer to the Soviet submarine threat. I believe that any small amount of money which might be wasted by proceeding rapidly with the SES program—including the building of large prototypes—would be waste only in the most narrow view; any expenditure which could give us an effective antisubmarine ship will ultimately be justified. I most certainly do not wish to see narrow systems analysis override military requirements, and if the systems analysts succeed in their apparent attempts to undermine or destroy the surface effect ship program, they can count on giving a thorough explanation of why to the Research and Development Subcommittee.

The Soviet submarine threat is one of the most serious threats we face. It is a threat we have long tried to ignore, and which I think we still try to ignore in many ways, simply because it is so disquieting. The surface effect ship is an attempt to look at that threat and to answer it. As such, it can count on my full support.

EXHIBIT 1

THE NAVY'S '100-KNOT WARSHIP': CIVILIANS AREN'T CONVINCED

(By Vernon A. Guidry Jr.)

For years, the Navy has envisioned a radically different kind of warship, one that could hurtle over the world's oceans at unheard of speeds of 95 or 100 miles an hour.

The attempt to perfect such a ship has been, by the Navy's testimony, one of its most important research efforts. But now, with Navy enthusiasm undiminished, the program has been slowed and could conceivably be halted.

The slowdown has come at the insistance of the civilians in the Defense Department who oversee research and development. They say the Navy has yet to demonstrate how the new craft, called the surface effect ship (SES), will fit into the fleet or what kind of mission its dazzling speed will allow it best to accomplish. Navy thinking has largely centered on using the swift vessels in antisubmarine warfare.

So the Navy, nearly in midstride, has been told to evaluate the SES and a number of other naval platforms before it begins to build the expensive, oceangoing prototype that will be the next stage of development.

This evaluation, says one Defense official knowledgeable about the program, could mean "no SES or a different SES."

The SES is a close relative of the more familiar hovercraft, which rides on a cushion of air trapped inside a flexible skirt which rings the craft. The flexible skirt enables the hovercraft to move over solid land as well as water.

Like the hovercraft, the SES depends on a fan-generated, captured air cushion or bubble. But it must keep to the water. The SES has flexible seals at bow and stern to trap the bubble, but unlike the hovercraft, the SES has rigid sidewalls—actually, thin, narrow hulls down its sides.

The Navy has been at work on SES technology since 1961, and it has done extensive work with two 100-ton research boats. One is an 82-foot version designated 100A and designed by Aerojet Corp., which uses water jets for propulsion. The other is a 78-foot craft built by Bell Aerospace Division of Textron using semisubmerged propellers and designated the 100B.

The 100A looks like a sleek racer. Its bow seal gives it a gape-jawed look reminiscient of recent movie advertisements prominently featuring a shark. The 100B, on the other hand, looks like a very large floating tennis shoe, the kind with rubber over the toe.

Inside, the craft are operated from control areas that look much more like airplane cockpits than the bridge of a ship.

The floating tennis shoe has come closest to matching the slogan attached to the research program: The hundred knot Navy. In May, the Bell boat hit 82.3 knots, or 94 miles per hour over a specially instrumented course.

To reach those speeds, the SES must do more than simply ride on a captured bubble. The point of the exercise, which has so far cost $200 million, is to ride over the water, not push it aside as conventional hulls do, thereby reducing drag and picking up a speed dividend.

Up to about 40 knots, according to the Navy, drag on the SES and on conventional ships is about the same. That's because the air bubble forms a depression, a dimple under the SES. So, the craft is still pushing its way through the water much like a conventional ship must.

But as the speed of the SES increases, the dimple moves toward the stern. When the craft reaches, then exceeds what the Navy calls its "hump speed," the bubble doesn't have a chance to form. At that speed, the Navy says, displacement is virtually nil, drag drops off and speeds of 80 knots or more are attainable.

Those speeds are attainable only in fairly calm water. For a ship of oceangoing size, the Navy believes it would be able to do 80 knots with waves up to a foot high. The speed would drop down to perhaps 50 knots when the waves hit 10 to 12 feet.

And ship designers, like everyone else, can't get something for nothing. To get the speed, they've sacrificed range and payload. Other technical knots to untie include how to best propel the craft and how much punishment its crew can take as it pounds along, hitting the wave tops at between 50 and 80 knots.

The Navy says it has the technical problems well in hand. The prospect of having such speed in a warship is a heady one. Some have suggested that its introduction into the fleet would prompt changes comparable to those that followed the introduction of the airplane and submarine earlier this century.

So what comes next? The Navy thought it had the answer: Two 2,200-ton prototypes. That has been trimmed back to one large-scale prototype, the program has been pushed back a year, and the Navy has been told to conduct the evaluation of other advanced platforms.

Disputes within the Defense Department over pace of deveolpment and the like are commonplace. But the difference of opinion between the Navy and Defense Department civilians over the readiness of the SES project to move ahead to a large-scale prototype seems particularly sharp.

The Navy has repeatedly been asked on Capitol Hill if it is ready to move ahead and it has repeatedly said yes. In one response to congressional queries, the Navy counted up 15 studies and 44 reports on the SES. "This sort of work is a continuing process, but we feel that only so much can be learned from paper studies, and in the case of the SES, we have reached the point where prototype operations are necessary to validate SES assumptions and to provide solid performance data upon which to base further conceptual work," said the Navy.

Yet the Navy has been asked to do another paper study, this time comparing the projected performance of an SES warship with that of such vehicles as blimps, hydrofoil ships, extremely long-range aircraft that might land and take off on the open ocean, other aircraft that gain efficiency by flying low over the water and advanced submarines. The test will be a war game involving what is called "Case 1," a NATO war scenario.

Rear Adm. William L. Read, director of the Navy's ship acquisition division, has said he sees nothing in the study that will affect the SES. That prompted a congressional question about why the Defense Department was asking for $5 million from the SES budget to run the study.

The reply, in the name of Dr. Malcolm Currie, director of defense research and engineering couldn't have been more blunt. "Our development of the SES has been technically rewarding, but we are now past the point at which we can afford to pursue purely technical goals in this program. Before proceeding into fullscale engineering development, it is essential to know what roles the SES is suited for," read the reply.

"Unless and until results are obtained from this effort, there will be no rational basis upon which to make a decision to commit to any specific development program," the reply concluded.

The sticking point, says one Defense official, is the move from advance development to full-scale system development. It is a crucial point "because the implication is you're going all the way."

This official says, "The people doing this job are quite focused. We're asking them to slow down and take a broader look."

Most of the work on determining the mission of the SES has concentrated on antisubmarine warfare (ASW). Admirals look to the SES to regain the edge in speed that has gone to the submarine with the coming of nuclear power.

War games already run have prompted the Navy to say the speed of the SES would contribute greatly to existing antisubmarine tactics. Helicopters are extensively used in ASW. War games last fall predicted that an SES capable of carrying a helicopter could increase the range of the helicopter by 20 to 40 percent and its time on station searching for enemy subs by as much as 100 percent.

Civilian officials note the enthusiasm for the SES as an ASW platform, but they also note that the $412 million it would take to build and test the 2,200-ton prototype the

Navy wants would make up a substantial portion of the total ASW research budget. If there were endless research and development funds, they note, the prototype would be built. But those funds aren't endless and these officials insist that there has been no demonstration that the SES "represents what we want to invest in."

The Defense Department's go-slow position has won favor among members of Congress following the project.

When the restructured program was spelled out for the Senate Armed Services research and development subcommittee, Chairman Thomas J. McIntyre, D-N.H., said, "It appears that we have finally come full circle in this program.

"For the past four years, this subcommittee has, in the face of the strongest Navy opposition, successfully prevailed in its efforts to keep the SES program on a deliberate and conservative course. I am convinced that had the program been permitted to proceed at the pace persistently recommended by the Navy, the major technical problems, schedule delays and substantial overruns which have occurred would have caused total cancellation by now."

In 1972, the program, including two large-scale prototypes, was estimated at $519.2 million, total cost. Now, the program, with only one large-scale prototype, is estimated at $611.1 million.

Other things have changed since the 1972 estimates. One of them is the projected range of the craft. When Currie appeared before the House Appropriations Committee's defense subcommittee, he was questioned by Rep. Bill Chappell, D-Fla., a captain in the Navy reserve who says he generally questions whether the Navy is moving fast enough in modernization of its surface fleet.

But with the surface effect ship, "I haven't made up my mind whether the thing is good or bad," says Chappell.

One thing that bothers Chappell is the range. The estimated range of the 2,200-ton version remains classified, but authorities note that it has been nearly cut in half since estimates were made three years ago. This, Currie acknowledged, "will make it much less useful; of course."

With that range reduction, Chappell says he wonders "how you get them to where you want them when you want them."

The Navy says the drop in range comes primarily from adoption of the water jet propulsion system for the single prototype now planned. It is less efficient than the propellers used in the swift 100B research craft, but the technology involved in using the propellers is riskier than that with the water jets. The Navy is still working on the propeller technology, but has opted for the jets in the prototype.

The Navy and Currie's operation also aren't seeing eye to eye on the size of the prototype, a factor which has much to do with its ability to operate in rough seas, its range and its payload. It is also a factor that could further delay the SES.

The Navy feels the 2,200 ton model will demonstrate what it must about the open ocean capability of the SES. Currie wants a larger version, perhaps larger by—percent, that would come closer to the size that would be required for an open ocean SES warship.

The engines available now to put in such a ship won't push it to 80 knots however. Such a ship would require a marine version of the engine that powers the Boeing 747 jetliner.

PANAMA CANAL

Mr. McGEE. Mr. President, I would like to call the attention of my colleagues to an article by Representative CHARLES WHALEN, JR., of Ohio, which appeared in yesterday's edition of the Washington Post.

Congressman WHALEN, of whom I hold in very high esteem, outlined a very poignant case for the continuation and completion of negotiations with the Government of the Republic of Panama over a new Canal Zone Treaty. As Mr. WHALEN points out:

> The future of the Panama Canal may be one of the most explosive issues to confront the Western Hemisphere during this century . . .

I concur in this observation. At issue is the future course of United States-Latin American relations, in which we have a tremendous stake, and the narrow, somewhat dubious national claims we might lay to the Panama Canal as a sovereign entity of this Nation. As Congressman WHALEN astutely notes, however, even the issue of sovereignty is in dispute.

> Conclusion of a new treaty is expected within the next few months. Yet the negotiating principles already have come under sharp congressional attack. In the mistake notion that the Hay-Bunau-Varilla Treaty accords sovereignty to the United States in the Canal Zone (as early as 1904 our government recognized that Panama remained the titular sovereign there), legislative critics argue that the proposed treaty represents a "giveaway."

The distinguished Congressman also points out that if we do not succeed in arriving at a new treaty relationship with the Republic of Panama, the Canal Zone most probably will be the target of uncontrollable violence as unrestrained nationalism will once again rear its head as it has periodically since 1958. He notes:

> . . . the Canal Zone could be rendered inoperable. It is vulnerable to sabotage. Further, ship owners may be reluctant to route their vessel through the Canal where they would be "sitting ducks" for terrorists activities.

As our distinguished negotiator, Ambassador Ellsworth Bunker, has reminded us on numerous occasions, the United States is negotiating to protect our interests on the Panama Canal. Our interests will be seriously jeopardized if such a treaty is not agreed upon between our two nations.

Congressman WHALEN's article is an invaluable contribution to the debate within the Congress over a new Panama Canal Treaty. I would urge my colleagues to devote considerable attention to his well-thought-out presentation on behalf of a new treaty.

I ask unanimous consent the article be printed in the RECORD.

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

[From the Washington Post, July 27, 1975]

COLONIALISM AND THE CANAL

(By Charles W. Whalen Jr.)

It is ironic that as it approaches the two hundredth anniversary of its independence, the United States is one of the world's remaining colonial powers. Since 1945, approximately 68 provinces have been ceded sovereignty by their colonial masters. Yet our country continues to cling to a 553-square-mile enclave in the heart of Panama in a manner befitting the nineteenth century British raj.

In the fashion of its infamous East India precursor, the Panama Canal Zone is administered by a quasi-governmental company headed by a presidentially-appointed governor. Ordinances prescribing the conduct of zone residents and employees are promulgated by the governor and enforced by American-paid police. Alleged violations are prosecuted by a United States District Attorney and adjudicated by a Federal District Court. Virtually all commercial enterprises and deep-water port facilities within the territory are operated by Americans. For the use of its land we pay the government of Panama a miniscule $2.3 million annually. Perhaps the most imperious manifestation of our presence is the election every four years of delegates to one of our country's major political conventions.

The future of the Panama Canal may be one of the most explosive issues to confront the Western Hemisphere during this century. Panamanians are deeply concerned that an alien power operates a de facto colony cutting a 10-mile swath through the center of their nation. Considerable friction in United States-Panama relations already has resulted from the continuation of policies based upon the 1903 Hay-Bunau-Varilla Treaty. The 1964 "flag incident," for instance, caused 24 deaths. During the 1973 meeting of the United Nations Security Council in Panama the United States cast the third veto in its history to defeat a resolution supporting the Canal posture of the Torrijos government.

Recognizing the volatility of the situation, the Nixon administration in 1973 committed itself to renegotiate the 1903 document. On February 7, 1974, Secretary of State Henry A. Kissinger and Panamanian Foreign Minister Juan A. Tack signed an agreement embracing the principles upon which future treaty discussions would be predicated. These include: (1) a fixed termination date for the new treaty; (2) a return to Panama of full jurisdiction over the territory in which the Canal is located in exchange for assurances that the United States would retain the rights, facilities, and land necessary for its operation and defense for the duration of the treaty; (3) Panamanian participation in the administration and security of the Canal; (4) a more equitable distribution to Panama of the economic benefits derived from the Canal.

Conclusion of a new treaty is expected within the next few months. Yet the negotiating principles already have come under sharp congressional attack. In the mistaken notion that the Hay-Bunau-Varilla Treaty accords sovereignty to the United States in the Canal Zone (as early as 1904 our government recognized that Panama remained the titular sovereign there), legislative critics argue that the proposed treaty represents a "giveaway."

On March 4, 1975, Senator Strom Thurmond (R-S.C.), joined by 37 colleagues, introduced S.R. 97, which expresses the sense of the Senate that the United States not surrender its "sovereign rights and jurisdiction" over the Canal. The Thurmond proposal exceeds by three the 34 votes necessary to block treaty ratification. A companion measure (H.R. 23), initiated by Representative Daniel J. Flood (D-Pa.) has 126 House cosponsors. On June 26, the House, by a 246–164 vote, adopted Representative Gene Snyder's (R-Ky) amendment to the State Department Appropriations Bill which denies funds "to negotiate surrender or relinquish of any U.S. rights in the Panama Canal Zone."

If the Senate refuses to consent to a new treaty with Panama, what might occur?

First, our relations with Panama and other Latin American states (and, indeed,

the entire Third World) will be severely strained.

Second, by rejecting Panama's bid for self-rule (a mood we failed to detect in Indochina), we could become involved in a protracted, unwinnable guerrilla war.

Third, lives of countless United States citizens, residing in Panama, could be needlessly endangered. A distinguished American foreign policy scholar recently told me of his conversation with General Omar Torrijos. "What would you do with your National Guard," he asked the head of state, "if 5,000 Panamanians stormed the Canal Zone?" General Torrijos smiled and responded: "I would have a difficult decision, wouldn't I? I would have to choose between shooting Americans or my own countrymen."

Fourth, the Canal Zone could be rendered inoperable. It is vulnerable to sabotage. Further, ship owners may be reluctant to route their vessels through the Canal where they would be "sitting ducks" for terrorist activities.

The forthcoming treaty debate, therefore, presents the Congress (the House may have to take certain implementing actions) with two important challenges.

The first is a test of congressional willingness to embark upon its own "new dialogue" with Latin America. Panama is an ideal country with which we could invoke a hemispheric policy based, in the words of Chief Treaty Negotiator Ellsworth Bunker, on "new ideas, rather than old memories." Redefining our relationship with Panama will demonstrate United States' support of the principle of self-determination. It also will signal our intention to deal with our other Latin American neighbors on a truly equal basis.

The second will be a measure of congressional competence and responsibility in the foreign policy-making process. Will Congress' reaction to the new treaty be parochial, insensitive, and uninformed? Or will the Senate and House of Representatives accept the opportunity to avert a crisis before it occurs by enabling an ally of longstanding to achieve a just and reasonable goal?

In Panama, the issues are well defined and the consequences of our failure to adopt a new treaty are predictable. If Congress rejects the treaty, the only question will be the price, the United States must pay to defend the status quo.

WALTER S. HYDE, VETERANS' ADVISORY COUNCIL

Mr. PELL. Mr. President, it is with real sadness that I inform my colleagues of the passing of Walter S. Hyde, of Pawtucket, R.I., who is a member of the Veterans' Advisory Council to the Senate Committee on Veterans' Affairs. Walter Hyde was an active leader in veterans' affairs both in the American Legion and the Pawtucket Veterans Council. I came to know Walter not only through his American Legion activities but also as Veterans' Service Officer with the Veterans' Administration in Providence, R.I. In this capacity he gave his all to his fellow veteran. He worked unceasingly to try and assist them solve a multitude of problems. His advice and counsel was sought by many and he gave of himself freely. In essence, I am reminded of the words of Angelo Patri who once said:

In one sense there is no death. The life of a soul on earth lasts beyond his departure. You will always feel that life touching yours, that voice speaking to you, that spirit looking out of other eyes, talking to you in the familiar things he touched, worked with, loved as familiar friends. He lives on in your life and in the lives of all others that knew him.

THE ENERGY COST OF WEARING FIREFIGHTING CLOTHING AND EQUIPMENT

Mr. BEALL. Mr. President, as a cosponsor and strong supporter of the Federal Fire Prevention and Control Act of 1974, I have followed with great interest our Federal Government's efforts to assist firefighters in carrying out their highly dangerous but extremely necessary task. Congress took a major step in encouraging these efforts through the passage of the 1974 act which established the National Fire Prevention and Control Administration, and I hope that we will continue to do everything possible through legislation and administrative action to support the local firefighter.

One of the motivating forces for the legislation was the report by the National Commission on Fire Prevention and Control, entitled "America Burning." In that landmark statement, the Commission reported that more than 7 out of 10 fire chiefs and firefighters surveyed early in 1972 indicated that there is a need for greater innovation to improve the equipment and protective clothing firemen use every day. I can assure my colleagues that this response is quite understandable. For example, the breathing apparatus designed to be used for 30 minutes typically weighs 30 pounds. Often firefighters reach exhaustion long before the 30 minutes are up. The weight of the apparatus contributes, in fact, to the exhaustion. In actual use, moreover, a 30-minute apparatus often provides less than 20 minutes protection as the great exertion requires more air. Also, "turn out" coats can be virtually sweatboxes, even when there are air vents under the arms.

In an effort to develop better equipment and clothing for firemen, the University of Maryland's Sports Medicine and Physical Fitness Center has conducted a study to cover the energy cost of wearing fire protective clothing and related equipment. The study used career employees and volunteer members of the Takoma Park Volunteer Fire Department of Takoma Park, Md., as subjects. The study proved rather conclusively that we must do much more to lessen the energy requirements of wearing firefighting gear.

Mr. President, I ask unanimous consent that this excellent study be printed in the RECORD.

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

ENERGY COST OF WEARING FIREFIGHTING CLOTHING AND EQUIPMENT

In its report, America Burning, the National Commission on Fire Prevention and Control found that 70% of the fire fighters and fire chiefs responding to their nationwide survey stated that there was a distinct need for improvement in protective fire fighting clothing and equipment.

The report mentions that little if any significant changes in the apparel of fire fighters has taken place over the last half-century. The sheer bulk and weight of the clothing and equipment which fire fighters must wear to work in the hazardous atmosphere of their occupation is cited as a factor in reducting the effectiveness of the fire fighter. Heavy breather apparatus and bulky "turnout" coats were labeled as a contributing cause in fire fighters exhaustion. The risks to firemen themselves have not diminished. To their credit, "they still push themselves to the outer edge of endurance . . . and sometimes beyond."

The University of Maryland's Sports Medicine and Physical Fitness Center conducted a study to determine the energy cost of wearing fire protective clothing and equipment. To make this determination, firemen performed a standard amount of work while wearing their fire fighting gear and while not wearing their gear. Energy cost (oxygen consumption) and other physiological parameters were measured under each of these two conditions.

Career employees and volunteer members of the Takoma Park Volunteer Fire Department of Takoma Park, Maryland were used as subjects. Twelve of these firemen were randomly selected for the study. Subjects ranged in age from 22 to 47 years. All subjects had been active with the fire department for a minimum of three years and were familiar with the MSA breathing apparatus supplied by the University of Maryland's Fire Service Extension. One "turnout" coat, donated by the Takoma Park Volunteer Fire Department. Each fire fighter supplied his own boots and helmet. The weight of the equipment totaled fifty-two pounds.

The work performed for all testing conditions consisted of walking on a motor driven treadmill at a speed of 3.4 MPH at a 4% grade for six minutes. Under ordinary conditions the average person would be expected to perform this amount of work at an energy cost of 5 METS. One MET is equal to an oxygen consumption rate of 3.5 milliliters of oxygen per kilogram of body weight per minute. One MET is also equal to the amount of energy expended during the resting state; therefore 5 METS is five times resting level. (Five METS is a moderate work load. The average American male in his mid-thirties has a work capacity of 10 METS. Athletes have work capacities of 17–20 METS).

Walking on a treadmill was used as a mode of exercise since most people easily learn how to walk on the treadmill, and constant and uniform workloads may be objectively measured using the treadmill. Baseline data for the twelve subjects used in the study were: age, height (in centimeters), weight (in kilograms), resting blood pressure, and resting heart rate. Statistics derived from these data are shown in Table 1.

During the two exercise bouts (with and without gear), the following were measured for each subject; heart rate at the end of each minute of exercise: and oxygen consumption, and ventilation rates during the final (6th minute) of exercise. The results of these measurements are shown in Figure 1 and Table 2 respectively. (Figure 1 not printed.)

TESTING PROCEDURES

Testing procedures were as follows. When the subject entered the laboratory, his age, height, and weight were first determined. Electrodes were then applied to the chest (V5 position) and the subject was seated in a chair. Chest leads were connected to an EKG monitor (Quinton model 621) and resting heart rate and blood pressure were determined. One-half the subjects were tested first with their gear followed by a half-

hour rest period (during which all resting heart rates returned to normal values). After the rest period, subjects were then retested without their gear. This sequence was reversed for the other half of the subjects. The testing sequence was randomly assigned among subjects.

Each exercise test consisted of a 2 minute accommodation period at 2.0 MPH, at which point the speed and grade of the treadmill was increased to 3.4 MPH at 4% grade. EKG recordings were obtained at the end of each minute of exercise for six consecutive minutes. (Exercise heart rates were subsequently determined from the EKG recordings). During the final minute of exercise, expired air was collected in 350 liter Tissot tank.

When subjects were tested without gear, a low resistance, high velocity (Collins Triple-J) breathing value was used during the collection period. When subjects were tested with gear, the hose leading to the Tissot tank was attached directly to the outlet side of the valve of the MSA face mask. Percentages of carbon dioxide and oxygen in the expired air were determined from Beckman LB-1 and E-2 gas analyzers respectively. During testing sessions, temperature in the laboratory ranged from 70-71 degrees fahrenheit and relative humidity ranged from 33-36 percent.

STUDY RESULTS

The results of this study showed that the energy requirements of wearing fire fighting gear is considerable. This is evidenced in all three physiological parameters measured. Mean exercise heart rate during the final minute of exercise was 130 beats/minute without gear versus 165 beats/minute with gear. This difference of 35 beats/minute is a 27% increase in exercise heart. Mean oxygen consumption rates in liters/minute were 1.8 without gear and 2.4 with gear. This difference of 4.6 liters/minute represents a 33% increase in oxygen consumption. Oxygen consumption expressed as milliliters of oxygen consumed/kilogram of body weight/minute showed the same percentage increase. Mean ventiliation rates (total amount of expended air in liters/minute) increased from 55.03 liters/minute without gear to 73.75 liters/per minute with gear. This difference of 18.72 liters/minute represents an increase of 34% in ventilation rate. Thus, all three parameters indicate that for the sample of firemen used in this study, the energy cost of wearing fire fighting protective clothing and equipment is roughly one-third above the energy required in performing what is essentially a moderate work load.

The results of this study demonstrate the obvious relationship between the weight of equipment worn and energy cost. Our data showed that a 184 lb. (83.6 kg) firemen wearing 52 lbs. of equipment (28% of body weight) can expect an increase in energy cost of 33% in carrying out his duties. In this respect, we concur with the National Commission's report that the bulk and weight of fire fighting equipment should be reduced. Additionally, we feel that it is equally important that fire fighters should endeavor to achieve and maintain above average fitness levels.

PHYSICAL FITNESS

Muscular strength, muscular endurance, and aerobic capacity are essential components of physical fitness. As shown in this study, demands on the aerobic system from wearing the necessary protective clothing and equipment are considerable. Other factors, such as environmental heat and humidity, increase these demands. Many studies have shown, that fitness components can be measurably increased and maintained through proper training regimens. Increase in fitness levels can be achieved with little cost. To the fire fighter whose work during a fire is often times physically demanding, the value of maintaining a high fitness level seems obvious.

TABLE 1.—BASELINE PARAMETERS (PREEXERCISE)

Variable	Mean	Standard deviation	Maximum	Minimum
Resting heart rate	82.8	.74	90	75
Age (years)	32.2	8.13	47	22
Height (centimeters)	179.6	5.17	190	172
Weight (kilograms)	83.6	7.03	94.5	71.0
Systolic blood pressure	126.3	9.21	144	116
Diastolic blood pressure	78.5	6.50	90	66

TABLE 2.—EXERCISE PARAMETERS (6TH MINUTE OF EXERCISE)

Variable	Mean	Standard deviation	Maximum	Minimum
Exercise H.R. (B/M):				
With gear	164.58	10.81	180	140
Without gear	130.33	9.94	150	114
O_2 Cons. (L/M):				
With gear	2.40	.176	2.62	2.10
Without gear	1.80	.183	2.11	1.47
O_2 Cons. (ml/kg/min):				
With gear	28.82	2.59	35.20	26.28
Without gear	21.53	1.19	23.91	19.74
Ventilation (L/M):				
With gear	73.75	9.33	83.35	55.89
Without gear	55.03	6.23	65.82	45.92
METS:				
With gear	8.25	.74	10.10	7.50
Without gear	6.16	.34	6.83	5.64

BUSING—THE ARROGANCE OF POWER

Mr. ALLEN. Mr. President, I ask unanimous consent that the article "Busing—The Arrogance of Power"—by Michael Novak which appeared in the Wall Street Journal of Friday, July 25, 1975, be printed in the RECORD. It is an excellent analysis of the reasons for the failure of busing and might well be studied by Members of Congress and members of the executive and legislative departments as well as by educators, parents, students, and all those interested in seeing our children obtain good educations.

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

BUSING—THE ARROGANCE OF POWER

(By Michael Novak)

Busing is, in important ways, the Vietnam of the 1970s. It is a quagmire; a lost cause; taxation without representation; a policy of massive social engineering with little clear prospect of benefit; a mistake; a tragedy; breeder of endless demonstrations, riots, and dissent.

At last count, only 4% of whites and 9% of blacks favored busing. Only "the best and the brightest," it seems, as in Boston, favor it. They designed it, they impose it, and they will never suffer their children to experience it.

On its face, busing has racist presuppositions. A century ago, hardly literate immigrant Catholic young women established a massive parochial school system which soon rivalled the well-financed public schools in the quality of discipline, instruction, and social mobility they imparted. But the assumption behind busing is that blacks, unlike Catholic immigrants, cannot learn in largely separate environments. They need an infusion of "white magic." They can learn only among whites. This is a preposterous assumption. Excellent black schools like Dunbar in Washington give it the lie.

Busing arose as an issue in the South. There the court orders at first had the effect of halting busing—of allowing blacks at attend neighborhood schools rather than of being bused away from home to all-black schools.

JUDICIAL ASSUMPTIONS

Next, busing advanced in the South from being an issue in de jure segregation. In cities an issue in de factor segregation. In cities like Charlotte, historic patterns of residential segregation were diagnosed by the courts as having an unconstitutional effect on equal opportunity in schooling. Here the courts made fresh assumptions: that education in more or less homogeneous neighborhood schools are inequitable; and that historic residential patterns have the force of unjust coercion. (The courts might have commanded residential integration rather than school integration.)

The structure of the courts' reasoning becomes weaker and more dubious still when Northern cities like Boston, Buffalo, Pittsburgh, Detroit and others come into view. Consider the following propositions:

(1.) The traditional residential patterns of Northern cities over the last 100 years have always involved *de facto* ethnic segregation, not only for blacks, but for virtually every ethnic group.

(2.) In some cases, as in Boston and Detroit, more financial resources, federal programs, and educational experimentation have been lavished on predominantly black schools than on predominantly white ethnic schools of the working class. Rates of entrance into college, drop-out rates, and other indices of the status of such schools are often comparable.

(3.) Before 1900, 90% of all blacks lived in the South; and 90% of the white ethnics who now live in the Northern cities had not yet arrived. These two great migrations were not linked by slavery, were culturally almost totally unprepared for their future meeting, and came to their rendezvous with some different social skills, family traditions, disciplines, needs and aspirations.

(4.) The average child of black migrants to the North was academically three or four years behind his average white counterpart even though blacks had English as a mother tongue. Even today, the average black child is academically at least a year behind the average white.

(5.) The pattern of parental discipline in the typical white ethnic home, particularly as between fathers and sons, is quite different from the patterns of discipline in the home, not of middle class blacks, but of the cost poor, despairing and suffering blacks.

(6.) The "street culture" of poor black students is of a different moral and emotional "life style" from that of both middle-class black and white ethnic students. In particular, incidences of premarital sexual expressions, illegitimate birth, hustling, intimidation, and disruptive behavior are significantly different.

(7.) The role of the family or family-substitute in bringing about differential attitudes, behaviors, and success in school is undoubtedly the greatest single factor influencing the classroom. The family is a more basic social unit than the school.

(8.) Class factors influence dramatically the attitudes, behaviors, aspirations and educational success of students in school.

(9). Families choose their place of residence—or judge its merit—by their preference for its neighborhood school as much as, or more than, by any other factor.

If these propositions are true, then it must surely be predictable that 96% of the whites and 91% of the blacks would find busing a poor instrument for what a great majority,

both black and white, also desire: a genuinely, peacefully integrated society.

What seems to have been forgotten is that busing is merely an *instrument, a tool, a method,* not an end. The most appropriate question with respect to busing, as for any instrument, is "Does it work?" However moral the instrument may sound, "What are its effects" is the central moral question.

In my view, busing of the Boston and Detroit sort is an immoral policy. It goes against the basic social principles of American life; against family, neighborhood, class, ethnic, and even educational realities which are so basic they are seldom even voiced. Working-class whites who are bused have too much to lose; they face possible downward mobility. Working-class blacks or poor blacks have too little to gain; indeed, the ensuing experience of cultural segregation within the purportedly integrated schools can be embittering.

It would be lovely if greater contacts between persons from different cultures always led to greater understanding and good will. In fact, contact often reinforces the worst stereotypes. This is particularly likely where the contact is unequal—when those of a more suffering lower class, educationally behind their peers, become tangible proof to other children of realities they had heretofore held to be mere bigotry.

Human beings are not parts of a machine, to be anonymously fitted into slots. They approach each other from complicated past histories and diverse personal experiences. They do not perceive each other accurately, or easily find it possible to share honest transactions. Even highly educated blacks and whites often find honesty anguishingly difficult. What, then, about the less articulate? To ride roughshod over such histories is to exhibit gross human arrogance. It is to invite great human disaster. It is to destroy integration in the name of saving it.

EMBITTERING A GENERATION

Forced busing will set back the advances of civil rights made during the past generation by 20 years; a whole generation, and maybe another, will be embittered, just as South Boston and Roxbury are likely to be for decades to come. Finally folklore will recount the ugly history for years.

Busing is to black equality what Prohibition was to the moral crisis of the Depression. It is a flaming moral issue of dubious social judgment. Now, as then, the fundamental problem is economic.

Blacks do not need buses; they need jobs. Having acquired solid jobs, the black family will have an economic base. Then school will be meaningful, and its lessons liberating and inspiring. The key to integration in the United States is a plan to allow every available black worker to work; and to rebuild and to beautify black homes and neighborhoods. For families increase their net worth not so much through wages as through real estate.

Most black neighborhoods were, hardly a generation ago, among the most solidly built and desirable in the Northern cities; restored, they would be far more valuable—as investments—than the flimsy modern housing of working-class suburbs. Under improved economic conditions, a black middle class and working class will integrate with whites as economic, social, cultural, and educational equals.

Economics first, education second. A cardinal principle both of Marx and of capitalism cannot be all wrong.

NEW HANOVER COUNTY, N.C., SHERIFF OPPOSES ANY TYPE OF GUN CONTROL

Mr. HELMS. Mr. President, the very fine sheriff of New Hanover County, N.C., is an outspoken man. He is also a splendid law enforcement officer. Thus, I was exceedingly interested in his comments a few weeks ago relative to proposals for gun controls.

Sheriff H. G. Grohman is quoted by the Wilmington, N.C., Star-News as saying—

I'm opposed to any type of gun control. This would not be, in my opinion, the answer to crime in high-crime areas.

Then, Mr. President, Sheriff Grohman goes on to explain his position, with which I am in full agreement. In my judgment, his logic is unassailable. In order that my colleagues can have the benefit of Sheriff Grohman's views, I ask unanimous consent that an article published by the Wilmington Star-News, written by C. S. Ceanford, be printed in the RECORD.

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

SHERIFF OPPOSES ANY TYPE OF GUN CONTROL

(By C. S. Crawford)

New Hanover Sheriff H. G. Grohman disagreed Wednesday with federal Attorney General Edward Levi's proposal to ban handguns in high crime areas.

"I'm opposed to any type of gun control. This would not be, in my opinion, the answer to crime in high-crime areas," Grohman said.

He was referring to comments made by President Ford Tuesday night concerning gun control during the presidential press conference.

Ford said the administration is considering a "responsible gun control program, possibly hinging on a ban against cheap handguns in high-crime areas around the nation."

The President rejected proposals to register either the owners or their so-called "Saturday night specials" as a remedy for rising crime statistics, and referred to Levi's proposal as a "unique approach, an alternative way of meeting the problem."

The term "high-crime area" should be defined, Grohman said.

"A lot of good people live in the so-called 'high-crime areas' of our country," he said.

It is these people who would, in all probability, register their guns, if it came to that, Grohman said, adding "but obviously, the criminal would not register his handguns."

Statistics have proved, he said, that nine out of ten times "the man committing the crime with a gun doesn't even live in the high-crime areas which are under consideration."

Criminals, he said, go into high crime areas to commit crimes simply because "they are not known in those areas."

Grohman placed special emphasis on his rejection of the registration of handguns in this fashion: "If we put control on handguns today, then there would be no end to our registrations."

Many crimes today, he said, right here in the community, are being committed with sawed-off shotguns and rifles.

Additionally, he said, many armed robberies are committed with knives or razors.

"Is our next step the registering of these weapons?" he asked.

"I would never want to see the day where an American is deprived of his right to defend his home, his business, or his property," Grohman said.

All the statistics on handguns have not been made public, he said, "only those statistics which would support whatever someone wants us to be informed about."

"In the past over 10,000 people in our country used handguns to protect themselves. These are good citizens who were placed in jeopardy by those who would have committed a crime against them," Grohman said.

Why is it, he asked, "we do not hear about these statistics when the subject of gun control is broached?"

"What would our crime rate be if these people had not the means to protect themselves?" he asked.

Today, he said, in all Communist countries, there is gun control. Hitler, he said, did the same thing in Germany in 1936–37.

"Government control of handguns brings about many undesired features," he said.

Instead of gun control, Grohman suggested a firmness in the area of punishment for crimes where a weapon is used.

"The punishment should be ten times stiffer than that which we now have. And it should be a mandatory, complete sentence, carried out according to law," he said.

The increase in crime, he said, "is due to the fact that we have too much rehabilitation before we ever have punishment."

The judges in local courts, Grohman said, have been giving proper sentences in areas concerning handgun crimes.

"But we no more than take a man to the Department of Corrections than we start getting letters from parole and prison authorities wanting our consideration into putting these people either on parole, or on various release programs, not to mention giving them weekend passes," Grohman said.

These people, apprehended after the commission of a crime, given a fair trial and sentenced, are criminals.

"They have committed a crime," he said.

He said he believes in rehabilitation of those first offenders who commit nonviolent crimes, "but I do not believe in leniency for hardened criminals."

"When we start thinking of releasing our criminals before they have served their sentences, I feel that the criminal has never really felt the punishment of his crime," Grohman said.

CAPITULATION AT HELSINKI

Mr. JACKSON. Mr. President, a particularly timely commentary on the Helsinki summit appears in the August 4 issue of Newsweek. Mr. George Ball, former Under Secretary of State, writes against his long background in European affairs, and I believe his views will be of particular interest to my colleagues in the Congress who have expressed their own misgivings about the President's willingness to give legitimacy to the Soviet-imposed division of Europe.

I ask unanimous consent that Mr. Ball's article be printed in the RECORD.

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

CAPITULATION AT HELSINKI

(By George W. Ball)

As every schoolboy should know, but too few do, before Catherine the Great barged down the Dnieper, Prince Potemkin dotted the riverbank with temporary villages to impress the foreign envoys in her entourage with the power and achievements of Mother Russia.

In many ways the Apollo-Soyuz space spectacular was quite as deceptive, but this time America played the Potemkin role. Though we billed the project as a joint enterprise, the Apollo managed the rendezvous, sought, found, homed in on the Soyuz and kept the two spacecraft on course, while American VHF radio equipment was used aboard both ships. Yet, though our technology was indispensable, we conspired to

create the impression that the two nations are equally advanced. Then, by a symbolic handshake, we made it appear that the Soviets are our friendly partners for the good of humankind.

All this was done in the name of "détente," which has become more an obsession than a policy. Of course, the President cannot take time to see Aleksandr Solzhenitsyn, who speaks awkward truths about the Soviets; he must fly to Helsinki to embrace Brezhnev and celebrate the European Security Conference. And what a heart-warming occasion for the Soviet leaders who have peddled that conference for two decades! To have statesmen from 35 countries drinking champagne to the conference's achievements before the eyes of world television is a triumph for Brezhnev and a defeat for the West.

MOSCOW'S BENEFITS

For, what do the conference documents really mean?

First, the West solemnly concedes that the boundaries established with the Red Army's help are "inviolable"—or, in other words, that the Soviets' Eastern European empire is never to be challenged. This, to the Soviets, is the equivalent of the World War II peace treaty we vowed we would never sign so long as Europe remained divided.

Second, by sponsoring the conference, the Soviets will gain further claim to a status equal to the United States.

Third, the summit conviviality will accomplish the prime purpose for which Moscow conceived it; it will reinforce the wishful fantasies of many Europeans that since the Soviets are apparently so peaceloving the West can relax its guard, Europe need not unify, and close bonds with America are no longer necessary.

Although Moscow thus gains rich benefits, the West's harvest from the conference is meager. The declaration contains the same language about refraining from the use of force and respecting sovereignty that the Soviets employed just before the Red Army occupied Prague. Though there are highly technical provisions for prior notification of military maneuvers, the Russians are unlikely to tell us anything we could not ascertain by our high-definition satellite photography. What the optimists emphasize are promises to make it easier to unite families, facilitate family visits and marriages between citizens of different countries, let more newspapers circulate, and so on. Unhappily, those commitments are in such general terms as to portend only miniscule holes in the Iron Curtain.

BREZHNEV'S REALITY

By contrast, the dividends for Brezhnev are not limited to a global improvement of the Soviet position; for him, the conference and the summit ceremonials are merely another—but indispensable—episode in a well-conceived scenario which has included Willy Brandt's Ostpolitik and will end with the Twenty-Fifth Communist Party Congress next February in Moscow. Against the backdrop of his triumph at Helsinki, Brezhnev can then retire with thunderous acclamation, leaving command of the party structure greatly strengthened—and thereafter the Soviet line may substantially harden.

But how can we reconcile legitimizing the Soviets' stolen empire with our Western ideals? Practitioners of realpolitik—including Kissinger—apparently believe that, since the West bowed to the reality of the Brezhnev doctrine by failing to interefere when Soviet tanks rolled into Budapest and Prague we lose little by formally recognizing that reality. Yet, should not American foreign policy display at least a color of morality? It is one thing to refrain from starting World War III over Prague; it is quite another to drink toasts to the division of Europe and implicitly sanctify with banal phrases Germany's continued amputation. Should we not, at least, insist on the evil nature of the Berlin wall—that it is not a fortification to keep invaders out; it is a cage the Russians built to imprison peoples who would opt for freedom?

Nor is it enough to answer—as some bureaucrats do—that though we never liked the European Security Conference we went along merely because some Europeans originally favored it. Where is American leadership if we no longer even try to give direction to a combined Western effort?

AMERICA'S NON-LEADERSHIP

How can anyone justify our solemnly agreeing never to challenge the Soviet system in Eastern Europe just when a Kremlin-directed Communist Party in Lisbon is blatantly trying to add Portugal to that Soviet system? And why are we conniving to build up the Soviet Union in world opinion just when the Soviets are cracking down with renewed vigor on dissenters?

Even had we not blocked the conference, we might still have exploited its diplomatic leverage. We might, for example, have conditioned our participation on Soviet cooperation in seeking a full solution for the Middle East at a moment when there are moderate leaders in all relevant capitals. Instead, while Russia pours arms into Syria, we concentrate bravura diplomacy on a partial Sinai withdrawal that buys time when delay is the enemy of peace. By leaving untouched the festering problems of Palestine, the Golan Heights and Jerusalem, we are laying the groundwork for later catastrophe, after oil wealth has equipped Arab armies with overwhelming military power. At the very least, might we not have gotten the Soviets to agree that they would actively join to block the expulsion of Israel from the United Nations?

It is bad enough for America to acquiesce in a one-sided agreement in Helsinki; it is tragic to forgo the diplomatic leverage that might help resolve the most dangerous conflict since World War II.

HOW TO FINE TUNE AN ECONOMIC DISASTER

Mr. HELMS. Mr. President, a very timely and important address on the state of our economy was delivered on June 10, 1975, by Charles Wohlstetter, chairman of the Board of the Continental Telephone Corp.

As Mr. Wohlstetter amply demonstrates, an anticapitalist mentality pervades the legal structure of the American economy. Through excessive regulations and controls, constructed over the years in jerry-built fashion by successive Congresses, we now have an economic system that defies description and makes a mockery of common sense. There is no doubt about our having the most disorganized planned economy on the face of the Earth.

On one matter we are not in doubt: The American economy is slipping. We have created so many impediments to a vigorous and healthy free enterprise system that we are actually declining as an economic power in the world. "America is in the midst of one of the most dangerous capital crunches in history," according to Mr. Wohlstetter. He points out, for example, that—

The Chase Bank has indicated that of the 20 advanced economies, the United States ranks 18th in terms of real economic growth. This is a factor of productivity, and productivity depends upon capital investment.

Mr. President, I invite my colleagues to examine the facts and statistics that Mr. Wohlstetter has compiled on retained earnings, depreciation allowances, and the proliferation of Federal agencies, programs, and regulations. They are alarming figures.

In some respects, of course, Mr. Wohlstetter's diagnosis of America's economic ills will not be news to many of my colleagues. Indeed, there now seems to be widespread acceptance of the fact that our economy suffers from an excess of regulations, bureaucratic controls, and unnecessary programs. I note that Senators are becoming less reluctant to take a public stand for deregulation.

Yet, the regulations and controls continue to mount with each passing hour of the legislative day. This is encouraged in part by the Federal agencies and the beneficiaries of Federal regulations, which have a vested interest in these programs, and by self-appointed public interest groups which relentlessly pursue their self-determined goals in the name of the people. But I sometimes wonder if these regulatory controls are not also encouraged in part by Members of Congress, who may be frightened by threats of reprisal of the special and public interest groups, or deluded by the specious notion that the job of a legislator is simply to pass more laws and fatten the statutes-at-large—at the expense of the taxpayers.

In the current folkways of the American Congress, it is more or less an accepted practice—and let us be candid about this—for Members to inveigh against big Government in prepared speeches, while at the same time promoting more and more big Government on the floor of the Senate, and in committee, in order to keep getting reelected. How many times have we all heard a Senator confess in private that a particular bill was bad, but that he had to support it because the news media back home would be angry and critical if he did not? Such is the state of public morality today, in which we hear too few protests when selfish interests are preferred to the general interest, and too many hoorays when this distorted order of priorities prevails.

An argument can be made, of course, that some of these bureaucratic regulations can be justified on the ground that they prevent monopolistic practices, encourage competition, produce a better environment, and aid the consumer. The point is there are too many—far too many—that prevent competition and are too costly in terms of time, labor and money, from the producer, the worker, and the consumer, to be justified. What is desperately needed today is regulatory reform, across the board, and a general reduction of those regulations that are clearly not in the public interest.

Mr. Wohlstetter's excellent address to the members of the New York Telephone Association underscores the need for the major reform and points us in the right direction toward a total rethinking of the present relationship between Government and business. If Mr. Wohlstetter's warnings go unheeded, and we continue

along our present path of destruction, it is difficult to escape the conclusion that further erosion of the American economy shall be the negative contribution of the 94th Congress to the country.

Mr. President, I ask unanimous consent that the address of Mr. Charles Wohlstetter of June 10, 1975, be printed in the RECORD.

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

HOW TO FINE TUNE AN ECONOMIC DISASTER

(By Charles Wohlstetter)

Good day. Thank you for this opportunity to share some of my concerns with you. In considering a topic for today's talk, I found that the N.Y. Public Service Commission's thoughtful study on interconnect made further comment redundant. I then thought of Henry Kissinger as a possibility, since this seems to be the season for it. What is more, the sporting blood coursing through my veins rose to the idea of shooting at a moving target. On reflection, I decided that by the time I got around to addressing this gathering, Henry would probably be out of season—he would have gone the way of "Peace with honor," "Bring the boys home," "Peace in our time," and "Millions for defense—not one cent for tribute." The New York Knicks and the Rangers joined Howard Cosell as inappropriate subjects for discussion so that left me with just what I read in the papers.

It is difficult to read the news without finding something about "fine tuning" the economy and that sounds interesting. Even if I don't understand what fine tuning means, I am equally sure that no one else does. I do know, however, that our sense of economic security has been severely undermined, that the fundamental concept of free enterprise has been under continuous attack and, finally, that we have done very little to create a climate for anything but an adversary relationship between business and government. Much as I deplore that situation, I believe that I understand quite well why it exists.

It would be idle to deny that the federal government has played a major role in spreading the gospel of the professional causists. It supports the view that business is at the root of most of our problems and should be placed in durance vile. That is a most popular theme today—but is specious.

For a moment let us examine the vexing problems which our nation faces and forget that pejorative expression—business.

America is in the midst of one of the most dangerous capital crunches in history. The Chase Bank has indicated that of the twenty advanced economies, the U.S. ranks 18th in terms of real economic growth. This is a factor of productivity, and productivity depends upon capital investment.[1] Investment in new plant has fallen behind that of our business competitors in the rest of the world because we refuse to recognize some basic economic facts of life. In this case, unless we make it attractive to invest money in plant by establishing realistic depreciation rates, we are going to fall further behind.

Cumulative after-tax corporate profits have dropped from $36 billion in 1965 to $16 billion in constant dollars in 1974.

Retained earnings in 1974—a major source of capital—fell short of supporting additional productive capacity by an estimated $10 billion, according to our own Treasury Department.

Again, according to the Chase Bank, it is going to take twice as much capital to build America during the next 10 years, as it took the last decade—close to $4.1 trillion. Of this we can only hope to create—by way of profit—perhaps $2.6 trillion—or expressed in another way we will have a short fall of $400 million a day—everyday of the decade. Further, private domestic reinvestment last year represented only 15.7% of our GNP. In Germany this figure was 26%, in France 28% and in Japan 37%. This clearly indicates that even though our industrial plant is at least two years older than that of Europe or Japan, we are not even attempting to catch up.

Everyone in this room knows that depreciation rates are unrealistic. After seven years we can recapture less than 70% of our plant cost while Sweden permits 130%. In other words, in addition to more liberal depreciation allowances. Socialist Sweden factors in the real world of inflation. Ask yourself if you can replace your present telephone plant given a continuation of this policy.

Instead of addressing themselves to the root cause of our problems, the decline of the capital formation process, our politicians have shortsightedly catered to the so-called "have-nots"; responding to emotional appeals, they have inundated us with an incredible number of social desirable reforms that are realistically unattainable.

James Reston reported sometime in 1966 that there were 170 different federal aid programs on the books. They were financed by over 400 separate appropriations and administered by 21 federal departments and agencies. In turn, these were aided by 150 Washington bureaus and over 400 regional offices. To the average person this would have seemed quite enough, but apparently it was not and it has become abundantly clear that our legislators have not crossed the line of history; they do not accept the fact that the day of business pirates and robber barons has long since passed.

The noise from special interest groups and instant experts has overwhelmed the ability—or the desire—of Congress to make judgments on the facts. They have, therefore, ground out an incredible spate of antibusiness legislative acts. In the past decade there have been more than 60 pieces of legislation enacted by Congress affecting the manner in which businessmen can go about their business. Most of these carry very laudable titles, but are frequently counter-productive and defeat the very purpose for which they were designed.

This tells me that there can be only one of two answers. Either our law makers are skilled in self-deception, or they simply do not understand the economic crisis facing this nation.

In the interest of brevity, I will name only a few of the Acts placing constraints upon business. These are aimed at telling businessmen what they have to do, or, more often, what they may not do. They are attempts to legislate honesty and product quality into business. They also presuppose that the American people are basically not very bright or capable of exercising good judgment—an assumption with which I strongly disagree.

Here are some samples:

Consumers' Protection Safety Act;
Longshoreman and Harbor Workers' Act;
Fair Packaging and Labeling Act;
Manpower and Training Amendments;
Taxation of Foreign Securities and Traffic Safety Act;
Water Resources Planning;
Interest Equalization Tax;
Flammable Fabrics Act;
Truth in Lending;
Wholesale Meat Act;
Wholesale Poultry Products Act.

In 1973 and 1974 a Commission on Federal Paperwork was established. That takes its place with *Aesop's Fables* as prescribed reading for people interested in fairytales.

Federal standards for occupational safety and health were set. Amusingly enough, a recent investigation revealed 300 violations of their own rules in OSHA itself.

This list, of course, is much longer, and each of these legislative acts translates into paperwork for business. The language of the bills is often vague, and sometimes contradictory. They lend themselves to interpretations that are most frequently made in a capricious manner by the agencies that are responsible for compliance. Unhappily, the agencies are growing faster than the industries they oversee.

Almost every measure adopted to cure a social or economic problem has resulted in the opposite effect. The minimum wage bill has effectively prevented industry from giving employment to teenagers and particularly minority groups because of their corporate inability to pay.

Welfare policies of the '30s were rational and effective measures for temporary relief of competent people who were unemployed because of the Great Depression. In the '40s, when the crisis had passed, the Administrative agencies were still in existence. Being government creations, they could not be abandoned. In the '50s, when the influx of people to our large cities created a different problem, we used the same medicine and increased the helplessness and despair of the masses. When our failures were obvious—we doubled the budgets. The extravagant promises of a near term utopia and the failure of this promise to materialize has formed the basis for a kind of violence in our country that is as unfamiliar as it is frightening. We more often than not accept the bombings and acts of violence against our police as social statements of a frustrated minority and have lost our perspective with regard to the national goal of insuring "domestic tranquility."

The farm program, designed to save the small farmer has been used to subsidize the large, heavily industrialized farms.

Nothing I have said should suggest that I am inveighing against social programs. I am opposing the boondoggling, unrealistic extremes to which we have been driven. Let us do what we can, short of committing financial suicide and losing all in trying to do too much.

Medicare has been retailed to our citizens as a service that will cost them nothing. That is nonsense, of course, because a health service of this kind is simply prepaid medical care. Doctors, hospitals, medication, and so on, have to be paid for by somebody. Low income citizens have been led to expect this somebody will be somebody else—that the rich would foot the bill. But there never have been a sufficient number of rich people to support the burdens of so many social programs.

Peter Drucker observed that these planned programs are in effect taxation and compulsory savings that force everyone to pay for a service—whether he wants it or not. Our law makers have fostered the notion that they could somehow make the cost go away and produce something for nothing or at the expense of only an affluent minority. Applied to the local level, how do you think Mayor Beame feels about that idea now?

We are in this terrible difficulty because of the illusion that by the simple act of turning things over to the government, the problems will dissipate. Once our nasty businessmen had been effectively eliminated, all government decisions would be reasonable, automatic—and benevolent.

The fact is that the most despotic government at the turn of the century never dared to invade our private lives as income tax collectors do routinely. No mindless bureaucrat of that time could have conjured questionnaires that the federal government expects even the small businessman to fill out in the most useless and minute detail. With it all, government has become the largest employer in our society. This should be sur-

[1] Secretary William Simon, Address March 18, 1976 at Kansas State University.

prising because the record of the last four decades is scarred by the evidence of their inept performance. Growth is usually the result of efficiency. Apparently these rules do not apply to government. We are being subtly deprived of our liberties in return for short range cosmetic objectives.

In the 18th century, J. P. Curran said, "The condition upon which God has given liberty to man is eternal vigilance." We have become so slothful that gradual encroachment of our liberties has gone almost unnoticed. Since there are very few who are influenced by new theories after they reach maturity, the ideas of civil servants and politicians are unlikely to be relevant to current conditions in a world that has so radically changed in one generation.

What can we do about it?

First, we must realize that our problems are complex, deep and particular. They cannot be solved by simply turning them over to the government and forgetting them. There are only two things that government has the capacity to do: fight wars and spend money. Our politicians cannot solve the problem by simply reaffirming the ideals of our Founding Fathers. We are too caught up in the idea that there is an instant solution to every problem. Too many of us watch these instant solutions on our nightly TV programs.

We have lost sight of the fact that all life is some sort of struggle; our schools are partners in this deception. The educational system denies the value of hard work in education. The student grows up in an atmosphere where education must be turned into a game. Learning has to be fun—perferably played with audio-visual gadgets and group participation, directed by actors and comedians instead of teachers.

If our law makers believe that simply restating our aims without telling us how to reach the target is sufficient for their purpose, it may be enough for them—if their purpose is to get elected. But it is not enough for this nation. As their high sounding rhetoric falls easily from their lips, they seem to propose that our national goals appear on some sort of document which we have lost or mislaid. If we find this document we will have a road map that tells us how to proceed.

We seem to be looking for it in odd places. Perhaps it is graven on Mount Rushmore beneath the faces of some of our presidential greats. Or it might be lost in the archives of the Library of Congress and we need only to send a research assistant to find it and set us on our course.

I believe that the answer to our predicament is readily available to us—as long as we do not blind ourselves to the obvious failures that have resulted from our overweening desire to give everybody everything he wants, in lieu of creating a society in which needs are satisfied, within the limit of our resources—natural, creative and physical. We must balance these objectives with our ability to pay. Not when the millennium comes, but in a believable time-frame.

We cannot select as leaders people who follow the mob, for the mob obeys the logic of its own passions. Eric Hoffer said that "If a society is to preserve stability and a degree of continuity, it must know how to keep its adolescents from imposing their tastes, values and fantasies on every day life." By listening too long to those who tell us what to do and too little to those who counsel us on what we can do, we have spent ourselves into a paralysis compounded by bankruptcy.

Now we enjoy maximal leisure and minimal discipline. Instead of some mystical "fine tuning" of the economy, the solution is manifestly available to us. We must be prepared to sacrifice some short-term comforts in order to insure that the business community, which is the underpinning of our ability to provide our citizens with the things they can reasonably expect from life, is not the victim of impassioned rhetoric; that it is supported in its endeavor to do those things for which it is better equipped than government.

This means that the government should balance our social needs against the ability of our machinery to create productive jobs for our people; that they should recognize that it is a self-defeating exercise to issue $100 tax rebates, which in themselves may be taxable income at the state level; that encouraging business by a realistic forward-looking tax structure is in the last analysis the only answer; and that "fine tuning" the economy by competing in the capital markets with enormous issues of government paper is the sure road to destroying our productive potential. Gresham's Law is still valid. American industry is capital starved; many corporate balance sheets are shockingly weighted in debt. And yet, corporations are being forced to index into their future more and more debt at rates that have been pushed skyward by profligate government spending.

Since we seem to be doing all the wrong things, it is safe to assume that we don't know how to do the right things—or at the very least are unwilling to do them. It is indisputable that nothing so expediently discredits theory as practice. Theory is important, but it is not everything, and we cannot live by abstract theories alone.

The most immediate task before us is our need to face the reality of our situation. We cannot lose sight of the fact that it is *not* propaganda, illusion and sedatives that will permit us to climb out of this economic quicksand that imprisons us. It is the rekindling of the work ethic; it is understanding that changes are good only if the benefits to society exceed the costs; and above all, having the courage to say no when no is the right answer.

Talking to ourselves in this kind of forum is an exercise in frustration. I need not convince *you* that business is a bad word in Washington, in the media and in our schools. What is required now is a massive effort on our part to establish a means of communication with the public and the elected officials. It is incumbent upon *you* to develop ways of telling your employees how they are being sold a "bill of goods." You must enlist their aid in getting this message radiated to Congress.

When you vote, make sure you know how your candidate stands on the issues that affect you. Make certain, also, that you *see* your Senators and Representatives and let them know that you have a voice and that you are also included in the Bill of Rights. Encourage your employees to do likewise.

We can stop listening to our politicians who are pretending that our difficulties are temporary and will dissolve when shale oil runs out of our faucets—or that they will disappear through the passage of some short-term gimmicks like more social legislation paid for in funny money.

The challenge we face is in finding a midway which recognizes that an individual—up to a point—has the need to overcome difficulties in order to acquire a sense of accomplishment—not struggling as in a sweatshop, but also not in a lotus-eating environment. If we follow the latter course, there will soon be no more lotus to eat.

The foregoing program does not ensure that all of this will become clear to officialdom in one cosmic flash. Governments are not really "of the people, by the people and for the people"—that is utopian. It is unlikely that we can identify objectives shared by a whole society. It is uncertain that we can agree on universal aims—except in such vague terms as to be meaningless, such as "make everybody happy." It is probable that not everyone would share that aim, if indeed they could agree on what happiness was. Nevertheless, attempting to get your story across may establish the possibility that you have a future instead of insuring that you have no future at all.

Finally, if we continue to remain passive and to close our eyes to the spendthrift philosophies which are impaling us, we will have ignored the sage observation of that comic strip character Pogo, who said, "We have met the enemy and it is us."

Thank you.

ISRAELI SETTLEMENTS: OBSTACLES TO PEACE?

Mr. ABOUREZK. Mr. President, to those people who are concerned about a peace settlement in the Middle East, an article in today's Washington Post by Michael Adams is not only disconcerting but is further evidence of the real objective of Israel—retention of the territories taken from the Arabs by force. Mr. Adams' article makes it clear that all of the side issues, such as whether or not Israel will negotiate with the Palestinians, how many miles of the Sinai they will relinquish, et cetera, are just that—side issues. The Arab confrontation countries have stated time and again that they will not only recognize Israel within defined boundaries but that they will sign a peace treaty with Israel as well. And the Palestinians have made it known that they will accept a state of their own consisting of the West Bank and the Gaza Strip, provided the territories occupied by Israel since 1967 are returned. There has been knowledge of permanent settlements being built in the occupied territories for a long time now but such knowledge has been hidden from the American public by press coverage which is overly favorable to Israel.

Once Israel's objectives are made clear, as Mr. Adams' article has done, then it is clear what U.S. policy must be if our Government truly wants a settlement in the Middle East. And that policy option is to apply whatever pressure we have available, and we have a great deal available, directed toward the result of the return of the occupied territories to the Arabs from whom these territories were taken.

We are told that the Ford administration understands that this must be done. We are also told that Congress remains the obstacle. If that is true, then I would hope that every Member of Congress will consider the clarity with which Israel's real objectives have been stated by their own actions of building permanent settlements in the occupied territories.

Mr. President, I ask unanimous consent that the article entitled "Israeli Settlements: Obstacles to Peace?" be printed in the RECORD.

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

[From the Washington Post, July 28, 1975]

ISRAELI SETTLEMENTS: OBSTACLES TO PEACE?

(By Michael Adams)

Israelis and others who favor an eventual overall settlement in the Mideast are worried about the Israeli government's continued policy of establishing Jewish settlements in the occupied territories.

There are now more than 50 such settlements and, it is felt, to abandon these could be even more difficult psychologically and politically, for Prime Minister Rabin than giving up the Sinai passes. Indeed, the settlers who are carrying out this ambitious plan of colonization (the word is constantly used in Israel by both supporters and critics) make it very plain they are there to stay.

The most striking current developments are in northeastern Sinai. Last month I visited the complex of civilian settlements which is being created in the "Rafah approaches" with the express purpose of interposing a Jewish buffer between Egypt and the Palestinians in the Gaza Strip. Already four *moshavim* (agricultural cooperatives), each with a population of some 50 families, have been planted around the nucleus of the new city of Yamit, for which an eventual population of 250,000 is projected.

The fact that these are civilian settlements, although under the aegis of the Israeli military government in Sinai, is significant in terms of international law. Under the terms of Article 49 of the fourth Geneva Convention (to which Israel is a signatory), "the occupying Power shall not deport or transfer part of its own civilian population into the territory it occupies."

Elsewhere, and notably on the Golan Heights and the West Bank, the Israeli settlements are mostly *nahais*. There are paramilitary settlements where conscripts combine military and agricultural service in border areas, and it is possible for the Israeli government to argue that their presence is justified by considerations of "security."

No such claim could be sustained on behalf of the civilians who will be moving into the first 200 housing units at Yamit in about a month's time, or to those already in residence at Moshav Sadot, where the visitor gets a strong impression of permanence from the high-quality roads and buildings, among them a "community center" with an auditorium where on the day of my visit a play was being staged before an audience of several hundred people.

All this is in Egyptian Sinai, on land from which the Bedouin inhabitants have first to be expelled (the rump of the Arab village of Abu Shunnar survives precariously in a grove of palm trees between the prefabs of Yamit and the sea), causing vociferous protests from liberal elements inside Israel. The government overrode the protest and has allocated 67.6 million Israeli pounds (about $11 million) for the building of housing in Yamit and in the near-by Gaza Strip during 1975; of this, according to the newspaper Davar, 50 million Israeli pounds had already been spent by the beginning of April on Yamit alone.

When I asked a young immigrant from Canada, who was there with her small children, whether she did not feel that the presence of the settlers made nonsense of Israel's professed desire for a negotiated agreement with Egyptians, she shrugged her shoulders. These were questions for the politicians; as far as she was concerned, this was home and she liked it and there could be no question of leaving. Others reminded me of Mr. Rabin's recent statement: "We have not established settlements in order to abandon them."

Elsewhere in the occupied territories the pattern of colonization is only a little less ostentatious. In the Gaza Strip, three *kibbutzim* have been strategically placed to separate and control the main areas of Arab habitation. Overlooking Hebron, the Jewish settlement of Kiryat Arba now contains 250 apartments, with another 250 under construction—although the government is finding occupants for them and most of the existing residents in fact commute to work in Jerusalem, abandoning the industries specially established for them on the spot to Arab workers.

At Kfar Etzion, between Hebron and Bethlehem, a fourth settlement has been added to the three already established since 1967, and two or three miles farther north on the road to Bethlehem yet another is almost ready for occupation, although no mention has been made of it publicly.

Out of a score of earlier settlements on the West Bank, the majority are *nahals* strung along the Jordan valley but the latest and most controversial project is for the creation of an industrial zone at the site known as Maale Adumim between Jerusalem and Jericho. Here elaborate preparations are under way, in the form of road building, the leveling and clearance of the site, and the laying of water mains, for a major undertaking whose purpose seems to be the signal to the right-wing opposition in Israel that even here no withdrawal is contemplated.

On the Golan Heights, the original chain of *nahals* is gradually giving way to a pattern of civilian settlement, and work began in January of this year for the construction of a new town, with a projected population of 20,000, near Khushniyah in the central sector.

With more than 50 settlements already established and with the process of colonization accelerating throughout the Occupied Territories, many Israelis are easily unaware of the inconsistency between what their government is saying and what it is doing about reaching a political agreement with the Arabs. Lord Caradon, who visited Israel last month to explore the possibilities of such an agreement, has called these 50 settlements "50 signposts to destruction."

They are also 50 classic examples of the way the state of Israel has been constructed; but if the objective is to ensure the survival of the state itself, the Israelis will sooner or later have to abandon these outposts beyond their borders—even if it means reversing the course of Zionist history.

PRESIDENT FORD AND THE VETO POWER

Mr. PEARSON. Mr. President, since assuming the Presidency in August 1974, President Ford has made liberal use of the veto power. In the last 5 months of 1974, he vetoed 24 measures. So far this year, he has vetoed nine bills.

A number of the bills vetoed in 1974 by President Ford were relatively minor measures. And it is also apparent that in a number of cases, the Congress passed legislation which it fully expected the President to veto and in which it made no effort to override.

But the vetoes in 1975 have attracted a great deal of attention and have generated intense and often bitter debate. Most of these bills have been major pieces of legislation and the Congress has overridden only one of these nine vetoes.

In response to these vetoes, President Ford's critics in the Congress have assailed the President as being "veto happy" and exercising "veto tyranny." They have charged him with operating from a position of negativism and obstructionism and thwarting the will of the public. It has been declared that he has violated the promise at the time of his inauguration to work with the Congress in the spirit of cooperation and conciliation.

Mr. President, I have voted for a number of the bills which the President has vetoed, and I have sharply disagreed with the President on some of the vetoes. I know that I will likely disagree with him in the future. I certainly do not speak from a position of blind loyalty to the President. But putting these disagreements aside, it is my judgment that the President has used the veto in a responsible and effective way.

I do not agree with the critics that President Ford has abused the power of the veto; that he operates from a position of uncompromising negativism; that he is thwarting the public will.

Rather, I believe that he has used the veto, particularly during the 94th Congress, as a positive force for shaping national policies. The frequency of the vetoes clearly indicates sharp differences between the President and the Congress, but they do not reflect a policy of simple obstructionism on the part of the President. He has used the veto not to stymie the policymaking process but as a positive tool in changing the course of public policies.

Mr. President, a review of the veto messages of this year reveals a language of conciliation rather than a language of truculence. A review of the actions accompanying the vetoes also reveals a spirit of cooperation and willingness to compromise.

An analysis of the nine vetoes of this year shows that in virtually all cases he has either modified his own position; taken a series of administrative actions aimed at dealing with the problem addressed in the veto legislation; or spelled out very clearly the type of legislation which he believes is appropriate to deal with the problem at hand.

For example, in the case of two vetoes, the Emergency Employment Appropriations Act and the Emergency Housing Act, the President specified the type of legislation he considered to be responsive to the problem and consistent with budgetary limitations. In both cases, Congress quickly responded with new legislation that was acceptable to the President and the Hill.

Also, following the veto of the Emergency Housing Act, the President took administrative action aimed at stimulating the housing industry. In vetoing the farm bill, the President announced a series of administrative actions that had been taken to strengthen the farm economy and promised to raise the loan rate on grain should prices fall. Prices have not declined, and that action has not been necessary.

There were no follow up actions to his veto of the strip mining bill, but I believe the record shows that the President made an honest effort in a spirit of compromise to work with the Congress during the drafting of the legislation.

In the area of oil legislation, the President has used the veto and the threat of its use with particular effectiveness, and yet, I believe, in a conciliatory way.

In vetoing H.R. 1767, a measure denying him authority to impose oil import fees, the President announced his intention not to proceed with his earlier stated time table so that the Congress would have more time to come up with an energy program of its own. And soon after vetoing H.R. 4035, the President submitted to the Congress a new oil pricing plan which I believe represents a major compromise from his earlier position.

Mr. President, I ask unanimous consent that a staff analysis of the nine vetoes of the 94th Congress be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. PEARSON. Mr. President, the bulk of the vetoes have evolved around the issues of energy and spending.

On the issue of energy, President Ford has made it very clear that he believes we are confronted with a problem of major magnitude for which there are no simple, painless solutions. He also believes firmly that we must deal with it quickly, that further procrastination will simply result in greater problems. It is also clear that he has decided that the best course of action is to rely to the maximum extent possible on the operation of the free market to help work ourselves through the problem. In short, he has said, here is the problem, it is serious, it must be dealt with quickly, here is how we ought to do it.

In the Congress, on the other hand, many seem to doubt the seriousness of the problem, many more feel no sense of urgency in dealing with the problem, and, certainly the Congress as a whole has not demonstrated the capacity to date to come up with a clear-cut comprehensive response to the President's initiatives.

This type of situation generates serious confrontations and intense struggles. And in this struggle, I believe the President has used the veto and the threat of its use not to bludgeon but to prod, not to dictate but to promote compromise.

In the area of spending, the President has again made his position very clear. He believes very firmly that the deficit should be kept in the neighborhood of $60 billion. He has so advised the Congress and the American people. It should come as no surprise that he has and probably will continue to veto measures that go beyond that limit. The Congress may well override the President on the issue of spending, but I believe the President has shown and will continue to show flexibility in this area and I am convinced that his position is dictated by an honest belief that excessive spending will do excessive damage to the economy in the form of future inflation rather than an obstructionist attitude toward new social initiatives.

President Ford is Republican, and the Congress is Democratic, and by an overwhelming margin. Inevitably, this will mean continued conflict between the President and the Congress. There will be more vetoes. But as both the Congress and the President develop a better sense of their own respective strengths, I would anticipate that the frequency with which the veto is exercised will be reduced. For its part, I think that the Democratic leadership in the Congress has recognized that despite its overwhelming numerical majority, it cannot, at will, overpower the President on issues which he feels deeply and strongly about. On the other hand, I am sure that the President recognizes that he must exercise caution lest he lose the credibility that he now enjoys.

Finally, I would observe that in recent months, opinion polls show that the public support for the President has been increasing while the public opinion of the performance of the Congress has declined, and rather sharply. I suggest that one factor here is that the voters believe he has used the veto responsibly and that they also believe, on the other hand, that in a number of instances the Congress has acted irresponsibly.

EXHIBIT 1

PRESIDENT FORD'S VETOES AND RELATED ACTIONS—94TH CONGRESS, 1ST SESSION—1975

VETO NO. 1—H.R. 1767 (OIL IMPORT FEES INCREASE)

Background: On January 23, 1975, President Ford by proclamation had used the stand-by authority provided by the Congress under section 232 of Trade Expansion Act of 1962 to apply an additional $1-per-barrel import fee on most foreign oil coming into the U.S., beginning February 1 and increasing to $2 on March 1 and $3 on April 1.

Legislation: By February 19, 1975, both Houses of Congress had passed H.R. 1767 which (1) temporarily suspended for 90 days (beginning on enactment) Presidential authority to adjust imports of petroleum and petroleum products and (2) negated any Presidential action to so adjust petroleum imports taken after January 15, 1975, including above proclamation.

Veto: March 4, 1975, President Ford vetoed H.R. 1767.

Related Actions: However, in the spirit of "cooperation and compromise," the President also took the following actions:

(1) After being asked by the majority leaders of the Senate and the House on February 28, 1975, to delay further scheduled increases in the import fees on foreign oil for 60 days, on March 4, 1975, the President modified his previous proclamation to delay any further increases until May 1, 1975. This was done in order to give the Congress time to act on his energy recommendations.

(2) Also on March 4, 1975, the President directed the Administrator of FEA to use existing legal authorities to adjust the price increases for petroleum products (caused by the additional import fee) so that the added costs would be equitably distributed between gasoline prices and the prices for other petroleum products, such as heating oil. These adjustments were not to be permanent and would be phased out.

(3) Further, in his veto message of March 4, he announced that he was proposing, to assist farmers, a further tax measure that would rebate all of the increased fuel costs from the new import fees for off-road farm use. This particular rebate program also would be phased out and would be retroactive to date of new import fee schedule, substantially lessening the adverse economic impact on agricultural production and reducing price increases in agricultural products.

(4) On April 30, 1975, in order "to continue the spirit of compromise with the Congress" on this issue, the President again delayed further increases in the import fees for another 30 days (until June 1, 1975), although during the first 60-day period "neither the House nor Senate . . . [had] passed one significant energy measure acceptable to the Administration. . . ."

(5) On May 27, 1975, after further Congressional inaction, the President did impose a further increase in import fees on petroleum and petroleum products, effective June 1, 1975.

Congressional Veto Action: No attempt to override.

VETO NO. 2—H.R. 4296 (1975 FARM BILL)

Legislation: By April 22, 1975, both Houses of Congress had passed H.R. 4296, Amendments to Agriculture Adjustment Act of 1949. This bill (1975 Farm Bill) provided: (1) Increases for 1975 for target prices of wheat by $1.05 per bushel, corn by $0.87 per bushel, and upland cotton by $0.07 per pound. (2) Increases for 1975 loan levels for wheat by $1.05 per bushel, corn by $0.87 per bushel, and upland cotton by $0.04 per pound. (3) For period 1975–1977, nonrecourse loans available for 18 months for cotton, wheat, corn, and other feed grains. (4) Loan and purchase program available to soybean producers for 1975 crop by a formula which would set loan level for No. 1 grade soybeans at $3.94 per bushel. (5) Establishment of support price of manufacturing milk at not less than 80 percent of parity price therefor beginning with enactment and ending March 31, 1976; and beginning with second quarter of 1975, the established support price for milk to be adjusted quarterly to reflect prices paid by farmers for production items interest, taxes, and wage rates. (6) Rate of interest on commodity loans for 1975 crop made by the Commodity Credit Corporation to be established quarterly on basis of lowest interest rate paid by U.S. Treasury.

Veto: May 1, 1975, President Ford vetoed H.R. 4296, stating that approval of bill was not in the public interest because it was an example of "increased non-essential spending," and would undermine the successful market-oriented farm policy adopted by Administration and Congress.

Related Actions: In his veto message of May 1, 1975, the President listed a number of positive steps taken by the Executive in recognition that some farmers had experienced financial difficulties due to the cost-price squeeze: (1) Increase in the 1976 wheat acreage allotment by 8 million acres to 61.6 million acres, providing wheat producers with additional market price and disaster protection. (2) Increase in the 1975 crop cotton price support loan rate by 9 cents per pound. (3) Increase in the price support level for milk. (4) Recently completed negotiations with the European Community to remove the export subsidies on industrial cheese coming to U.S., a step ensuring that surplus dairy products would not be sold in the U.S. market at cut-rate prices; at same time, arrangements worked out to enable Europeans to continue selling U.S. high-quality table cheeses, enabling U.S. to keep on mutually agreeable trading terms with our best customers for American farm exports. (5) Negotiations by State Department on agreements with 12 countries limiting their 1975 exports of beef to this country in order to protect U.S. cattle producers against a potential flood of beef imports from abroad.

Also, in the same message, President promised that, ". . . if unforeseen price deterioration requires action . . .," he would direct the Secretary of Agriculture "to make adjustments in price support loan rates for wheat, corn, soybeans, and other feed grains."

Congressional Veto Action: House SUSTAINED Presidential veto on May 13, 1975, by vote of *245* Yeas to *182* Nays, two-thirds not having voted to override.

VETO NO. 3—H.R. 25 (STRIP MINING)

Background: On December 30, 1974, the President had pocket vetoed S. 245 from the 93d Congress, 2d Session, a bill to regulate strip mining for coal and the reclamation of mined lands. Early in the 94th Congress the Administration had sent draft legislation to the Congress incorporating its recommendations for a strip mining bill.

Legislation: By May 9, 1975, both Houses of the Congress had passed and sent to the President a new strip mining bill, H.R. 25. This legislation set minimum State standards for control and reclamation of surface coal mining operations and provided that when States failed to regulate and control such mining, Federal programs would be instituted. Also, bill set minimum environmental and ecological standards on both

Federal and State lands for coal surface mining.

Veto: On May 20, 1975, President Ford vetoed H.R. 25, stating that he did so because: (1) as many as 36,000 people would lose jobs at a time when unemployment already was too high; (2) consumers would pay higher costs—particularly for electric bills—when consumer costs were already too high; (3) the Nation would be made more dependent on foreign oil at a time when it was already overly dependent on foreign oil at a time when it was already overly dependent and dangerously vulnerable; and (4) coal production would be unnecessarily reduced at a time when this vital domestic energy resource was needed more than ever.

Related Actions: Although there were no concrete actions taken by the President after his veto of H.R. 25 which can be pointed out, the Administration had worked closely with the Congress, "in the spirit of compromise," during the legislative progress of the bill in the 94th Congress. As the President noted in his veto message, "My Administration has worked hard with the Congress to try to develop an acceptable surface mining bill and other energy programs which could, when taken together, enable us to reduce energy imports and meet environmental objectives. While the Congress accepted in H.R. 25 some of my proposals, it rejected others necessary to reduce the adverse impact on coal production and to clarify various provisions of the legislation to make it precise and more workable. . . . The bill I sent to the Congress in February would have also entailed production losses estimated between 33 and 80 million tons. Even though these losses would have been substantial, we could have accepted them if Congress had enacted the comprehensive energy program I proposed. But, now the potential losses of H.R. 25 are intolerable."

Congressional Veto Action: House sustained Presidential veto on June 10, 1975, by vote of *278* Yeas to *143* Nays (1 voting "present"), two-thirds not having voted to override.

VETO NO. 4—H.R. 4481 (EMERGENCY EMPLOYMENT APPROPRIATIONS)

Background: Early in 1975, the President had asked the Congress for legislation to deal with the Nation's most immediate employment problems through an extension of public service jobs and a program of summer youth employment.

Legislation: By May 16, 1975, both Houses of the Congress had passed an unusual and unique appropriation measure, H.R. 4481, Emergency Employment Appropriations, to provide for the emergency acceleration of existing Federal programs and projects in order to help increase employment opportunities throughout the Nation. The total moneys in the bill: $5.3 billion, including $485 million for direct and insured loans and $92.3 million for liquidation of contract authority.

Veto: On May 28, 1975, President Ford vetoed this legislation because it was ". . . not an effective response to the unemployment problem" and it ". . . would exacerbate both budgetary and economic pressures, and its chief impact would be felt long after . . . [the] current unemployment problems . . ." were expected to subside. The Congress had taken a simple, straightforward and specific proposal and turned it into a bill containing a host of provisions of questionable value. The bill authorized spending of $3.3 billion ABOVE the President's budget requests, and almost half of the spending would occur in FY 1976 and calendar year 1977, long after the economy recovery was expected to be underway at the end of calendar year 1975. This bill, combined with others pending in the Congress, would increase the FY 1976 deficit to $100 billion or more.

Related Actions: The President had previously proposed and the Congress had enacted a major tax cut to help overcome the recession and high unemployment. On March 29, 1975, when the President signed this tax cut legislation into law, he had stressed the need to keep the 1976 deficit below $60 billion. Also, he had proposed an extension of unemployment compensation benefits, together with increases. These had been included in H.R. 4481, along with the many other provisions. In his veto message on May 28, 1975, he again called for extension of unemployment compensation benefits and a bill "that will provide the funds . . . recommended for immediate and temporary employment through the public sector and summer youth jobs." (H.J. Res. 492, FY 1975 supplemental appropriations for summer youth employment, was signed into P.L. 94-36 by the President on June 16, 1975; H.R. 6900, proposed Emergency Compensation and Special Unemployment Assistance Extension Act, was signed into P.L. 94-45 by the President on June 30, 1975.)

Congressional Veto Action: House SUSTAINED Presidential veto on June 4, 1975, by vote of *277* Yeas to *145* Nays, two-thirds not having voted to override.

VETO NO. 5—H.R. 5357 (PROMOTION OF TOURIST TRAVEL)

Legislation: By May 15, 1975, both Houses of Congress had passed H.R. 5357, authorizing appropriations totalling $98,125,000 to the Secretary of Commerce for the promotion of tourist travel. The bill reinstituted in the Department of Commerce a domestic tourism program to encourage Americans to travel within the U.S., and authorized $90 million for period July 1, 1976, through September 30, 1979, for continuation and expansion of current program of U.S. Travel Service to promote and facilitate foreign tourism in the U.S.

(Although H.R. 5357 had passed the House on May 13, 1975, by a recorded vote of 387 Yeas to 132 Nays, the measure passed the Senate on a voice vote on May 15, 1975, after the Commerce Committee, at its own request, had been discharged from further consideration of the bill.)

Veto: On May 28, 1975, the President vetoed this legislation because: (1) the promotion and management of domestic tourism should remain the responsibility of the private sector and the Administration had opposed the reinstatement of a domestic tourism program; and (2) the Administration had proposed an extension of the existing foreign tourism program in the U.S. through FY 1979 at an annual authorization level of $15 million, but felt the amounts in the bill were excessive.

Related Actions: None.

Congressional Veto Action: No attempt to override.

VETO NO. 6—H.R. 4485 (EMERGENCY HOUSING ACT OF 1975)

Background: In his Economic Message to the Congress on October 8, 1974, shortly after taking office, the President urged passage of the Emergency Home Purchase Assistance Act, the so-called Brooke-Cranston bill. This legislation was quickly passed by the Congress, extending the GNMA mortgage purchase authority to include home loans not federally insured—so-called "conventional" mortgages. Since October 1974, $9 billion has been committed by GNMA to purchase mortgages with below market interest rates. Also, in his 1976 Budget Request, President Ford proposed Federal support for 400,000 units of housing under the new Lower Income Housing Assistance Program; and Congress enacted and the President signed into law (in the tax cut bill) a tax credit for buyers of unsold housing at a cost of $750 million.

Legislation: By June 11, 1975, both Houses of Congress had passed and sent to the President H.R. 4485, the Emergency Housing Act of 1975. This bill contained three new housing subsidies: (1) $1,000 homeownership grants, (2) subsidy payments, to be phased out over 6 years, which could reduce mortgage interest rates to 6 percent, and (3) a mortgage purchase assistance program with interest rates set at 7 percent. Depending upon the choice a buyer made, subsidies would be worth up to $3,000, or in some situations as high as $6,500. The bill also extended the deep homeowner interest subsidies (Section 235) which Congress last year had decided to phase out; extended and expanded the rehabilitation loan program which last year was consolidated into the community development block grant program; diverted rental assistance funds from the newly-authorized program of lower income rental housing (Section 8); and authorized HUD to make repayable mortgage relief payments to homeowners whose incomes have been substantially reduced, designed to prevent the loss of homeownership for families who are unable to make full mortgage payments.

Veto: On June 24, 1975, the President vetoed H.R. 4485. He stated that he did so because of its cost, ineffectiveness, and delayed stimulus which would damage the housing industry and the economy. He also noted that it could not be implemented without substantial delay; was in some respects inequitable; had long-term impacts and implications inappropriate and undesirable for an "emergency" measure; made a number of undesirable changes in housing and community development laws; and its foreclosure provision relied unnecessarily upon government funding and administration.

Related Actions: In his veto message, in order to reaffirm his commitments to a prompt recovery of the housing industry, to getting construction workers back to work, and to support existing Federal mortgage assistance program, the President: (1) asked Congress to extend the Emergency Home Purchase Assistance Act beyond its October 1975 expiration date and for its expansion to cover conventionally financed multi-family housing, including condominiums; (2) announced that he was directing the release of the remaining $2 billion in such funds and requesting Congress to authorize another $7.75 billion in such assistance for housing; and (3) made it clear that he would support a workable plan to prevent mortgage foreclosures for homeowners who are out of work. (H.R. 5398, a new Emergency Housing Act of 1975, was signed into law on July 2, 1975. This bill incorporates a modified program more along the lines of what the President had suggested in his veto message.)

Congressional Veto Action: House sustained Presidential veto on June 25, 1975, by vote of 268 Yeas to 157 Nays, two-thirds not having voted to override.

VETO NO. 7—H.R. 4037 (PETROLEUM PRICE REVIEW ACT)

Background: On August 31, 1975, the Emergency Petroleum Allocation Act of 1973 will expire. That Act requires the control of oil distribution throughout the U.S. and of prices on "old" oil at a ceiling of $5.25 per barrel. So-called "old" oil is oil produced from wells in operation before December 31, 1972, not in excess of 1972 production levels. It accounts for 60 percent of domestic oil production. Unless the Act is extended, after August 31, 1975, all oil prices would be decontrolled and would rise abruptly. ("New" oil—oil produced from wells drilled after January 1, 1973, or from old wells in excess of 1972 production levels—has not been under price controls. It accounts for the other 40 percent of domestic production and has been selling at about $13.00 per barrel.)

In his State of the Union Message, President Ford proposed immediate and total decontrol of all domestic prices by April 1975. However, the Congress has not agreed with this and has attempted to extend the pro-

visions of the Emergency Petroleum Allocation Act beyond its expiration in a number of ways.

On July 16, 1975, President Ford sent to the Congress a plan to phase out controls on "old" domestic oil over 30 months and proposed a ceiling on the price of "new" domestic oil (other than oil from stripper wells—those producing less than 10 barrels per day) for that same 30-month period at $13.50 per barrel. In this message, he also called for enactment of energy taxes including a windfall profits tax (with appropriate plowback provisions) and extension of the Emergency Petroleum Allocation Act to implement his decontrol plan. Under provisions of the Emergency Petroleum Allocation Act—still in effect until August 31—either House of Congress has five working days in which to disapprove a decontrol plan by majority vote. Otherwise, it would go into effect.

The July 16 plan would have gradually removed price controls from "old" oil over a 30-month period beginning August 1 of this year and ending in January 1978. Each month the amount of oil presently under controls would be decreased by an additional 3.3 percent of a decontrol base production level (which is the average monthly production of old oil during April, May and June of this year). No oil for this 30-month period (except oil from stripper wells) could be sold for more than $13.50 per barrel. After the 30-month period, there would be no price controls on any domestically-produced oil.

Legislation: By July 17, 1975, both Houses of Congress had passed and sent to the President H.R. 4035, the Petroleum Price Review Act. This bill, which passed the Senate as S. 621, basically did the following: (1) Extended the Emergency Petroleum Allocation Act for 4 months—until December 31, 1975, (2) which meant the retention of the $5.25 per barrel ceiling on "old" oil prices, (3) placed "new" oil under price controls at $11.28 per barrel for the first time, (4) repealed the "stripper wells" exemption from price controls, and (5) continued the coal conversion authorities in the ESEC Act until December 31, 1975.

Veto: On July 21, 1975, President Ford vetoed this legislation, which flew directly in the face of his July 16 proposal. He stated that he vetoed the bill because it: (1) would increase petroleum consumption, (2) cut domestic production, (3) increase reliance on insecure petroleum imports, and (4) avoid the issue of phasing out unwieldy price controls. He said, "For too long, the Nation has been without an energy policy, and I cannot approve a drift into greater energy dependence."

Related Actions: In his veto message he reminded Congress of his July 16 compromise plan. He said that if Congress acted on this compromise and on other Administration proposed energy taxes, including the "windfall profits" tax and energy tax rebates to consumers, the burden of decontrol would be fairly shared. He also urged Congress not to disapprove his administrative plan of decontrol and promised that, if it were accepted, he would in turn accept a simple extension of price and allocation authorities. He reminded the Congress, however, that if it were not accepted, one alternative which remained to him would be to veto even a simple extension of the Emergency Petroleum Allocation Act, implying that thereby on August 31, 1975, all oil would be decontrolled anyway.

On a related issue in the vetoed bill—the coal conversion authorities contained in last year's Energy Supply and Environmental Coordination Act which had expired June 30, 1975, and which had been extended until December 31, 1975, by H.R. 4035—he noted that this extension had been requested by the Administration and urged "rapid enactment of a simple one year extension."

In regard to his July 16 plan, on July 22 the House passed, by 262 Yeas to 167 Nays, H. Res. 605, which disapproved (and thereby killed) the President's proposal for a gradual 30-month decontrol of domestically-produced oil prices.

However, "in the effort to break the deadlock on energy legislation prior to the August Congressional recess," on July 25, 1975, the President submitted to the Congress his second Administrative decontrol program. He said, "This Nation desperately needs cooperation, not confrontation, on the critical energy issue. The new compromise decontrol plan I propose will answer the legitimate concerns raised by Members of the Congress during the lengthy discussions which have been held on this problem." The President noted that, after Congress had rejected his plan, he was faced with two choices: "to either veto the proposed extension of price controls [S. 1849, a simple 6-month extension of the Emergency Petroleum Allocation Act until March 1, 1975, which passed the Senate on July 15, 1975, and is presently pending in the House] scheduled to expire August 31 or seek a compromise with the Congress." He further urged the Congress to accept his new program and "simultaneously enact a simple three-month extension of the law. To achieve energy independence, the Congress and the President must work together on this and other parts of my comprehensive energy program . . . so that we can get on with the solution of this most pressing problem."

The July 25 plan would gradually remove price controls from "old" oil over a 39-month period beginning September 1 and ending in November 1978. Under the plan, the amount of oil under controls would be decreased by an additional 1.5 percent per month of a decontrol base production level (which is the average monthly production of old oil during April, May, and June of this year) for the first time beginning September 1, 1975; 2.5 percent per month for the second year; and 3.5 percent per month for the remaining 15 months. No oil for this 39-month period (except oil from stripper wells) could be sold initially for more than $11.50 per barrel, increasing 5 cents per month beginning October 1, 1975. After the 39-month period, all price controls on domestically-produced oil would be removed. Either House of Congress now has five working days in which to disapprove this second plan to keep it from taking effect.

Congressional Veto Action: NO ATTEMPT TO OVERRIDE.

VETO NO. 8—H.R. 5901 (EDUCATION DIVISION AND RELATED AGENCIES APPROPRIATION, 1976)

Legislation: By July 18, 1975, both Houses of Congress had passed and sent to the President H.R. 5901, the Education Division and Related Agency Appropriation Act, 1976, the first appropriations bill to be sent to the President for fiscal year 1976. It carried a total appropriation for fiscal year 1976 of $7,480,312,952 and for the transition period of $464,683,000.

Veto: On July 25, 1975, President Ford vetoed this bill stating: "This is the first regular appropriation bill passed by the Congress this year and it provides $7.9 billion, $1.5 billion more than I requested. Earlier this year, I drew a line on the budget deficit for fiscal year 1976 at $60 billion. That line is considerably higher than I would like. On May 14, the Congress drew its own line on the deficit at $69 billion. But now, the Congress' own July 21 budget scorekeeping report estimates a possible deficit this year of $83.6 billion. I cannot, in good conscience, support such a deficit. . . ." Noting that his original budget recommendation was not the only one acceptable, he said he believed major reductions must be made in this bill which Congress could substantially achieve by simply accepting his recommendations for impact aid and higher education. "In these two areas alone," he remarked, "Congress . . . added $913 million to my proposals."

The President then said, "Taken as a whole this appropriation bill is too much to ask the taxpayers—and our economy—to bear."

Related Action: In the first part of his veto message, the President reminded the Congress: "Throughout my public life, I believed—and still believe—that education is one of the foundation stones of our republic. But that is not the issue in this appropriation bill. The real issue is whether we are going to impose fiscal discipline on ourselves or whether we are going to spend ourselves into fiscal insolvency." He ended his message by saying: "I urge the Congress to sustain my veto of this bill and then we can work together—as we have before—to achieve a responsible compromise."

Congressional Veto Action: The House, on July 25, postponed further consideration of the veto until Tuesday, September 9, 1975. Since H.R. 5901 is an appropriation bill and originated in the House, the Senate cannot act until the House has acted.

VETO NO. 9—S. 66 (NURSES TRAINING & HEALTH REVENUE SHARING & HEALTH SERVICES ACT OF 1975)

Background: On December 23, 1974, the President had pocket vetoed H.R. 14214, the Health Revenue Sharing and Health Services Act (see Veto No. 15, Part I); and on January 2, 1975, he had pocket vetoed H.R. 17085, Nurses Training (see Veto No. 19, Part I).

Legislation: By July 16, 1975, both Houses had passed and sent to the President one bill, S. 66, which was pratically identical to the two bills vetoed above from the 93rd Congress. For nurses training the bill provided $568 million and for the other two areas it provided $1,422 million.

Veto: On July 26, 1975, President Ford vetoed this legislation for the same reasons he had vetoed the two bills in the 93d Congress. He noted that, in considering S. 66, "the 94th Congress made some reductions in the total cost of the measure. However, the levels authorized are still far in excess of the amounts we can afford for these programs. The bill would authorize almost $550 million above my fiscal year 1976 budget request for the programs involved, and it exceeds fiscal year 1977 levels by approximately the same amount, resulting in a total increase of $1.1 billion. At a time when the overall Federal deficit is estimated at $60 billion, proposed authorization levels such as these cannot be tolerated." Also, he pointed out that S. 66 was unsound from a program standpoint.

Related Action: In his veto message he also pointed out that H.R. 4819 and S. 1203, administration bills submitted to the 94th Congress, "would consolidate various separate programs into the flexible project grant authority of the Public Health Service Act to allow funding of a wide variety of health services projects based on State and local needs" rather than create new narrow categorical programs as does S. 66. He closed by saying: "Good health care and the availability of health personnel to administer that care are obviously of great importance. I share with the Congress the desire to improve the Nation's health care. I am convinced that legislation can be devised to accomplish our common objectives which does not adversely affect our efforts to restrain the budget or inappropriately structure our health care system. I urge the Congress to pass such legislation, using the bills I have endorsed as the starting point in such deliberations."

Congressional Veto Action: Senate overrode the veto on July 26, 1975, by a vote of 67 Yeas to 15 Nays; House still has not taken action on the veto.

PROTECTING THE MINNESOTA RIVER

Mr. MONDALE. Mr. President, on July 11, I introduced a bill which was cosponsored by Senator HUMPHREY to establish a Minnesota Valley Wildlife Recreation Area. This measure has been referred to the Senate Commerce Committee where I am hopeful it will receive prompt consideration. As evidence of the support for action to safeguard this important scenic and wildlife resource, I ask unanimous consent that an editorial from Sunday's edition of the Minneapolis Tribune, entitled "Protecting the Minnesota River" be printed in the RECORD.

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

PROTECTING THE MINNESOTA RIVER

We hope Congress moves quickly to approve the Mondale-Humphrey bill to establish a national wildlife refuge and recreation area in the lower Minnesota River Valley—the final 25-mile stretch of the river. Though only a small portion of the valley between Carver, where the river's flood plain begins, and Fort Snelling State Park, where the river joins the Mississippi, has been lost to development, close to half of it is zoned commercial or industrial.

The Mondale-Humphrey bill would authorize the U.S. Fish and Wildlife Service to create a 9,540-acre wildlife refuge composed of nine separate units within the boundaries of the proposed wildlife recreation area. The fish and wildlife service would have exclusive responsibility for management of the refuge, while management of the larger recreation area would be coordinated under a comprehensive plan to be developed jointly by federal, state and local government agencies within two years of enactment of the bill.

The measure would assist state and local preservation efforts by providing federal funds for up to 60 percent of the cost of acquisition of land and easements. Navigation on the Minnesota would not be affected by the bill, nor would the industrialized areas in Burnsville, Chaska, Shakopee and Savage. The main focus of protection would be on "areas in the flood plain whose primary value lies in their richness as a wildlife resource."

If the valley's fast-dwindling touches of nature are saved, credit must go to the enterprising citizens—now joined in the Lower Minnesota River Valley Citizens' Committee—who began the preservation effort two years ago. It was their efforts that convinced the U.S. Fish and Wildlife Service of the value of creating a wildlife and recreation area in the valley and their efforts that persuaded Sens. Mondale and Humphrey to push for congressional action.

It is, as Marialice Seal, co-chairman of the citizens' committee says, "a very rare thing for a major city to have this beautiful and rich river running right through and available by bus." Now it is up to Congress to complete the work citizens have stated and secure what could be—on the very doorstep of the Twin Cities—a thing of lasting beauty and value.

PROMOTING THE INTERESTS OF AMERICAN BUSINESS

Mr. CURTIS. Mr. President, one of the keys to economic growth is a strong, viable business sector. More business means more jobs, higher salaries and wages, and a more stable future. Congress has helped sustain this growth through the enactment of certain tax incentives, for example, which enable businesses to invest in new machinery and equipment.

The distinguished senior Senator from Pennsylvania (Mr. SCOTT) is a friend of the businessman and his record proves it. As ranking Republican member on the Senate Finance Committee, I have noted his legislative and voting record to promote the interests of American business. I ask unanimous consent that Senator SCOTT's legislative activities be printed in the RECORD.

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

AMERICAN BUSINESS—94TH CONGRESS

Legislation

S. 1124—a bill to amend the Small Business Act to assist in the financing of small business concerns owned by persons who are disadvantaged because of certain social or economic considerations.

S. Res. 104—a resolution relative to Select Committee on Small Business.

S. Res. 181—a resolution to elect a Senator to Select Committee on Small Business.

Votes

Voted for Council on Wage and Price Stability Act amendments of 1975.

AMERICAN BUSINESS—93D CONGRESS

Legislation

S. 804—a bill to further improve assistance to small business concerns in financing, structural, operational or other changes to meet standards required pursuant to law.

S. 1415—a bill to assist in the financing of small business concerns which are disadvantaged because of certain social or economic considerations not generally applicable to other business enterprises.

S. 2136—a bill to extend the St. Lawrence Seaway—Great Lakes navigational season demonstration program for another 2½ years.

S. Con. Res. 11—a bill to express a national policy with respect to support of the United States fishing industry.

Votes

Voted for Economic Stabilization Act Amendments of 1973.

Voted for Labor-Management Relations Act Amendments.

Voted for amendment to provide loans to small business concerns for adjustment assistance as a result of base closings.

Voted for Small Business Act Amendments.

Voted for amendment to prevent unfair competitive practices in the manufacturing and marketing of petroleum products.

Voted for Antitrust Procedures and Penalties Act.

Voted for Fair Labor Standards Amendments of 1974.

Voted for Export-Import Bank Amendments of 1974.

GET THE GUNS OFF THE STREETS

Mr. KENNEDY. Mr. President, I would like to bring to the attention of my colleagues an editorial which appeared in the Washington Star on Thursday, July 24 and an article written by Jimmy Breslin, which was published in the Washington Star on Wednesday, July 23. Because of the broad interest in, and the continuous need to know the facts concerning handgun crime, I ask unanimous consent that these articles be printed in the RECORD.

Again, I express my deep concern for the handgun victim. We must take action to protect innocent people from being gunned down.

The July 23 article by Jimmy Breslin, traces the handgun used to kill Kenneth Washington, a young 14-year-old newspaper carrier as that gun traveled from the manufacturer to the killer. Mr. Breslin provocatively arouses the reader's interest in the dilemma faced by those who legitimately possess handguns and those who will take any course to obtain a gun for use in crime. The gun in Breslin's story is unique because it took the life of an innocent young Washingtonian who was in no way connected with the original owner or with the person charged with the shooting.

The July 24 editorial is an indictment of the lack of congressional action on gun control. The editorial clearly establishes that it is time for the Congress to take into account the public demand to get the guns off the streets.

I firmly believe we can afford inaction on guns no longer. Mr. President, I commend both of these articles to the Senate and I ask unanimous consent that they be printed in the RECORD.

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

[From the Washington Star News, July 23, 1975]

THE SERIALIZED REGISTERED GUN THAT KILLED A 14-YEAR-OLD BOY

(By Jimmy Breslin)

On May 11, 1974, there arrived at the main office of Irving's Sports Shops, Inc., in the Far Northeast section of Washington, a United Parcel Service package, wrapped in plain brown paper and bearing the return address of JSC, Inc., Route 1, Olyphant, Pa. The package was received by John Chapman, the chief gun buyer for the nine Irving's stores in the Washington area. The package contained a Smith and Wesson Model 64, serial number D 524738. This is a stainless steel .38, a highly desirable weapon, according to Chapman, because after being used the gun can be washed under a faucet. "All the parts are stainless steel, you take care of it just like silverware," Chapman says.

The gun had been manufactured at the main Smith and Wesson plant in Springfield, Mass. It then had been sent to a distributor, Jerry's Sports Center, in Olyphant, Pa. Jerry's ships its orders out in plain brown paper and with the "JSC" initials in order to help keep the contents unrecognizable.

The gun was placed in the Irving's shop in the Landover, Md., Mall. All other stores were advised that this "unique" gun was in stock, but it was to be moved from Irving's Store at Landover only if one of the other stores had a definite customer.

On Aug. 26, Oscar Jackson came into the Irving's Sports Shop downtown store on the corner of 10th and E Streets, across the street from an entrance to the hulking new FBI building. Jackson owns a tavern, the Manhattan Cafe, on 18th Street and U, in the crime-racked upper Northwest section of the city. Jackson felt unprotected without a gun in the bar. When the salesman at Irving's downtown store, Don Fogel, told Jackson about the Smith and Wesson Model 64, Jackson placed a deposit. Fogel had the gun brought by delivery truck from the Landover store, and Jackson went to the District of Columbia Police and filed for permission to buy the gun.

There are over 58,000 registered handguns in the District of Columbia. Upon filing for purchase of a gun, a person is fingerprinted and his background checked for insanity, alcoholism and convictions. Police say they

also call a person's spouse to see if purchase of a gun would cause marital complications. On Oct. 15, 1974, Oscar Jackson, certified, registered, paid the balance on the $140 purchase and walked out of Irving's store with the gun and a box of bullets.

He says he fired the gun once. Where did he fire it? "Around someplace, just to see if it worked," Jackson says. He then placed the gun in a cabinet underneath the back bar of the Manhattan Cafe, a small place where pleasantness is disturbed by the continual droning of a color television set over the bar. The gun remained in the cabinet, Jackson never finding himself in need of it. There are many holdups in the area, a food store around the corner has been held up five times, Jackson says, but his bar has escaped violence.

On January 24, 1975, Jackson closed the Manhattan at two a.m. When the day barmaid, Helen Queen, arrived at 8:15 a.m., she found the cabinet under the back bar had been broken into. The hinges had been taken off. In the men's room, a window had been taken out. Helen Queen called Jackson and he got out of bed and came to his bar. He found missing a brown metal box containing $500 and rolls of change, cartons of cigarettes worth $300, several cases of whiskey, and the gun and box of bullets. He reported this to police. Immediately, the gun, District of Columbia registration number 50316, was listed as being stolen.

There is in the District of Columbia no way to count the number of actual weapons on hand on any given night. A visitor who has walked the streets of this city for several weeks is of the opinion that in many parts of the city at night there is something the matter with a person who does not have a gun. Many of the guns are cheap and unreliable or inoperable. But many of them are well-manufactured; unlike American cars, which cost thousands and begin to fall apart at the end of a few years, an American made gun, costing less than $150, can with proper care shoot people into the third generation. Whatever, somewhere at night in Washington, from last January on, was a Smith and Wesson stainless steel .38 which, if used, could be cleaned under a faucet, like knives and forks. It was listed as stolen, but there is no way to look for a stolen gun. A stolen gun is just something you put down on a list. Unless you are the person who has stolen it.

At 2:15 a.m. last Saturday night, Kenneth Washington, 14, was riding in the front of a Washington Post newspaper delivery truck going along a street in the Northwest section of the city. He and another boy—in news circulation business their jobs are known as "jumpers"—heard shots. They looked around to see where the shots were. Then part of the window of the truck dissolved. A moment later, Kenneth Washington said, in a small voice, "I been hit in the chest." He went down on the floor of the truck with a little piece of death inside him. Nobody could see any blood on his blue shirt. "He moved just a little and then he didn't say no more," the other boy, Howard Ross, said.

Later that night, a man was picked up for the shooting. At the time of his arrest a gun was found in a car. Homicide detectives checked the gun and found it had been stolen from Oscar Jackson, owner of the Manhattan Cafe. It was serialized, registered, listed, charted and it had killed a 14-year-old boy.

The man arrested, Benjamin O'Connor, 31, was arraigned on a homicide charge in court. Moon-faced, burly-shouldered, he stood in front of the judge and said nothing. Then he rolled through the door to the detention pens—a prison roll; he had been released from a penitentiary in January after serving time for armed robbery.

The wake for Kenneth Washington will be held tonight at the Jarvis Funeral Home, 1432 U St. NW. The funeral will be held tomorrow at the Shiloh Baptist Church, 1500 9th St. NW.

Later in the day, after the arraignment, Oscar Jackson was found in the Manhattan Cafe.

"My gun?" he said. "Really? My gun is the gun they used to shoot the boy? And they got the gun? Gee. Well." He sat at a table and thought for a moment.

"Will I be able to get my gun back? I should be able to get my gun back." He thought some more. "Hell, yeah, I should be able to get it back now. That's stolen property and they recovered it, right?"

[From the Washington Star, July 24, 1975]

DISARM THE PREDATORS

In recent days, the city of Washington has witnessed two typical instances of the menace of uncontrolled handgun possession. There was the pathetic case of Hector Diaz, a visitor, who while sitting inoffensively on a park bench at the Ellipse one evening last week was shot and blinded by a gun-toting young thug. He luckily escaped with his life. Two days later, a newspaper carrier, 14 years old, died when the delivery van in which he was riding ran upon a street shootout.

Even if they were especially unusual, and they aren't, these two outrages ought to jar Congress out of its unconscionable lethargy on the gun menace. But then one reads that President Ford's milquetoasty handgun regulation proposals, outlined this week by Atty. Gen. Edward Levi, go begging for a Republican sponsor. How many more innocent victims will die needlessly on the capital city shooting range before Congress and the District council move to disarm the predators? Ten? A hundred? A thousand?

The President's program is innocuous enough. Basically, it amounts to a tighter policing job—500 more Treasury agents to attack the handgun "black market" in 10 major target cities; size standards for salable pistols; a waiting period of 14 days before a dealer could deliver a handgun to any customer, during which the dealer would be "expected" to check with the police and FBI to see if the purchaser has a criminal record; and mandatory sentences for crimes committed with guns.

It is entirely gratifying to have Mr. Ford, however irresolutely, in the gun-control corner. But it's obvious his program can only strike a glancing blow at the problem. For instance, one wonders to what avail the T-men will conduct their selective crackdown on black markets if that crackdown generates a demand to bootleg illegal weapons into a market. And unless gun dealers are required to check out the police and FBI records of gun purchasers—a requirement not now in the bill—a 14-day waiting period means little. Indeed it probably means only that innocents destined to be shot by street predators will be shot 14 days later in each case. Moreover, it may be to expect too much of the average gun dealer to place on him the onus of policing gun buyers. Mightn't dealers who get a reputation for being conscientious merely lose customers to dealers who get a reputation for being loose with the law? We don't know; we just ask.

One thing you can say for the President's program is that it may even be innocuous enough to pass muster with the National Rifle Association. Or is that presuming too much?

Our own notion about the gun menace here in the District, as we said several weeks ago, is that the City Council ought to adopt, if only for trial, a version of the Massachusetts gun law. It has two distinct merits: It is getting guns off the streets and it is remarkably free of bureaucratic red tape and clutter, circumventing the stumbling block of registration.

In Massachusetts it is lawful to keep a gun in your home or place of business. What you can't do, without special dispensation, is go armed about the streets, the assumption being that most armed pedestrians other than law enforcement officials and guards are up to no good. It will cost you a mandatory jail sentence.

It must be because the Massachusetts law is so simple, so logical, so practical, so easy to enforce, so free of red tape, that it does not yet commend itself to the imagination of this city.

DISENGAGEMENT FROM KOREA

Mr. CHURCH. Mr. President, since serving with distinction as U.S. Ambassador to Japan, Edwin Reischauer has been one of our country's most valued analysts of American foreign policy in Asia. Now in a June 28 article for the Washington Post, Reischauer urges us not to panic into repeating in Korea the mistakes learned so painfully in Vietnam.

Reischauer points out that today South Korea enjoys superiority over the North in manpower and weaponry and an internal unit not known in South Vietnam. Neither China nor Russia shows an inclination to support a North Korean military venture into the South. Moreover, American public opinion is not likely to sanction a repeat performance that would draw us into another Asian war, particularly to defend a government of which it does not approve.

But, Reischauer says, a situation is developing which "over a longer time span may produce conditions like those that proved fatal to South Vietnam." The Park government is using repressive measures which are beginning to build up internal forces of resistance. Economic problems brought on by oil prices and worldwide recession haunt the South Korean economy. It is, therefore, possible that the presence of 40,000 American soldiers near the border could threaten to draw the United States into a future conflict brought on as much by forces internal to South Korea as external.

While it would not be appropriate for the United States to take drastic unilateral action, we must begin now to institute a gradual military disengagement from Korea, one which would not alarm our most important friend and ally in Asia, Japan. As Reischauer says:

> Now is the time, while the Vietnam dust is settling, to start thinking through this problem. We should before long have a clear program to present to Park of measured withdrawals of American troops and reductions of military aid until both are entirely gone within a few years . . .

I support this view and believe we should begin taking the Ambassador's advice. I, therefore, ask unanimous consent that the article, "Korea and Vietnam: The Nonparallels," by Edwin O. Reischauer be printed in the RECORD.

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

KOREA AND VIETNAM: THE NONPARALLELS

(By Edwin O. Reischauer)

False analogies between Korea and Vietnam originally helped get us into a fundamentally worse situation in Vietnam. Let us

not now reverse the process and panic over Korea because of analogies mistakenly drawn with Vietnam.

South Korea simply is not vulnerable at present to the two basic ills that destroyed South Vietnam—the uncertain loyalty of its people, and the resultant possibility for easy penetration and subversion by the North. At present it would require a massive external flow to overthrow the South, and there seems no sign of this happening.

Kim Il Sung, the northern dictator, is trying to take advantage of the sudden collapse in Vietnam to intimidate South Korea, but despite repeated cries of warning, the situation along the border in Korea is in actuality less menacing than at most times during the past two decades. Pyongyang does have more than twice the air strength of Seoul, but this advantage is offset by the presence of American air power in the South, while in ground forces the South outnumbers the North by about 600,000 men to 400,000, with reserves and paramilitary units that give an overall balance of 3 million to less than 2 million.

These figures reflect the facts that the South has more than twice the population of the North (in Vietnam it was the North that was the larger), and both regimes are as completely militarized as any in the world. Pyongyang could not risk war without the strong support of China or the Soviet Union, and both of these seem much more eager to avoid a conflict in Korea than they were in the past.

This may sound reassuring, but it concerns only the false crisis derived from mistaken analogies with Vietnam. Back of this, however, is a real danger that is escaping adequate attention, in part because of the red herring of Vietnam.

It is not an immediate crisis, but rather a situation that over a longer time span may produce conditions like those that proved fatal to South Vietnam. In other words, an ultimate, Vietnam-like debacle may be in the cards for us in Korea unless we start to do something about it soon.

The experiences of the Korean War made the South Koreans the most bitterly anti-Communist people in the world and therefore insured their loyalty to Seoul. But this shows signs of eroding.

There has always been much popular dissatisfaction with the government in South Korea. Despite rapid economic growth in recent years, the discrepancies in wealth were severe and seemed to be growing worse. Corruption in government and business—recently highlighted by the admission of a $4 million bribe to government authorities by the Gulf Oil Corp.—has always drawn much criticism. Except for a brief period in 1960–61 of ineffective Democratic government, Korea's democracy has always been imperfect and incomplete. Individual rights and freedoms were often curtailed.

But at the same time, there was enough individual liberty and democratic participation in government to make people feel that there was sufficient difference from the completely repressive regime of the North to make the South worth fighting to preserve.

This situation, however, has been changing of late. In October, 1972, President Park Chung Hee declared martial law and followed this with a new constitution, which, by giving him the right to appoint one-third of the members of Parliament, reduced that body and all electoral politics to a sham.

He followed this by Draconian measures seriously limiting individual freedoms, including those of political criticism and self-expression, and enforced these with brutal police controls. The opposition forces have been cowed into virtual silence, but hostility and tensions run deep.

Especially among the city dwellers and the better educated, including the bulk of the influential Protestant and Catholic groups, there is a sense of desperation. Student activism may have been successfully repressed; but probably at the cost of creating secret student revolutionaries. Step 1 has been taken toward the making of a Vietnamese situation.

South Korea has recently suffered another blow, this one not of its own making. Korea's dazzling economic record of recent years was based on industrialization and world trade—an incipient replica of the Japanese economic miracle—and therefore the oil crisis that started in the autumn of 1973 dealt Korea a serious blow.

It is particularly dependent on markets in and investments from Japan and the United States, and both these countries have themselves been in recessions. In addition, the picture of an increasingly repressive South Korean regime makes both Japanese and Americans more critical of conditions in Korea, more dubious about its future and less willing to invest there, thus adding to Korea's economic woes. A serious economic downturn could further erode South Korean loyalties.

The deterioration of the political situation in South Korea has also increased doubts about the American commitment to help defend the country. The post-Vietnam mood in the United States is reason enough for such doubts, but they are greatly increased by a picture of a dictatorial and cruelly repressive regime in Seoul, which is repugnant to Americans.

The American commitment is hedged by the phrasing that "In case of an external armed attack" each nation "would act to meet the common danger in accordance with its constitutional processes." Still, the presence of about 40,000 American soldiers as a sort of trip-wire near the border has always made American involvement in a renewed Korean War seem almost automatic.

But this may well not be true, given the popular mood in the United States, as strengthened by the distasteful political actions of Park's government. In other words, the United States has made a commitment reinforced by a military presence that the American people would very possibly be unwilling to live up to. This is indeed a perilous position for the United States to be in.

Park or his successors have only two paths they can follow.

On the one hand, they can smother all political criticism and ruthlessly eradicate all sources of opposition. North Korea, North Vietnam and China itself show the viability of this sort of regime in an East Asian setting though it may be much more difficult to create one on a rightist rather than a leftist ideological basis, as the experience of the Chinese Nationalists suggest. Of course, this road would ultimately lead to the forfeiture of the American military commitment, and probably much of Japanese and American economic support.

The other road would be a return toward a more open society with a growing role for democratic political institutions. High educational levels make such a course perfectly feasible in Korea, and in my judgment it would be by far the better bet, even in stark military terms.

But what should the United States do? The tendency is to sweep the problem under the rug—to leave things alone and pretend the problem does not exist, counting on the improbability of war, at least in the near future, to see us safely through until some still unknown but, it is hoped, better situation develops later on.

In the very short run, this policy is understandable. The shock of the sudden collapse in Vietnam for Americans, Koreans and the world at large makes it wise to let the dust settle a bit before making any decisive new moves in Korea. But such a do-nothing policy cannot be allowed to continue indefinitely, as South Korean loyalties wither and popular American distate for Korean dictatorship grows.

The defense of South Korea, regardless of the nature of its systems, is not vital to American interests. A defense line in the straits between Japan and Korea has always made more military sense than one in the middle of the peninsula. Aside from our emotional involvement in the well-being of the brave and talented people of South Korea, our only major concern in the area is the adverse impact its fall to North Korea would have on Japan, a nation of very great importance to the United States.

A sudden collapse resulting in part from an American refusal to live up to its commitments might start a nervous Japan back on the road toward remilitarization, or might frighten it into a stance of much less cooperation with the United States on vital shared problems of economics and world order.

If, however, the United States had disengaged militarily from Korea by slow and well understood steps prior to a collapse, the impact might be quite negligible.

Now is the time, while the Vietnam dust is settling, to start thinking through this problem. We should before long have a clear program to present to Park of measured withdrawals of American troops and reductions of military aid until both are entirely gone within a few years—unless the South Koreans find it possible in the meantime to change course again and start moving back to a freer, more democratic system that would better win the loyalties of their own people and the support of the American public.

To avoid damaging shocks both in Korea and Japan, such a program would have to be spread over several years. Although the crisis is not an immediate one, we must start very soon if we are to complete the manuever before the situation does reach crisis proportions.

The present is also a good time to start forming a longer-range Korean strategy. Korea has all along been a more dangerous threat to world peace than Vietnam, not just because it is a larger and more effectively militarized country, but because of its more strategic location between three of the largest nations of the world—Japan, China and the Soviet Union—with the fourth, the United States, deeply involved in the peninsula for historical reasons.

The surrounding great powers should move toward an agreement to isolate this danger spot from other issues.

What is needed is a four-power agreement between the United States, the Soviet Union, China and Japan that they will not allow disturbances in Korea to spill over to involve them in their relations with one another.

The distrust and hostility between China and the Soviet Union stand in the way of such an agreement today, as does also the presence of American forces in the South. Such an agreement will not be easy to achieve but it is an obvious goal that the United States should be working toward now.

When achieved, it will not only neutralize one of the most dangerous trouble spots in the world, but may also take some of the tensions out of the situation in Korea itself. It could lead to agreed military limitations between the two Korean regimes, which would be an economic boon to both, and possibly might open the way for ultimate reunification, which is of course the dream of all Koreans.

THE PENTAGON'S $150-BILLION SHOPPING LIST

Mr. CLARK. Mr. President, some weeks ago the Senate engaged in a 2-day de-

bate and reexamination of U.S. foreign policy and the military forces and policies needed to sustain it. This debate and reexamination in a post-Vietnam era was itself a healthy thing. This debate should and will continue in the future in an attempt to shed more light on the proper relationship between U.S. national interests, U.S. foreign policy, and U.S. military posture.

The joint report of the Secretary of State and Secretary of Defense on the relationship between U.S. foreign and military policy, just authorized by the Senate for next year, is a step in the right direction. It should help the Congress to get a better understanding of this relationship prior to next year's debate over this ground.

The large defense authorization bills, recently passed by both the House and the Senate, were partly the result of special factors such as the current high level of U.S. unemployment and the recent events in Indochina. Amendments to cut the Defense Department budgetary request for fiscal 1976 ran into especially stiff resistance because of these special factors. Hopefully, next year, these factors will be less pressing and important. We must more carefully look at our worldwide military-foreign policy stance on the merits of these programs rather than pass defense authorizations merely for economic or psychological reasons.

Much waste and fat exists in the Defense Department budget. Some of the weaponry we purchase is superfluous and unneeded to maintain an adequate defense of the United States, its allies, and interests. We in the Congress must maintain a strong defense but oppose excessive defense expenditures and forces. A recent article written by the Director of Research for the Center for Defense Information, Mr. David Johnson, points at some ways in which the Defense budget can be intelligently cut to achieve economies without sacrificing essential U.S. defense programs. Mr. President, I ask unanimous consent to have printed in the RECORD an article from Ramparts magazine, July 1975, entitled "The Pentagon's $150-Billion Shopping List."

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

THE PENTAGON'S $150 BILLION SHOPPING LIST

(By David Johnson)

"How do we stop this dangerous, ruinous rivalry? For a start, we can simply recognize that overkill is overkill, and superflous weapons are superflous."—Sen. John Sparkman, Chairman, Foreign Relations Committee.

Our economy may be on the rocks, the quality of life in America may be deteriorating for everyone, our foreign policies may be bankrupt, but the arsenal of democracy is to remain alive and well. The Defense Department wants the United States to continue to put its faith in weapons and military power. The U.S. produces the most destructive weapons in the world, the most advanced tanks, planes, submarines, bombers, missiles, and yet we are called upon to try harder to remain "number one." World demand for the products of our advanced industrial civilization is insatiable and growing: U.S. weapons manufacturers sold a record $8.2 billion worth of arms overseas in 1974, an increase of more than 100% over 1973. America's dubious world leadership in weaponry may be the ultimate expression of our philosophy of conspicuous consumption.

The proposed fiscal 1976 Bicentennial federal budget says a great deal about our misplaced priorities. In the new budget President Ford asks the Congress to appropriate almost $108 billion for military purposes, the highest level of military spending in history. This is an increase of $16 billion over last year. At the same time, funding for nondefense programs is projected to decline by more than $25 billion. The Pentagon, according to its five-year plan for 1976 through 1980, plans to spend at least $636 billion over this period.

The new military budget now being debated before Congress contains a bewildering variety of new weapons schemes. The Air Force and Rockwell International want $749 million to continue development of their $21 billion B-1 bomber program so that the U.S. will possess well into the 21st century a bomber that will be able to fly lower, faster, and carry more bombs than any bomber ever built. General Dynamics is working on a submarine for the Navy, the Trident, that will be bigger (two football fields long), quieter, and fire more nuclear weapons than any submarine in history. It will also be the most expensive weapons system in history, at $1.6 billion or more per copy. The Army has Chrysler and General Motors competing to produce the Tank of the Future, the XM-1 Main Battle Tank. The XM-1, estimated to cost almost $2 million each, will shoot further, more accurately, have more armor protection, and a smoother ride than any other tank. Assuming, of course, that everything goes according to plan, which frequently does not happen.

The 1976 military budget asks for funding of new missiles of every conceivable description: anti-ship, anti-aircraft, anti-tank, anti-missile surface-to-surface, surface-to-air, air-to-surface, air-to-air, continent-to-continent, laser guided, radar-gided, electro-optical-guided, television-guided. New military aircraft come in all shapes and sizes and nicknames: Skyhawks, Tomcats, Eagles, Cobras, Prowlers, Haweyes, Intruders, Corsairs, Chinooks, Orions, Vikings, Sea Stallions, Sea Cobras, Iroquois, not to mention AWACS and the unpronounceable AABNCPs.

Every three months the Pentagon is required by Congress to publish the current estimated costs of major weapons systems. The latest cost-overrun status report on 40 big ticket items indicates that these weapons alone will cost $150 billion, $41 billion more than originally expected.

The American public has little way of judging whether there is any real need for particular weapons and must rely on the Congress to exercise control over the military budget and the Defense Department. The Congress, however, is barely up to the task of beginning to explore the intricacies of the many complex weapons systems and defense issues buried in the labyrinths of the plus-$100 billion defense budget. Unlike the Defense Department, Congress has little information and even less time. Congressman Michael Harrington of Massachusetts, who has been a member of both the House Armed Services and Foreign Affairs Committees, puts it this way: "By the time a weapons program reaches the stage at which it becomes a prominent issue for debate in the Congress, the battle is already lost. The Defense Department's near monopoly on relevant information, together with the vested bureaucratic and economic interests which propel the high-budget, high-prestige weapons programs, conspire to give such programs an all but unstopable momentum." What the Pentagon wants, the Pentagon gets.

Congress has become increasingly critical of high and escalating levels of military spending. Although there is not yet a consensus on how to reduce the defense budget, there is a new and growing recognition that changed international circumstances and economic pressures make it necessary to choose among competing programs and priorities. Many Congressmen are increasingly aware that spending on weapons and forces that contribute to U.S. strength only in a marginal way can no longer be afforded. The American experience in Indochina seems to have taught the lesson that military power is of declining usefulness in coping with the country's problems.

New superweapons are not the answer. Even such a hardline conservative as Senator John McClellan, chairman of the Senate Appropriations Committee, has come to admit that any real meaning of national security is far broader than its narrow military component: "Inflation is rapidly becoming as great a danger to our national security and the stability of our society as is the danger from any potential foreign foe."

A number of controversial weapons systems are being critically examined by the Congress during hearings and action on the fiscal 1976 defense budget. Questionable strategic weapons include the B-1 bomber, the Trident submarine, new types of intercontinental ballistic missiles (ICBMs), strategic cruise missiles, and new ABM systems. The bulk of the defense budget, about 75 percent, goes to pay for the projection of U.S. military power overseas in Europe and Asia. Controversial conventional weapons include the AWACS warning and control aircraft, the SAM-D air defense missile system, the C-5A aircraft, the XM-1 tank, and the expensive F-14 and F-15 tactical fighter aircraft.

B-1 Bomber. For the Defense Department, the most vulnerable weapon in the new budget is the B-1 strategic bomber. The B-1 is a weapon that may very well be pricing itself out of existence, although Secretary of the Air Force John McLucas says that he has no "cost breaking point" for the B-1. Many members of Congress, however, are near or have already passed their breaking point with the B-1. The cost of developing and producing 244 B-1s is estimated at $20.6 billion, or $84 million each. The cost continues to skyrocket and inevitably will shortly exceed $100 million per plane.

Critics of the B-1 argue convincingly that the U.S. is well ahead of the Soviet Union in the strategic arms race and point out that the U.S. already has 8,500 strategic nuclear weapons and 500 bombers, compared to 2,800 nuclear weapons and 160 bombers for the Soviet Union. Even a handful of former weapons enthusiasts have come around to acknowledging that somehow, somewhere a line has to be drawn. Says Senator John Sparkman of Alabama, the new chairman of the Senate Foreign Relations Committee: "How are we to put a stop to this dangerous, ruinous rivalry? For a start we can simply recognize that overkill is overkill, that superfluous weapons are indeed superfluous, and that many of the new systems being developed, though technologically fascinating, are redundant and unnecessary."

In an age when missiles can deliver devastating destruction in less than 30 minutes, a bomber that takes 10 hours to reach its targets can at best have only a minor role. The existing force of B-52 and FB-111 bombers will in any case provide a bomber force with considerable overkill through the 1980s. The U.S. spends about $5 billion a year on its bombers. Including European-based and aircraft carrier-based planes, the U.S. today already has eight different types of aircraft capable of carrying nuclear weapons in an attack on the Soviet Union.

Two billion dollars has already been spent on the B-1. The fiscal 1976 budget requests another $749 million, including $77 million to initiate procurement. The $77 million is viewed by critics as an effort by the Air Force to get the Congress to commit itself

all the way to ultimate full production of the B-1. The Defense Department projects a request for $1.7 billion for fiscal 1977 and continued funding at $2 billion or more a year through 1983.

As yet, Congress has been unwilling to make a firm decision for or against the B-1. Alternatives such as the B-52 with new engines, a stretched FB-111, and a wide-body jet like the Boeing 747 armed with cruise missiles have been suggested. To counter such speculations, the Defense Department conducted a year-long investigation called the Joint Strategic Bomber Study which, not surprisingly, concluded that B-1 is best. The official conclusion sounds not unlike a toothpaste commercial: "Of the equal-cost forces examined, those containing B-1's performed substantially better. The low-flying, nuclear-hard B-1, with its high quality ECM, outperformed all other vehicles by a wide margin." The most egregious flaw of the DOD's study is that it assumed that the United States needs to spend as much money on bombers as the B-1 costs and compared only "equal-cost" alternatives. Employing typical tunnel vision, the DOD analysts neglected to examine the question of whether the country needs a bomber fleet in the first place and, if so, whether that capability could be obtained at much less cost.

A decision on producing the B-1 is scheduled for November 1976 and it seems unlikely that the Congress will stop the B-1 before next year. Although the plane is viewed with growing skepticism, continued funding of research and development is unfortunately all too likely.

Trident Submarine. Next to the B-1, the most expensive weapon program is the Trident strategic submarine, currently estimated to cost $16.2 billion for ten submarines, each armed with 24 4,000 mile-range Trident I missiles. Each Trident submarine will carry enough nuclear weapons to destroy any country in the world. The U.S. already has 41 strategic submarines carrying 656 Polaris and Poseidon missiles with about 4,000 nuclear weapons. The new budget asks for $2.1 billion for Trident, with a $3.4 billion request expected for fiscal 1977. The Defense Department hopes to put the first Trident to sea in 1979.

Existing missile submarines are invulnerable and considered by liberals and conservatives alike to be the "backbone" of the deterrent Triad of bombers and land-and sea-based missiles. Because of this "blue water" sentiment and because it was promoted as a bargaining chip in the SALT talks, the Trident program has had relatively smooth sailing through Congress. Although the rate of production has been slowed to three every two years, the momentum has seemed unstoppable.

The Cadillac of the Sea, or, as Navy Secretary J. William Middendorf calls it, "that great shield for America," is promoted by the Navy primarily because of the advantages of having a longer-range missile permitting a submarine to utilize greater expanses of the ocean and escape detection. In the absence of any evidence about how submarines will become vulnerable in the future, critics of the huge Trident believe that it is premature to be putting so many eggs in relatively few baskets. Longer-range missiles could be installed in existing submarine at much less cost, as, in fact, the Navy plans to do. The drive to build the Trident reflects a compulsion toward mindless modernization in the Defense Department, the pursuit of new technologies and superweapons irrespective of any realistic assessments and with ever more marginal returns.

New ICBMs. The fiscal 1976 defense budget asks for more than $900 million for continuing procurement of Minuteman missiles and research on a variety of new ICBM systems. To date the U.S. has deployed 1054 ICBMs, including 550 multiple-warhead MIRVed Minuteman III missiles, which can deliver more than 2,000 nuclear weapons. Defense Secretary James Schlesinger has stated that the policy of the U.S. is to build up to the limits of the 1974 Vladviostok SALT agreement which had stipulated that the U.S. and the Soviet Union could have as many as 2,400 strategic delivery vehicles, including 1320 MIRVed missiles.

With the expansion of the Soviet nuclear missile force in recent years, U.S. ICBMs have become increasingly vulnerable, at least theoretically, to destruction. Some officials, including Dr. Fred Ikle, director of the U.S. Arms Control and Disarmament Agency, have suggested that the U.S. should be moving away from reliance on ICBMs. Secretary of State Henry Kissinger has also indicated some differences with Defense Department officials by stating that the much discussed disparity in missile throw-weight between the U.S. and the Soviet Union is a "phony issue."

The Defense Department's game plan is to keep all options open by investing billions of dollars in exploring almost all of the various schemes for new ICBMs. This is the all too typical pattern of avoiding hard choices by giving everybody what they want. Options include mobile ICBMs that would be fired from airplanes (a Minuteman missile was dropped from a C-5A plane last fall in a test), mobile ICBMs that would be transported on land by train or truck, and new fixed large ICBMs that would compete with the Russians in who can build the biggest missile. Over the next ten years the U.S. could spend as much as $50 billion in seeking solutions to the problem of Minuteman vulnerability.

Research is also being conducted on a variety of projects to bring to life Secretary Schlesinger's philosophy of a counterforce strategic policy. These programs to increase the accuracy and destructive power of U.S. missiles cost about $150 million in the fiscal 1976 budget. The most well known effort involves developing a maneuvering warhead, a MARV, which would essentially eliminate all missile inaccuracies. Senator Thomas McIntyre, chairman of the Senate Armed Services Research and Development Subcommittee, fears that counterforce improvements will lead to weapons that could threaten a first strike and make nuclear war more likely. In reporting out of his subcommittee a bill that deleted funds for five counterforce programs, Sen. McIntyre argued: "Secretary Schlesinger is trying to move our basic strategic doctrine from our traditional emphasis on mutual assured destruction to a reliance on U.S. nuclear war fighting capability. We're alarmed that Pentagon preoccupation with exotic technologies and doctrines will distract us from our efforts to meet our prime national security requirement, which is to prevent nuclear war."

Strategic Cruise Missiles. A new means of raining death on the Soviet Union and China is being pursued by both the Air Force and the Navy—the strategic cruise missile. Cruise missiles are small, unmanned, electronically-controlled aircraft powered by air-breathing turbofan engines. Strategic cruise missiles with ranges of 1,500 miles or more could be launched from planes, submarines, or surface ships. The Navy is requesting $102 million in the new budget to continue work on a sea-launched cruise missile (SLCM) and the Air Force is asking for $51 million for an air-launched cruise missile (ALCM).

Pentagon interest in strategic cruise missiles is a classic case of imitative behavior in the arms race. Lacking aircraft carriers, the Soviet Union has developed relatively primitive and short-range cruise missiles primarily for attacking surface ships. Now, because the SALT agreements do not limit strategic cruise missiles and the Soviets have a weapon that vaguely seems threatening, the Defense Department wants to have them too, although strategic cruise missiles will do virtually nothing for our military capability. However, this may well open up a new channel for the arms race and could severely complicate efforts to control and limit strategic weapons. Any submarine or surface ship could launch such missiles and it would become impossible to verify arms control agreements.

Some members of Congress support the air-launched cruise missiles program as an alternative to the B-1 bomber. A relatively inexpensive stand-off bomber could launch ACLMs from outside of Soviet anti-bomber defenses.

Estimated program cost for the XM-1 is $6.2 billion, or $1.9 million each for the planned 3,312 tanks.

The XM-1 is to replace the Army's present tank, the M-60, in Europe. Serious questions have been raised, however, as to whether it makes any sense for the Defense Department to invest billions in potentially obsolescent tanks. Recent developments in anti-tank weapons and the experience of tank losses in the October 1973 Mideast war indicate that anti-tank weapons have overcome defenses available to tanks and that advantage may continue indefinitely. A relatively inexpensive $2,000 TOW anti-tank missile can destroy a $500,000 tank.

C-5A Aircraft. The C-5A's troubles never go away. The Air Force spent $4.5 billion on 81 aircraft built by Lockheed in a $2 billion cost-overrun scandal. Four have been destroyed in accidents, the latest on April 4, 1975 in Vietnam with a plane-full of Vietnamese children on-board. Now the Air Force says that it needs $900 million to fix the dangerously weak wings on the C-5As.

The C-5A is the world's biggest plane, 248 feet long with a gross weight of 716,500 pounds. It was developed to implement the New Frontier concept of the U.S. as the world's policemar, to "go everywhere, bear every burden" aircraft to rush American troops and tanks in an instant to the remotest trouble spot. But even the C-5A's much heralded successes turn to be less than meets the eye. Although it was lauded by the Air Force for bringing military supplies to Israel during the October 1973 Middle East War, a subsequent study by the General Accounting Office shows that 60 percent of the C-5A fleet was inoperable because of mechanical problems or lack of spare parts. Almost all of the equipment arrived after the cease-fire and, according to the GAO, "had no decisive effect on the war's outcome."

The Air Force has requested the $900 million program to build new C-5A wings because the life of the current wing is estimated at about 10,000 hours, compared to a planned 30,000 hours. It will cost $11 million for each plane to fix the wings. Air Force Secretary McLucas regretfully admitted that this happened because the Air Force rushed the C-5A into production before it knew whether the plane worked: "We had a large number of aircraft built before we had even completed the fatigue tests to see whether or not the aircraft was structurally sound." The B-1 may turn out to be the same kind of horror story.

Tactical Aircraft. The Defense Department's impulse to modernize at any price finds its most profuse flowering in the new generation of tactical fighter aircraft, the Air Force's F-15 and the Navy's F-14. This year the Defense Department is spending $24 billion on tactical air. The military services have almost always preferred the most complex, technologically sophisticated and thus most expensive weapons. A fully equipped F-14 will cost about $28 million. A basic, stripped down F-15 costs $15 million. Although Pentagon officials sometimes try to make it appear that increases in weapons costs are due primarily to inflation,

recent studies by analysts at the Brookings Institution in Washington, D.C. indicate that most of the rising cost of tactical aircraft is attributable to the increasing technical complexity of the aircraft themselves and the compulsion to incorporate almost everything that is technologically feasible. The result is weapons that are often overdesigned for their missions.

The Air Force plans to buy 729 F-15s, at a cost of $10.9 billion and the Navy wants an additional 390 F-14s to put on its aircraft carriers at a cost of $7.6 billion. Even these quantities are not enough and both services are also developing "cheap" light-weight fighters in the $7 million [per plane] range. The Air Force has selected General Dynamics to build 650 YF-16s but the Navy apparently prefers Northrop's YF-18. Some Congressional and Defense Department officials had hoped that the Air Force and Navy could get together on a common choice to keep down the price.

These are just a few of the more prominent superweapons. Others include tactical nuclear weapons ("mininukes"), binary chemical weapons, new nuclear-powered aircraft carriers, killer satellites, unmanned aircraft, laser cannons, the computerized electronic battlefield, and new airlift and naval programs that could project U.S. military forces around the world. Most of these Defense Department budget items, unfortunately, will be accepted with relatively short and superficial attention from the Congress.

It is pathetic that the world's most powerful country continues to suffer from exaggerated fears and anxieties that have led our leaders to conclude that, in the words of Deputy Secretary of Defense William Clements, "In our ever-changing world, strength means military strength." The militarization of American foreign policy has been the result. Our real fear should not be that we will be dominated, but that we will be dominating. If the tragic experience in Indochina has meant anything it is that the powerful must learn to control their inclination to excess and arrogance. The consequences of unrestrained military power can be almost as damaging for our country as for others.

CAMPAIGN FINANCING

Mr. BIDEN. Mr. President, as we know, there are many dark corners in campaign financing. In recent years, Congress has passed legislation providing for the regulation of campaign financing—including spending limitations and identification of contributions for Federal office. This has been helpful but more needs to be done to correct the situation which has caused our political system much grief.

Therefore, I was pleased to read in the Washington Post an article appearing on July 23, 1975, entitled "Need For Business Ethic Cited". The news article stated that E. I. duPont de Nemours & Co. has announced a policy of publicly disclosing political contributions by its major executives. Mr. Shapiro, the company's chief executive officer, suggests it be a model for the business community to follow.

I ask unanimous consent that the Washington Post article and resolution of the DuPont company's executive committee be printed in the RECORD.

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

NEED FOR NEW BUSINESS ETHIC CITED

(By William H. Jones)

Warning that Americans' confidence in business institutions and leaders is in a "process of disintegration" that adds up to a "national crisis," Securities and Exchange Commission member A. A. Sommer Jr. has called for establishment of a new private agency to establish and enforce a code of business ethics.

Sommers also hinted, in an Aspen, Colo., speech, that the SEC is seeking to develop some mechanism by which companies that have engaged in illegal acts can start afresh without full public disclosure of their previous busines practices.

In a related development, E. I. duPont de Nemours & Co.—the nation's largest chemical firm—announced a new policy of publicly disclosing all U.S. political contributions by its top executives. In addition, all solicitations for more than $1,000 and responses to those requests will be made public for inspection by reporters, stockholders and employers.

"Recent disclosures of the illegal campaign contributions by a few business organizations have cast a cloud on the character and credibility of corporations," said du Pont chairman Irving S. Shapiro.

The SEC's Sommer expressed the same view and said that business people who go about their affairs "heedless of the crisis of confidence deserve nothing but our contempt."

Sommer's unusually outspoken address was delivered to a meeting of Midwest securities commissioners on Monday afternoon and distributed here yesterday.

"These were not cases of fawning subordinates trying to win executive suite favor," Sommer said. "Rather it was the executive suite itself which was engaged in deceit, cunning and deviousness worthy of the most fabled political boss or fixer."

With public disclosure already on the record by Northrop Corp., Ashland Oil, Exxon Corp., United Brands and Gulf Oil Co., Sommer warned that the list can be expected to grow.

"While none of us wants to paint with an unduly wide brush, the suspicion grows that this disease may indeed be more widespread than any of us dared to suspect," Sommer said, and it amounts to a "national crisis."

The "most distressing aspect of all," Sommer said, "more distressing if possible than the realization that many corporations had deliberately, knowingly, wittingly, and as the result of command from the highest levels, flaunted the American election laws," was a discovery that the illegal payments "had been sucked out of the corporate accountability process and squirreled away in the accounts of overseas agents, Swiss bank accounts, Bahamian subsidiaries, and in various other places where the use of the money would be free of the questions of nosey auditors, responsible directors and scrupulous underlings."

To fight these practices, Sommer called on business people to be much more outspoken in their criticism of unethical practices. The business community, he said, should set up a new privately organized agency to articulate standards of conduct.

Any such code, he continued, should contain condemnations of interference with political processes abroad, establishment of secret funds, and "flaunting" U.S. laws on election contributions. More important than the code, however, would be procedures by which violations can be handled, Sommer stated.

While business cannot act exactly like professionals—similar to a bar association, with disbarment procedures—"as a minimum a businessman whose conduct transgressed the code should be publicly condemned by a private organized group of national leaders." Such denunciation, he said, could cause the firm involved to lose business until condemned practices are abandoned.

As for public disclosure of illegal practices, Sommer said large investments overseas could be jeopardized, lives threatened and legitimate business opportunities lost unless some new procedure is developed at the SEC that protects investors' rights as well as those of the companies.

He suggested a plan by which companies would conduct internal audits with the aid of outside directors—similar to the Northrop and Ashland audits—and inform the SEC of the outcome and what actions they plan. Public disclosure in such cases, he said, might omit the names of recipients of illegal payments and other damaging details "which would relate only peripherally to the interests of investors."

Under such a system, he argued, companies may begin cleaning their houses voluntarily "and without the direct impetus of a commission investigation or a subpoena from Sen. (Frank) Church's subcommittee."

DU PONT COMPANY RESOLUTION

Whereas, recent political campaigns in the United States and the financing thereof have created doubt in the minds of a significant portion of the public regarding the use of corporate funds for such purpose,

Whereas, the financing of political campaigns is a matter peculiarly in the public domain as contrasted with day-to-day business matters,

Whereas, additional procedures and public disclosure of the effect of such procedures can serve to reinforce the position of the Du Pont Company that no corporate funds have been, or should be, used for political purposes and serve to remove the potential for any cloud on individuals,

Whereas, it is deemed desirable that the financing by individuals of public elections in this country should be encouraged, but that it should be done openly and without subterfuge, and

Whereas, under the laws of certain states political contributions by corporations for state elections are not illegal,

Resolved, That the Corporate Secretary shall maintain a public register relating to the U.S. elections of 1976 which shall include data disclosing any solicitation of a political contribution from the Company, any political contribution made by the Company, any solicitation of specified members of management for a political contribution of $1,000 or more and any actual contributions made by such persons regardless of amount.

The public register shall be available for inspection during normal business hours by stockholders, employees, members of the press or by any responsible citizen who has a need to know.

Resolved further, That the Chairman of the Board, the President and the members of the Executive Committee, Chairman of the Finance Committee, Chairman of the Committee on Audit, Vice Presidents and General Managers, Vice President and Treasurer, General Counsel, Secretary and the Corporate Washington Office staff are requested to report immediately to the Corporate Secretary on the form attached hereto as Exhibit A, all requests for political contributions of $1,000 or more as hereinafter defined and action taken on each request and report any political contribution made by such individual regardless of the amount. In the event that any such person, as a matter of principle, is unwilling to report such facts, this should be indicated on the report form.

Resolved further, That the term "polit-

ical contribution" hereby is defined as follows:

"A political contribution is one made in connection with the candidacy, nomination, election or appointment of any person for or to any office or position in the Government of the United States, a state, or any political subdivision of a state, or any agency, authority, or instrumentality of any or more of the foregoing, or in support of any political party."

Resolved further, That the term "contribution" hereby is defined as follows:

"The term 'contribution' as used herein includes any gift, subscription, loan, advance, or deposit of money or anything of value, and includes any contract, agreement, or promise, whether or not legally enforceable, to make a contribution."

Resolved further, That the long-standing policy of prohibiting the use of corporate funds for the purpose of making political contributions, even in those situations where such contributions are legal, is reaffirmed and appropriate actions shall be taken to insure compliance with this policy both by communicating the policy and by auditing performance.

THE DEATH OF A NEWSBOY

Mr. KENNEDY. Mr. President, an editorial from the Washington Post on July 23 describes the tragic killing of a young Washington, D.C., newsboy who was struck by a bullet from a handgun as he rode in the truck of the newsdealer for whom he worked.

This sorrowful tale is another epic in the ridiculous series of needless handgun deaths that occur daily on the streets of our cities.

I ask unanimous consent that the editorial be printed in the RECORD as another reminder to my colleagues about the demand to reduce handgun violence.

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

[From the Washington Post, July 23, 1975]

KENNETH WASHINGTON

He rode his bike all the time. "Wheels are so important to little kids," one of his relatives said afterward. Kenneth Washington, 14, had his heart set on something a little more sophisticated. He wanted a 10-speed bike with all the gadgets. He also wanted more clothes. So he did what maturing and industrious youngsters often do. He took a job as a paperboy, as it happens for The Washington Post. He only got to work two days. In the predawn hours of Saturday morning, Kenny Washington was riding in the van of the truck of the newspaper dealer for whom he delivered. Exactly what happened is still being pieced together, but it appears that some men were engaged in some sort of an argument. Shooting started. One of the shots pierced the side of the van. Kenny Washington was struck and he died.

"He was maturing beautifully," someone at Kenny Washington's home was saying the day he died, "but he was still just a baby." Over the years, we've heard that sad refrain many times. And always what is striking is how unnecessary are the deaths from handguns. There are those who argue that only a small percentage of handguns are involved in crime and death (of what matter how small the percentage to Kenny Washington and his family?), that banning the handgun from our crowded urban midst will not prevent people from harming each other.

The fact is that guns are randomly lethal. Prof. Franklin E. Zimring of the University of Chicago School of Law made the point several years ago when gunshot deaths were fewer than they are now. "Our violence problem," he said, "might be thought of as a national lottery involving 250,000 victims a year, of which 16,000 are selected by chance to die." Zimring made that point in 1972, and since then the number of gunshot deaths has increased to 25,000 per year. Because it is a lottery every gun that is taken off the streets and out of the hands of citizens who have no good reason to have one, reduces the risk by just a little that some passing stranger or exuberant child will die in that lottery.

"We THE PEOPLE"

Mr. CLARK. Mr. President, not long ago I had the pleasure to spend several hours at the Barstow School in Kansas City to participate in their "We the People" program for Constitution scholars.

I met with small groups of students and had the honor to address members of the student body and their parents. The experience was both enlightening and most interesting.

I was very impressed by the "We the People" program, which grew out of our national governmental crisis of a year ago, a crisis that demonstrated the strength and value of the Constitution—as well as of those who wrote and defended it—to every American.

The program consisted of a coordinated series of speakers and student activities designed to heighten the understanding of the Constitution among students. The program culminated in the publication of a book of student papers and projects.

I wish to state my congratulations to the school and to Miss Margaret Neal, who made the program possible. To make others aware of this ongoing program, I ask unanimous consent that a copy of the school's brochure be printed in the RECORD.

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

THE BARSTOW SCHOOL PRESENTS "WE THE PEOPLE . . ."

September 1787.—A special program of study, distinguished speakers and awards, given to the Barstow School and occasioned by the nation's recent ordeal, to elicit from her students a keener awareness of the priceless concept of government embodied in the Constitution of the United States, which is their heritage—and in so doing—to honor the framers of this most magnificent of documents and those following in places of high responsibility, who by their actions have interpreted the spirit of the Constitution and the law deriving from it with faithfulness, courage and respect.—November 1974.

AS PART OF THE PROGRAM

In the earliest grades, continuing emphasis will be placed on learning the Preamble to the Constitution, so that the meaning of the words once etched on young memories will be more readily grapsed by maturing minds.

Constitution Scholars will be selected annually from the student body and suitably recognized for having made a noteworthy contribution to the program.

ABOUT THE PROGRAM

Knowing that the Constitution was conceived as an instrument of government to bring enduring peace to the union forged in revolution, the program is directed toward these truths—

That the Constitution is a living document, flexible and uniquely responsive in changing times and conditions, its strength assured so long as its spirit is served faithfully.

That it bespeaks a government entrusted to the people; a government existing only by the consent of the governed; a government in which the people are sovereign.

That having divided this government into three equal but separate branches, the Constitution does not long allow for excesses on the part of any.

That to ensure stability in government during periods of transition, the Constitution establishes precepts for the orderly transfer of authority from and to those governing, legislating or interpreting the law.

That the Constitution ordains the United States as a nation of law, law which flows from the Constitutional wellhead, the guarantor of the state's and people's rights.

But that having proclaimed the people sovereign and bestowed upon them these precious gifts of liberty, the Constitution yet holds them accountable for the sovereignty thus proclaimed and the liberty so bestowed.

A WORKABLE COMPROMISE

Mr. MOSS. Mr. President, I am deeply troubled by the current impasse over oil prices. The American people want the institutions of Government to work, not to break down when faced with tough policy decisions. Yet breakdown is imminent with regard to oil price controls, and threatens both to bring about the least desirable of all the pricing alternatives—immediate decontrol—and thus to deal another severe blow to people's confidence in Government. In both cases the long range consequences are ugly.

There is no easy answer to our present dilemma; there are many competing, often conflicting interests to be weighed and accorded a measure of equity.

As chairman of the Subcommittee on Consumers, I know the grave strain and the great hardship which any further increase in energy prices is going to bring down on the budgets and well-being of consumers.

As chairman of the Budget Committee's Energy Task Force, I know that some ground must be conceded to the oil producers on price if we are going to stimulate production of new oil.

As secretary of the Democratic Conference, I know that the Senate leadership and the President want to resolve the current impasse in a responsible manner.

The President's latest proposal for decontrol of oil is an encouraging move in the right direction; but, unfortunately, it does not yet go far enough. His original plan envisioned immediate decontrol; that was changed to a plan which would phase out controls over 30 months, and his latest proposal is for 39 months. This plan would allow old oil to rise from $5.25 to $11.50 and roll back the price of new oil from $12.50 to $11.50, then let it increase by 5 cents a month to $13.50 over 39 months beginning October 1, 1975. But, what happens after that? Forty percent of the oil consumed in this country is imported. If in 39 months the price of imports is higher than domestic oil, how would we bridge the gap? The President's proposal does not spell that out. The plan also provides for a windfall profits tax which would allow the producer to exclude 20 to 25 percent for profits for moneys reinvested in future

exploration. With a price of $11.50—increasing to $13.50—for new oil there is a real question whether such a plowback allowance is necessary. And just what would happen to natural gas controls is not clear.

These are some of the uncertainties in the President's proposal, but there are many other unknowns. Yet, Congress is being asked to approve in five days a proposal which would have far-reaching impact on the country and commit it to a long-term program. Obviously more information is required to make a valid judgment.

That is why an energy program cannot be considered in a vacuum. Energy is the lifeblood of the U.S. economy. There is an inescapable relationship between the economy, the energy situation, and the budget. Economic progress depends upon the price and the availability of energy.

There is a need for decision to eliminate uncertainty and provide stability so that consumers and industry alike can plan and act intelligently. However, we must act prudently, not precipitously; we cannot afford any false starts. We should not move on an issue of this significance merely to meet some magic deadline.

I believe price controls should be extended for ninety days to provide time for working out these details and evaluating their impact and to insure against imposing undue and unnecessary hardships on the consumer and our economy.

As a basis for compromise between the President and the Congress, I would propose:

First, for new oil, a roll back to $10 per barrel instead of $11.50, and allowing the price to increase at 5 cents per month over a period of 5½ years to a ceiling of $13.30 per barrel;

Second, for old oil, allow the price to rise from $5.25 to the price of new oil, decreasing the amount of old oil under control at the rate of 1½ percent monthly over the entire 5½ year period instead of of the 1½, 2½ and 3½ percent per year as the President's plan envisions, allow the price of old oil being released to increase 5 cents per month up to a ceiling of $13.30 at the end of the 5½ year period.

This plan, which allows the price of oil to increase more gradually, coupled with fiscal and monetary policies which are compatible and supportive, would lessen the effects of the oil-induced price increase.

Decontrol over a period as short as 39 months may induce producers to withhold oil from the market in anticipation of higher prices. Whereas, allowing the price to rise over a 5½ year period would seem to minimize that possibility.

THE SOVIET NAVAL CHALLENGE

Mr. THURMOND. Mr. President, I bring to the attention of our colleagues an article from the July issue of Armed Forces Journal, entitled, "Soviet Sub Threat is Now 10 Times Germany's When World War II Broke Out."

This article notes the warnings that one of the distinguished Members of this body, Mr. TAFT, has been giving about growing Soviet naval capabilities. It states that Senator TAFT's recent speeches on the Soviet Navy "provide the most articulate and specific summary of America's Naval challenge that Armed Forces Journal has seen in many years."

I concur with Armed Forces Journal on the accuracy and timeliness of Senator TAFT's warnings. The Soviet Naval challenge is very real, and I must agree with the Senator from Ohio that our response has perhaps not been all it should be. Certainly no one from the State of South Carolina is unaware that the United States is essentially a sea power, and that it must give its sea defenses top priority.

I concur with the Senator from Ohio that we must meet the Soviet naval challenge. Our naval power is vital not only for our own security, but for that of our allies as well. In NATO, it matters little whether or not our troops hold the Soviet Army in Central Europe, in the event of a Soviet attack, if the Soviet Navy can control the Atlantic for 6 months. NATO must be capable of meeting the Soviet naval threat to its vital sea lanes, even if that means a certain reallocation of tasks within the alliance and a reallocation of priorities within our force structure. Our allies' security, as well as our own, depends on Western control of the sea.

Mr. President, I hope that all my colleagues will heed the warnings Senator TAFT has been giving us, as to the need to answer the Soviet naval challenge. I believe that we must answer that challenge if we are to maintain our fundamental national security. I ask unanimous consent that the article from the Armed Forces Journal be printed in the RECORD.

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

SOVIET SUB THREAT IS NOW 10 TIMES GERMANY'S WHEN WORLD WAR II BROKE OUT

(By Benjamin F. Schemmer)

U.S.S.R. "Sea Denial" submarine forces now outpace by a factor of almost ten what Germany possessed when WW II broke out. Yet capabilities to counter the Soviet threat are correspondingly smaller, roughly one-tenth as many antisubmarine escort ships per enemy submarine as U.S. and British forces deployed in World War II.

This grim assessment of Soviet sea denial capability was outlined by Senator Robert Taft (R-Ohio) in two recent Senate floor speeches; they provide the most articulate and specific summary of America's naval challenge that AFJ has seen in many years. (Taft's comparison of present Soviet forces against Germany's in WW II, coupled with how few American antisubmarine forces exist today compared with what U.S. and Britain had to deploy to keep German U-boats from strangling England, deserves widespread attention. As far as AFJ can determine, however, Taft's remarks have yet to be even mentioned by the daily press, radio or television). Taft highlighted the problem with these statistics:

The Soviet Union today has about 340 submarines (the U.S. 115). Of the Soviet total, 68 are nuclear-powered attack subs, 40 of which carry anti-ship missiles. The U.S.S.R. also has 230 conventional attack subs; 28 of these also carry anti-ship missiles.

To counter almost 300 attack submarines, the United States today has only 99 destroyers and 66 other escorts. Thus, Taft said, "the Soviets have about two submarines for each American antisubmarine escort ship. "Yet, he pointed out, Admiral of the Soviet Fleet Sergei Gorshkov noted that in World War II,

"For each German U-boat, there were 25 British and U.S. warships and 100 aircraft, and for every German submariner at sea there were 100 British and American antisubmariners. . . . Yet, nevertheless, this significant numerical superiority of defenders was insufficient to force the attackers to fully curtail their active operation. Therefore, the question of the ratio of submarines to antisubmarine forces is of great interest even under present-day conditions, since, if ASW forces, which were so numerous and technically up to date (for that time), possessing a vast superiority, turned out to be capable of only partially limiting the operations of diesel submarines, then what must this superiority be today to counter nuclear submarines, whose combat capabilities cannot be compared with the capabilities of World War II-era submarines."

To put the Soviet 300 submarine seadenial capability in further perspective, Taft noted that in September, 1939, when World War II broke out in Europe, Germany had a total of only 57 submarines, and of these only 39 were ocean-going attack subs.

Moreover, he noted that the Soviets have an increasingly powerful force to counter the U.S.' 14 aircraft carriers, the one facet of seapower in which the U.S. heretofore has had an advantage. The Soviets, he said, "can launch simultaneously over 1,400 anti-ship missiles . . . without having to reload their missile launchers." Taft summarized this ratio of 100 Soviet missiles against each U.S. carrier as follows: 108 U.S.S.R. surface and 324 submarine launchers for long-range anti-ship missiles, plus 598 surface and 88 submerged launchers for shorter-range surface-to-surface missiles, plus over 300 naval bomber aircraft carrying anti-ship missiles.

U.S. REQUIREMENTS

Taft coupled his analysis with concern that by comparison, "the United States still has not deployed any anti-ship missiles." (He did not say so, but Italy, France and Israel have such systems operational.) U.S. deploys in this area, as the Navy awaits deployment of the longer-range but increasingly costly Harpoon system, are almost as bad as our NATO allies' failure to buy or even program precision-guided, air-delivered weapons to offset the Warsaw Pact tank (see May AFJ editorial).

He also called for more "small combatants, particularly fast missile boats . . . armed with anti-ship missiles." Russia, he noted, has over 140 fast missile boats, while China has about 80. The U.S. has only two, with two more building, and the Navy has requested only 26. While the U.S. design, Taft says, is superior (he was referring to Boeing's PHM hydrofoil), he said the key to such ships is using them "in squadrons in large numbers." Instead, only "small numbers (are) envisioned for our fleet." This adds up to "a situation," Taft concluded, "where we have the technical innovations but lack the conceptual innovation needed to respond effectively to the Soviets."

Taft also urged that instead of replacing existing large carriers "on a one-for-one basis, say, with *Nimitz*-class carriers, we might be wiser to replace each retiring carrier with two or three smaller carriers designed for V/STOL aircraft. Such carriers are inherently less vulnerable to anti-ship missiles, because they can launch and retrieve aircraft even with extensive damage to the flight deck."

RURAL DEVELOPMENT GOALS

Mr. CLARK. Mr. President, the Rural Development Act was enacted into law almost 3 years ago. When it was con-

sidered by the Senate, it was hailed as "the most important single piece of legislation for rural America" ever to reach this body. And it certainly has the potential for being that. The legislation includes numerous provisions to assist rural people and rural communities to deal with their development and growth problems, many of which are unique to the American countryside.

But enactment of legislation does not necessarily guarantee its enthusiastic implementation. The administration, for example, has been sluggish in getting the various rural development programs under way. Presidential budget requests for funding the act's provisions have been meager at best. And for the past 2 years, the Secretary of Agriculture has failed to meet the statutory requirements for submitting the annual rural development goals report to Congress.

Moreover, the President, the Secretary of Agriculture, and other members of the executive agencies have failed to provide the leadership that is essential for a strong rural development program. This administration's philosophy and policy has been dictated by "decentralized government" and State initiative. Yet clearly, the intent of Congress, in the act's language and in hearings before and after passage of the Rural Development Act, is that the Federal Government itself must play a strong and affirmative role in revitalizing rural America. And it is clear to me that rural communities and rural people have suffered the consequences of the administration's failure to take this role into account.

One way the Federal Government can play an active part in rural development is to set priorities—to set goals that can be translated into public policy. When the Rural Development Act was considered in committee and when it was before both Houses of Congress, language was included in the bill that would establish such a procedure. Under section 603(b) of the Rural Development Act, the Secretary of Agriculture is required to set goals for rural development and to report each year to Congress toward these goals. A report is to be issued prior to September 1 each year, and goals are to be established in connection with employment, income, population, housing, and the quality of community services and facilities.

Mr. President, recently the Secretary of Agriculture forwarded the second annual report on rural development goals to Congress. It was almost 10 months late, and the report best could be characterized as a failure. It does not even attempt to set goals. In fact, the report states:

> To arbitrarily set specific goals at the Federal level implies a centralization of Federal control and depth of Federal wisdom and capability that is at variance with this administration's philosophy of fostering a more decentralized government.

I understand that this administration's philosophy is not consistent with this particular congressional enactment. No administration's philosophy ever is entirely in agreement with the Congress. But that certainly does not give it the right to violate the letter and the spirit of the law. And that is exactly what has been done here. The report is 10 months over the statutory deadline. And having set no overall goals for rural development, the report violates the spirit of the law as well.

Section 603(b) of the act requires goals to be put in operational terms so that they can be useful in measuring progress in rural development. For example, the Secretary could call for the production or rehabilitation of "x" million units of housing over the next 10 years to enable all rural households to occupy standard dwellings by that time. In employment, the Secretary could call for the creation of 1 million additional jobs in rural counties over the next 5 years in order to provide work for the expected growth in the rural labor force and to reduce present unemployment to acceptable levels. Similar targets could be set for narrowing income differentials between rural and urban households, and for providing essential community services facilities such as waste disposal and water systems.

Goals for rural development stated in specific operational terms with target dates are called for in the rural development act. Yet, the goals report that was just submitted to Congress does not meet that requirement. Instead, the Department repeatedly states that limitations on available data, methodology, and the state of the art of goal setting preclude comprehensive progress reporting on rural development goals. So, this year's report simply is derived from a review of current legislative provisions and an analysis of the executive budget.

Mr. President, this is just the opposite of goal setting. It does not help the Federal Government determine what business remains unfinished, and it does not help the people of rural America get more and better job opportunities, increased incomes, and more accessibility to higher quality and lower cost housing, community facilities, and services.

Ever since the Rural Development Act was enacted into law, the Department of Agriculture has professed its inability to establish goals and to use available data and methodology to overcome the organizational problems associated with setting goals. But this is just an excuse. The real problem is that the Department and the administration lack the willingness to find methods for developing goals that can be used right now. The Department of Agriculture has more field people than perhaps any other agency of the Government. It has the Extension Service. There are rural development committees in every State. And there are five rural development centers located throughout the country to help.

Whether this administration realizes it or not, rural America suffers from serious problems; no mass transportation, unemployment, insufficient housing, and inadequate health care. All of these have taken a heavy toll on the countryside. One way to prevent further deterioration and to improve the conditions in rural America is to fund and implement the provisions of the Rural Development Act in the same spirit with which they were written. And that includes setting operational goals for rural development each year.

Mr. President, I do not agree with the Department of Agriculture that quantitative and qualitative goals are too elusive to be established by the Federal Government. I hope that the Secretary will carry out his obligations under the law in the next goals report due on September 1. To help in this effort, my Subcommittee on Rural Development will be monitoring the Department's rural development activities very closely, and we will do whatever we can to help the Department develop rural development goals.

At this point, I ask unanimous consent that a portion of the Department of Agriculture's Rural Development Goals Report be printed in the RECORD as well as a statement of the president of the Farmers Union—Tony Dechant—on the implementation of the Rural Development Act.

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

RURAL DEVELOPMENT GOALS

Goals may be defined as broad qualitative statements of purpose or intent which provide a unifying sense of direction to organizational activities. Another definition states that goals are quantifiable objectives which are set to serve as targets for accomplishment within a given time frame. The provisions of the Rural Development Act of 1972 directing the Secretary of Agriculture to establish goals for rural development can be interpreted to call for either qualitative or quantitative goals. This should not be surprising, since the interplay of Congress and the executive branch results in what might be termed the de facto establishment of both qualitative and quantitative goals. Congressional intent and presidential messages often implicitly contain the ingredients of broad qualitative goals, while appropriations and budgets can be translated into target-type quantitative goals.

Other than the traditional executive and legislative processes, no formal, explicit national goal-setting process exists. Therefore, the tentative rural development goals, both qualitative and quantitative, set forth in this report were derived from review of current legislative provisions and analysis of executive budgets.

The people of rural America desire more and better job opportunities, increased incomes, and increased availability of higher quality and lower cost housing, community facilities, and services. The differing conditions and often differing life styles between urban and rural areas make it difficult to determine what is a "fair" balance between Federal initiatives on behalf of rural vs. metropolitan residents in these categories.

Quantitative goals provide for the accomplishment of a measurable number of entities, and they are generally point-of-time specific for attainment; e.g., provide six million publicly assisted housing units within a 10-year period. The task of deriving quantitative goals is complicated by the interrelationship of the five goal categories specified in the Rural Development Act. A quantitative goal stated for either population, income, employment, housing, or quality of community services and facilities may implicitly state a range of goals for the other four. As a goal for one area is stated, goals for each of the other areas can be derived with certain key assumptions and the necessary data. Income is essentially dependent

upon employment; housing is essentially dependent upon income; population distribution is essentially dependent upon employment and income opportunities; and the quality of community services and facilities is essentially dependent upon the tax base and purchasing power provided by employment and income.

Obviously, to be attainable, target-type or quantitative goals for rural America must be set within the context of overall national economic conditions and legislative appropriation levels.

Unlike quantitative goals, broad qualitative goals can be considered as being independent of each other as well as of national conditions. Furthermore, they tend to serve more as a general frame of reference against which quantified goal accomplishments can be assessed. For example, full employment can be a permanent goal equally legitimate in good times as well as bad; wage equality can be a legitimate goal regardless of unemployment rates; and adequate housing availability for all can be a legitimate goal regardless of income or employment levels, the conditions of the money market, or even the availability of labor and/or construction materials.

Some term broad goals as rhetoric unless the means and method for their attainment within a particular time frame are specifically provided and described. But even when the means and method are not available, the explicit statement of such goals can be useful in establishing a sense of direction for the Nation's policymakers.

EMPLOYMENT AND INCOME GOALS

Ideally, all Americans should be able to choose where they wish to live on the basis of equal employment opportunity throughout the land. This implies improving the economic conditions of rural America so that people have more effective choices among locations and between rural and urban and metropolitan and nonmetropolitan areas.

The general income goal is to facilitate the development of job opportunities in rural to generate incomes equal in terms of purchasing power to those in metropolitan areas.

Improvement in rural employment follows from more jobs, higher skill levels, and upgraded mix of jobs, and a higher labor force participation rate for women and minorities. Attainment of these objectives will require a demonstrable annual increase in jobs per capita through substantial private capital investment in rural areas over a period of many years.

A substantial increase in nonmetropolitan employment opportunities is required just to absorb the prospective increase in the resident labor force. During the 1960's, for example, in the absence of outmigration there would have been an estimated net increase in the nonmetropolitan male labor force of two million. This contrasts with an actual net increase of 139,000 jobs for males in nonmetro areas during the 1960's. Although it is risky to equate employment and income goals with rates of natural population increase, it would seem that the stabilization of rural population follows from job creation sufficient to absorb natural increase in the male work force.

But whether the resulting stabilization of or increase in the rural population would be in the national interest in coming decades is not confirmed. It is risky to arbitrarily equate acceptable employment and income goals with acceptable rates of distribution of natural population increase.

Both the private and public sectors have major roles in achieving employment and income goals. Investment initiatives in and by the private sector are a dominant force in the process of economic development and in its geographic location. Private investment forces are often strong in rural counties adjacent to urban centers and local considerations are of little consequence in the process of rapid growth. Many remote rural counties have encountered difficulty in reversing the decline in economic opportunity irrespective of local aspirations and the availability of Federal program assistance.

Goals for federally generated employment and income in rural America are related to what Federal assistance can do to stimulate and complement private, State, and local government investment and action. The general condition of the economy is a fundamental determinant of its responsiveness to local, State, and Federal investment and regulatory measures. In addition to such influences as fiscal and monetary policy and public works programs, there are many other instruments at the disposal of government for the improvement of employment and income levels in rural America. These are scattered through the many departments, agencies, and commissions which implement programs designed to improve employment and income levels through various direct investment, loan, grant, and educational activities.

As yet, no generally accepted method has been devised to measure the complementary effect derived from the fact that two or more separately administered programs often work in the same target area. Reliable analysis of the total and interrelated impact of all public programs at work in rural development is not now within the state of the art. Yet such analysis is necessary before quantitative relationships can be established between goal setting and total program effectiveness in employment and income creation.

On the other hand, it is possible to derive some results-oriented public investment targets, which—though admittedly crude—can serve as a starting point. For example: It has been estimated that a $20,000 business investment creates one job. Thus, each $100 million in business and industrial loans could, in theory, generate 5,000 direct new jobs. In addition, an undetermined amount of indirect employment in supporting businesses would also be created. In general, the more labor intensive the industy, the lower the average income level becomes. Yet, the number of persons employed per loan is a criterion of loan approval. Thus, broad employment and income objectives are not always in harmony. Assuming the $20,000 figure to be subject to such factors as inflation, the nature of the proposals received, and other variables, and assuming the $300 million available to FmHA for such loans, the employment creation goal lies within the range of 12,000–15,000 new jobs (exclusive of employment resulting from construction in this area, which cannot be determined).

Furthermore, it is currently anticipated that obligational authorities for other activities under Title I of the Rural Development Act will approximate $600 million in FY 1975. These funds will generate jobs associated with the construction, operation, and maintenance of public facilities. Available data do not provide a basis for determining long-term job creation resulting from these loans and grants, however. But in terms of construction alone, it is anticipated that 35,000–42,000 man-years of work will be required to construct the new public facilities.

Other activities authorized by the Rural Development Act are also job-creating. Rural development research and education (Title V) programs, administered by the Extension Service and the Cooperative State Research Service, stimulate development by increasing knowledge. These research and education efforts will be evaluated for impact upon economic and community well-being, but the ultimate results may not be realized in terms of rural development benefits for a number of years. In addition, as of April 1975, nearly 550 local leaders have been graduated from the National Rural Development Leaders School to return to their communities with information needed to initiate the development process in a knowledgeable fashion. RDS also has succeeded in establishing hundreds of contacts between local community development interests and non-USDA sources of assistance, thus facilitating bringing to bear a greater volume of available Federal assistance on rural community needs. It would be speculative, however, to quantify the employment and income influence of Title V and rural development efforts in the field of human development and technical assistance. Yet we are confident that such influence is positive and significant.

All of these factors plus others not yet considered make the setting of realistic rural income and employment goals most elusive. Thus, quantification of these goals in FY 1975 is confined to the job-producing expectations associated with funding levels anticipated for Title I of the Rural Development Act.

POPULATION GOALS

The general population goal is to facilitate a balance between rural and metropolitan populations compatible with the overall national goal for quality of life and economic health.

During the 1960's, nonmetro areas produced about 2 million new male job entrants of which only 139,000 occupied nonmetro jobs. The remainder—almost 1.9 million—migrated to metropolitan areas. By comparison, the projected growth of labor-force-age males in nonmetro areas during the 1970's is 2.3 million. The relationship between the magnitude of outmigration from nonmetropolitan areas during the 1960's and the lack of significant growth in the male labor force during the period make it obvious that success in meeting employment and other rural development goals also will influence rural population patterns.

In recent years, outmigration from rural America has tapered off and in some areas the migratory trend has been reversed. The largest percentage of the population flow from cities to smaller communities has lodged in rural counties that are contiguous to or conveniently proximate to a metropolitan center. But on the whole, even the more rural counties now have a faster growth rate than do major urban centers. There are nearly 600 nonmetropolitan counties with population declining during 1970–73, compared with 1,300 in the 1960's. This was most pronounced in the Great Plains; the declines in other large groups of counties in the southern Appalachian coal region and in areas of the Southern Coastal Plain Cotton Belt have diminished in size and number.

A broad population goal that is consistent with other goals related to rural development is to facilitate economic and other quality of life amenities to enable citizens to choose between a metropolitan or rural place of residence. This goal statement does not imply that a specific population objective for rural America should be to absorb its own natural increase in population or that it should relieve urban congestion by influencing migration into rural America. specific rural population objectives should be sought only after giving studied consideration of the long-term social and economic impacts that would result.

A key consideration should be land use. There are few restraints on conversion of productive farmlands to industrial and residential development. Assuming that enough land will continue to be made available for needed agricultural production, rural America can easily absorb its own natural population increase and what is necessary to alleviate urban congestion. Conservation and improvement of national agricultural production capacity, as a resource key significance to domestic and international well-being, should be integrated with population and development policies whether they be urban or rural.

There are a few States and substate localities wherein the rate and nature of development and population influx in rural areas have been subject to stringent control measures. In the main, such measures are designed to conserve residual croplands and open space after uncontrolled development has already consumed large amounts of land that would otherwise be useful for agriculture or recreation.

In gross terms, the overall population of rural America has increased despite the outmigration of millions following World War II and, with previously noted exceptions, many rural counties are currently experiencing accelerated population growth. Furthermore, it should be noted that "rural America" is not fixed in space and time; e.g., during the 1960's, some counties were reclassified from nonmetro to metropolitan.

Except for the southern Appalachian coal region, most of the counties experiencing population outmigration are economically based on a form of agriculture that has continued to become more capital intensive. In the Cotton Belt, much of the outmigration has consisted of minority laborers displaced by improved farm technology. However, the Southern Cotton Belt has good alternative economic prospects based on labor force availability, and increasing participation in nonfarm economic growth marks the Southern Coastal Plains area as a whole.

The southern Appalachian coal region also has an improved economic outlook stemming from a resurgent demand for coal as an energy substitute for oil. As in the case of the Southern Cotton Belt, private investment assisted by available Federal programs can provide the stimulus needed to modify the population outflow from the southern Appalachian area.

The Northern Great Plains and the Western Corn Belt are characterized by a different problem. The economy is solidly based on agriculture. Many counties are so distant from major markets that manufacturing, unless based on agriculture, is not a strong prospect. Population is sparse and scattered. Water in the quantity needed for many industrial ventures is often scarce. Unless communities in these localities can identify resources and assets that are invitational to investment, it will be difficult to induce any substantial change in the pattern of outmigration.

HOUSING GOALS

Decent housing for all Americans continues to be the national housing goal. Efforts needed to achieve this goal include replacement of substandard rural housing with standard-quality housing located where people want to live and work. Interim Federal rural housing policy emphasizes more effective use of existing housing and making Federal programs more responsive to those with the greatest housing needs.

One approach to meeting housing needs has been public housing. More recently, experiments have been initiated with cash assistance programs which are designed to give families greater flexibility in obtaining lower cost housing. However, when compared to need, the level of housing assistance that the Government can afford is small with the limited resources available. Housing in the quantities required can be supplied only by encouraging private enterprise to build housing, whether for owner-occupation or for rent. Federal housing policies encourage private building and rely on local controls to restrict construction that poses serious environmental and aesthetic problems.

The Department endeavors to assist families who have the desire and are financially able to become rentors or homeowners of standard housing. This goal enables many families to acquire adequate housing and at the same time adds to their and the community's social and economic well-being. USDA provides, through FmHA, a counseling service for assisted families to ensure that they will be successful in repaying their loans.

In 1970, there were 3.1 million substandard housing units in areas served by FmHA programs. Of these units, 2.6 million lacked complete plumbing and 0.5 million were dilapidated but had complete plumbing. About 81 percent of the substandard housing in FmHA areas is located in open country. Small towns of 1,000–9,999 population have nearly 19 percent of the substandard units in FmHa areas. In 1974, the addition of places of 10,000–20,000 population to FmHA housing programs increased the number of substandard housing units in FmHA areas by about 160,000. About 57 percent of the substandard units in FmHA areas are owner-occupied. Of those rented, 39 percent involve no payment of cash rent. Only 26 percent of the substandard units are rented for cash.

Perhaps the most dire rural housing situation is represented by a Bureau of Indian Affairs estimate in their 1974 Housing Inventory that 7,489 of the 11,302 housing units of the Alaskan native population were substandard, 6545 of these needed to be replaced, and the remaining 944 needed renovation. An additional 1,976 families had no housing. The total need for new or improved housing for Alaska's low-income native population was 8,321 units. In addition, 8,000 residents of rural Alaska obtained their water from unprotected wells, streams, tundra ponds, or melted ice, implying the need for safe drinking water facilities, as well as better housing.

USDA's national goal for FY 1975 is to provide for the construction or renovation of approximately 100,000 units of rural housing, at least 40 percent of which will be existing housing. About one-half of this effort will be directed toward families with the lowest income who are eligible for and seek assistance under USDA housing programs. Goal attainment is largely dependent on the degree to which private initiatives respond to the availability of USDA housing assistance.

QUALITY OF COMMUNITY FACILITIES AND SERVICE GOALS

The quality of community facilities and services goes hand-in-hand with economic development in making rural America a better place to live and work. Electric power and adequate water and waste disposal systems, transportation systems, and communications facilities are essential to development activities as well as to human convenience. Some basic services will naturally follow community development; but others, such as adequate health and educational services, and to a lesser degree recreational opportunity, are often prerequisite to substantial external investment in a small community. Federal program assistance in the field of community facilities and services centers largely on these basic needs. Consistent with the budgetary priorities assigned to facility development, the Federal Government has made good progress in meeting the needs of rural America.

COMMUNICATIONS AND ELECTRIC POWER

The main task of providing electric and telephone service to rural residents has changed from one of initially making basic services available to one primarily of making qualitative improvements in service to existing consumers although there is continuing growth in the number of consumers served.

In the area of telephone facilities and services programs administered by the Department's Rural Electrification Administration, the goal for FY 1975 is to provide financing for new or improved service to an estimated 237,000 rural subscribers. (For this, $160 million will be financed by the Rural Telephone Bank; $200 million will be from REA insured loans; and $200 million will be from REA guarantees of loans from non-REA resources.) The goal for the REA electric program is to provide financing for adequate electrical service to approximately 430,000 rural residents and installation of 1,028 megawatts of generating capacity. (Financing will be $1,286 million in REA guarantees of loans and $700 million in REA insured loans.)

WATER AND WASTE SYSTEMS

In most areas the demand for potable community water supplies stems from a need to renovate or expand existing systems instead of providing new systems in towns which lack these facilities completely. Even so, the lean years of outmigration since World War II have left many rural communities with deteriorated water and waste disposal facilities, and the demand for loans and grants to review or expand these systems is strong.

Of the 16,696 communities of 10,000 population or less outside urbanized areas, many have water and sewer systems, though many are below optimum quality. A recent survey of the FmHA backlog of requests for such systems over past years revealed that many communities apparently were able to finance new or improved systems through other resources when Federal assistance could not be provided. The implication of these findings is that loans will satisfy most community needs for these facilities.

With the funds available in FY 1975, the USDA goal for water and waste disposal systems is to provide approximately 1,200 new or improved systems serving 1.6 million rural residents. (This is based on $400 million in FmHA loans and $150 million in FmHA grants.)

Other agencies, such as the Department of Housing and Urban Development, Appalachian Regional Commission, Economic Development Administration, and Environmental Protection Agency, also have programs for providing community facilities. The impact of these programs on the needs of rural communities for water and waste disposal systems cannot be assessed because adequate data are not currently available.

HEALTH SERVICES

Generally, there is a severe lack of adequate health services in rural America. In addition, provision of better health services requires that rural America be able to compete with the urban sector in attracting doctors, particularly specialists. Aside from these facts, solutions to health care deficiency in rural America remain to be proven by research and pilot experiments required for large-scale solutions. USDA is working with the Department of Health, Education, and Welfare to develop broad areas of health services and procedures for rural America.

TRANSPORTATION

In transportation, USDA will assist the Department of Transportation in determining how its program and funding will be applied in rural America. The objective is to provide advice and guidance intended to ensure that the transportation program effectively meets rural transportation needs within the intent of the law and the availability of resources.

OTHER

USDA's FY 1975 goal in the area of community facility construction and equipment is to provide or upgrade a minimum of 400 rural community facilities serving approximately 5.5 million rural residents. Included are such services as health, day care for children, law enforcement, fire protection, libraries, recreation, telephone, and electricity.

Strengthening of community leadership is critical to rural development, since community growth is most often the product of local initiative. Since active, knowledgeable community leadership almost inevitably

translates into community services, goals also are expressed in this area. One such goal is to provide technical support for local rural development efforts through at least 1,400 professional man-years of direct assistance by the Extension Service. A realistic estimate of the impact of these efforts might be that 7,000 units of local government will be assisted in ultimately making wiser public decisions, while some 700,000 citizens will be similarly assisted. Some of the goals of RDS are to strengthen the technical capacity of rural communities to conduct their own development programs by training 220 rural community leaders in two regional sessions of the National Rural Development Leaders School; coordinate at least 12 interdepartmental arrangements designed to effect the better delivery of Federal services to rural America; and provide direct assistance to possibly 1,000 rural communities seeking Federal resources and technical information needed to undertake proposed community development projects.

STATEMENT OF TONY H. DECHANT, PRESIDENT, NATIONAL FARMERS UNION

Mr. Chairman, the take-home pay of rural Americans' major industry has been cut in half over the past year. No other major segment of the national economy in our history has been required to take such a deep cut so suddenly. The ramifications throughout the rural economy from the drop of nearly $20 billion (annual rate) in farm proprietors' net income have not yet been fully felt.

Yet we know that rural industry, other than farming, recently suffered a doubling of unemployment rates in a period of less than 6 weeks.

The combined effects of cutting farm income in half and rapidly increasing rural unemployment form a dismal background for your hearings on the lack of implementation of the Rural Development Act of 1972. It is ironic that this should occur right at the time when the U.S. Bureau of Census and the New York Times has finally recognized the fact that Americans prefer to live in rural America, if they could find the means to a livelihood.

But nobody can afford to live in rural America very long if his income is cut in half over a year's time. The veto and the minority vote that killed higher target prices and price support loan rates was a blow at the heart of rural America—a serious setback to two decades of bipartisan rural development efforts. Even if all provisions of the Rural Development Act of 1972 had been implemented and fully funded it could not make up for the drastic drop in farm family incomes over the past 18 months.

The Chairman of your Subcommittee has recognized this fact. On the House floor and off, he has tried to weld together an alliance (or at least an understanding) between the Congressional Rural Caucus and representatives of densely populated city areas.

We in Farmers Union have also entered such an alliance—with UAW.

Leonard Woodcock, president of the United Auto Workers, has joined Farmers Union in the formation of a nationwide Alliance for Food, Employment and Resource Policy.

The announcement was made at a press conference preceding Woodcock's appearance on the program of the 73rd annual convention of National Farmers Union held during the week of March 10 in Portland, Oregon.

There are three principal goals of the Alliance for which there is currently no adequate national policy. They are:

To establish a comprehensive farm and food policy.

To put America back to work.

To allocate scarce resources and credit to productive uses.

We do not have a comprehensive national food policy in this nation. We have only bits and pieces of a food policy and the President and the Secretary of Agriculture are determined that no food policy is the best food policy.

Secretary Butz's "market-oriented, boom and bust" system characterized by uncertainty and violent ups and downs in food supplies and prices has been damaging both to consumers and farmers.

So the first thing I must say to you, Mr. Chairman, as you consider the state of rural development and rural development legislation is that attention be directed toward a national food policy. We must begin now to develop such a policy to assure consumers of ample food supplies, with provision for reserves, and to protect prices and income to farmers.

There is no point in trying to talk about increased rural industrialization, more prosperous business conditions, higher quality human and social services in rural America if we don't do something about parity of farm income.

The Rural Development Act of 1972 was passed and signed nearly three years ago. Its enactment gave a great psychological boost to the rural yearning of all American people—some of which Roy Reed caught in his recent New York Times' series of articles.

Yet, to be perfectly honest, I must say that the psychological impact of the Rural Development Act has been more of the spirit than of concrete development.

First, as you well know, implementation of even the minor provisions of the Act was delayed for nearly a year as the Executive Branch hid behind the Congressional appropriations process, which the President tried to frustrate by requesting grossly inadequate proportions of the already watered down authorization amounts.

For example, when the Rural Development Act was under consideration in Conference of the two bodies, the Senate version of the bill has provided a modest but significant authorization to initiate the important education and research programs under Title V. Before the bill could get out of Conference, a veto threat forced the authorized appropriation for Title V to be cut back so far as to be ridiculous. No program of any reasonable kind could have been mounted either of rural development extension or badly needed rural development research. But even here the subsequent budget request was for only a small part of the already ridiculously low authorization.

Qualitatively, Mr. Chairman, probably the greatest rip-off on the Rural Development Act is the total disregard by the Executive Branch of, and its refusal to implement and fund, the rural district planning and coordination provisions. This, even at a time when Administration spokesmen are exalting the essentiality of long-range planning in rural America to absorb the rural-bound city folks and industries that are migrating into rural areas. I cite Assistant Secretary Ervin's recent speeches in Colorado and elsewhere.

The Rural Development Act requires the Secretary of Agriculture to utilize the services of the State-established multi-county rural planning and development districts to look over and check out rural industrial and community facility loan and grant applications to see how they will fit into the environmental, economic, and other long range goals and plans of the local rural area. The Department of Agriculture not only tried to transfer, by regulation, this function from local control to a state level bureaucracy, but equally bad the Secretary and the President have refused even to recognize the expense reimbursement provision of the law. Not only is this true but it is also true that the Executive Branch has not requested a single dollar to implement Section iii of the Rural Development Act to provide funds to local rural development authorities to hire professional staff to assist them to formulate and promulgate long range rural development plans against which rural development project application can be checked out.

We had thought, when Congress put together the Rural Development package, that here for one of the few times in history, we had gotten it all together—research, education, planning, social infrastructure, social services, and economic action. I have just pointed out neither research, education, nor planning have been carried out in any meaningful way.

But neither have been any of the action provisions.

It took the House of Representatives several major efforts to activate the important new rural communities fire protection provisions of the Rural Development Act—and then only half a loaf. Yet industry and business cannot prosper in rural America without adequate fire protection.

An even worse fate has met the important rural community and rural industrial water supply additions made by Title II of the Rural Development Act to the watershed protection and resource conservation and development projects programs. Both have been honored mainly by being disregarded. The same fate met the rural resource conservation needs inventory provision of the Rural Development Act. Congress fully intended that these provisions be immediately incorporated into the ongoing watershed and R, C and D project planning and operations. The failure to do so has denied rural America of an important source of essential rural community water supply and development of pure water sources for rural industrializations. This is tragic. It should be implemented immediately, by mandatory Congressional action if necessary.

The Administration has given only token support to implementing the important Rural Development Act amendments to Farmers Home Administration legislation.

The stubborn opposition of the Executive Branch to adequate funding for water and sewer system grants has dramatized the situation. But what the Administration was able to do—delay for 3 years a meaningful appropriation—for water and sewer is only symbolic of the tragic refusal to meet the need for rural industrial and environmental quality grants in connection with the important new FHA loan programs initiated by the Rural Development Act.

This is not just a farm issue, not even just a part of a program of a farm organization—although it is that—I am aware, for example, the Huron, S.D., spurred by its Chamber of Commerce, wishes to build an enclosed all-weather downtown shopping mall. To do so takes a lot of money and a lot of courage. Huron, S.D., is clearly eligible for Rural Development loans and grants.

Yet this one proposal might well require the entire national appropriations for 10 years—leaving nothing else in the Act for anybody else in South Dakota and in the 49 states and Puerto Rico—and there are thousands of Hurons between Alaska and Puerto Rico and Hawaii and Maine.

At the present rate, Mr. Chairman, we are kidding ourselves, and we're kidding, but not fooling, the public that the Federal Government is serious about rural development. We have allowed the Executive Branch to force and hoodwink us into the most morally dishonest kind of sophistry—we're pretending to do something when in fact we aren't doing anything to plan, coordinate, and move forward with Federal aid to orderly rural development.

As weak as has been Executive Branch response over the past three years to enactment of the Rural Development Act in many other respects, its utter contempt of Congress is best understood by a study of the annual rural development goals reports the Act requires the Secretary of Agriculture to send to Congress each September 1.

Not one of these reports has been for-

warded within months of its due date. The current annual report is now almost a year overdue. Yet some kind of report, prepared under contract, has been gathering dust in the Office of Management and Budget for more than the usual 9-month gestation period. Totally as important as the disrespect shown Congress by the tardiness of these reports—and disrespect if I may say so, Mr. Chairman, to your Subcommittee—is the utter worthlessness of the reports when finally sent forward and their complete disregard for the specific instructions contained in the law as to what the report shall address and contain.

Mr. Chairman, the Farmers Union, over the past 9 years, has been operating a modest rural development program in some 25 states—Green Thumb. Utilizing mainly U.S. Department of Labor funds, we have been supplying a subsidized pool of women and men workers to environmental improvement, beautification, parks, recreation development, social services, and community facility improvements. These workers—all 55 years old and over with pre-Green Thumb income below the official poverty line—contribute not only free labor to local rural government and nonprofit private rural development undertakings—building ski trails, hiking trails and town halls, picnic shelters, water works, assisting library, school, and hospitals staffs, law enforcement personnel, and manning rural mass transit bus lines—Green Thumbers also, spend their increased wages on Main Street where the typical dollar goes through upwards of seven cash registers before it is sent out of town. The increased well-being and self-esteem of rural oldsters is marked but even more so is the great contribution they are making to more rapid rural development.

We welcomed Section 602 of the Rural Development Act as a new friend in court for Green Thumb. Unfortunately we must report to you that we have seen absolutely no evidence of any effort whatsoever on the part of the Secretary of Agriculture to use his good offices on behalf of older rural Americans—either in the grant programs of the Administration on Aging (Dept. of HEW) nor the rural older worker programs of the Manpower Administration of the U.S. Department of Labor.

In fact, except for Congress, Green Thumb would already have been terminated. Moreover, we hear a move is underway in the Manpower Administration to abolish and terminate the Rural Manpower Service (formerly Farm Placement Service). And we fear that an innovative demonstration of a companion cooperative multidepartmental rural development manpower education and training service may be terminated on June 30 for lack of funding, in the face of nearly 10-years highly popular and successful operation.

Mr. Chairman in all honesty, I must say to you the immediate outlook for the Federal Government playing any significant role in rural development is most gloomy. Farm income is still dropping—the support level cushion is so low that farm income this year can fall much further.

Except for these hearings, and similar ones in the Senate, and the recent vitality of the Congressional Rural Caucus, we see no really encouraging signs of activity in either the Executive Branch or the Congress to pursue, expand, and push the attainment of the objectives of the Rural Development Act of 1972.

Mr. Chairman, I wish that I could have been more optimistic in this statement. Rural America continues to grow faster than nonrural America. National population and the nation's business and industry are moving to rural areas. However, rural areas, so far, are not well prepared to accept them and make the best use of them or provide them with decent, safe, and sanitary housing conditions, much less those facilities and services that are culturally satisfying and socially attractive.

Because of the stubborn, if subtle, recalcitrance on the part of the President of the United States and the Secretary of Agriculture, the Federal Government is doing practically nothing to fulfill the promise to rural America set forth by Congress in the Rural Development Act of 1972.

PRESIDENT FORD REJECTS COUNCIL'S ADVICE ON OLDER AMERICANS

Mr. CHURCH. Mr. President, Congress established in 1973 a Federal Council on Aging.

One of its prime functions was to advise and assist the President on matters relating to the special needs of older Americans.

In a report issued earlier this year, the Council attempted to fulfill that purpose in an annual report. It urged the President to reconsider administration policy on budget cutbacks which would have affected the elderly in very direct ways.

Last week, President Ford commented on the Council recommendations and bluntly rejected the good advice given to him. His message to the Congress was all-too-representative of the negative attitude so often expressed by this administration on issues affecting the elderly of this Nation.

It is bitterly unfortunate that the President, in his very first exchange of views with the Council, saw no need to alter any administration policy to any degree at all.

Indeed, the President seemed to go out of his way to slight the Council.

He said:

> The perspective and recommendations of this report are limited to a particular area of interest and advocacy.
>
> The report does not reflect the administration's policies, which must reflect a broader range of responsibilities and prioritities.

In other words, President Ford seems to say, administration policy is fixed and cannot be swayed by facts or the opinions of worthy and highly informed people.

The membership of the Federal Council is expert; it is compassionate; and it is charged with a heavy responsibility by the Congress. Mr. President, I ask unanimous consent that the Council membership be inserted at the end of these remarks.

What advice did that Council give to the President? It is very similar to positions taken by members of the Senate Committee on Aging and by other Members of the Congress.

Specifically, the Council referred to a letter sent to the President in December to express "deep concern" about the financial burden that would fall upon the elderly as a result of the reductions the administration would incorporate in the upcoming administration budget.

In its report on March 31 of this year, the Council reiterated its concern:

> We continue to be distressed about the apparent lack of consideration for the economic plight of the elderly as reflected in Administration proposals for the 1976 Fiscal Year budget. Cutbacks in Federal monies for social services for the elderly and ceilings on benefit programs financed from Social Insurance Trust funds are particularly burdensome to his age group. Many of their financial assets are tied to fixed sources while their needs are mobile.
>
> We recommend that the President reconsider the serious effect of these fiscal proposals on the elderly of this Nation with their urgent humanitarian needs.

Congress has certainly agreed with key points of the Council's appraisal. My resolution to express Senate disapproval of the President's plan to limit a social security cost-of-living increase to 5 percent—when, under law, 8 percent was due—was overwhelmingly adopted. The administration's plan to increase the cost of medicare to elderly participants was rebuffed by the Congress. Proposed cutbacks in the Older Americans Act, food stamps, and other programs have been staunchly resisted by the Congress and, in particular, by the Appropriations Committees in each House.

Mr. President, to provide additional information on what the Senate Committee on Aging's annual report describes as an administration strategy on cutbacks, I ask unanimous consent that my preface to that report and chapter 1 be printed at the conclusion of these remarks.

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

(See exhibit 1.)

Mr. CHURCH. Mr. President, that report, I might add, includes a chapter reassessing administration positions and programs related to improvement of nursing home care. This is no small matter, since more than half of the $7.5 billion total for such care in the United States is paid from Federal funds. Once again, the report had to conclude that the administration is presiding over a failure in public policy in long-term care.

A similar complaint was made by the Federal Council on Aging in its March report:

> The Council urges legislative action to develop high standards of safety and care in nursing homes. At the same time, it is essential that assistance be provided to enable facilities to meet such standards, especially those homes serving minorities and the poor.

Much the same statement has been emphatically made by the Subcommittee on Long-Term Care of the Senate Committee on Aging. In reports issued since last November, the subcommittee has urged the Department of Health, Education, and Welfare to meet congressional mandates intended to upgrade nursing home care. One report, to be issued in the near future, provides extensive detail on HEW shortcomings in protecting nursing home patients against fatal fires.

In his response to the Council yesterday, President Ford simply defended the status quo.

About nursing homes, he said:

> The Council specifically recommends "legislative action to develop high standards of safety and care in nursing homes." The Department of Health, Education, and Welfare has set high standards of nursing home care and safety that must be met by nursing homes participating in the Medicare and Medicaid programs. The enforcement of these standards is one of my Administration's highest priorities. Federal funds pay 100 percent of the costs of inspection to monitor compliance with these standards.

The Federal Government pays its share of the costs of meeting nursing home standards through health care financing programs, primarily medicare and medicaid. Financial assistance is also made available by the Department of Housing and Urban Development to assist nursing homes in meeting selected fire safety standards.

About retrenchment on programs on aging, the President had this to say:

The Council also expressed its concern about the level of funding for programs to assist the elderly. I sympathize with this concern, but I am determined to reduce the burden of inflation on our older citizens, and that effort demands that Government spending be limited. Inflation is one of the cruelest and most pervasive problems facing older Americans so many of whom live on fixed incomes. A reduction of inflation, therefore, is in the best interests of all Americans and would be of particular benefit to the aging.

In other words, the President is saying that the older Americans—the hardest-hit victims of inflation—should be patient and ignore the very real facts of life they face every day.

They should ignore the fact that the high cost-of-living is especially severe in housing, health care, food, and transportation.

They should ignore this even though they spend disproportionately more of their income in those four areas than do other age groups.

They should ignore the fact that poverty is actually increasing in the upper age brackets to startling levels.

On that last point, Mr. President, new statistics just obtained by the Committee on Aging staff indicate that poverty is on the upswing for aged and aging Americans because of the administration's disastrous and misguided economic policies.

During the past year, poverty for persons in the 45 to 60 age category has increased by nearly 200,000—from 2.4 million to 2.6 million.

Two reasons have accounted for this alarming trend: Rampant inflation and an unacceptably high level of unemployment.

Yet, President Ford wanted to phase out a community service jobs program for older workers.

For persons 60 and above there has been a slight improvement in the income picture because of congressional insistence that a two-step, 11 percent social security increase be enacted into law in 1974.

The White House, however, used every resource at its disposal to block this measure. And, if the administration had prevailed, there certainly would have been more older Americans in poverty than now.

In the face of all this, President Ford's only reply—to the Congress, the Federal Council, and to the elderly people of this Nation—is that he is standing pat. He says he is concerned about inflation, and yet he will do nothing more to help its hardest hit victims.

Once again, he defends an administration which is rapidly establishing one of the most negative records on aging of any that I can remember, even including that of Mr. Ford's predecessor.

EXHIBIT 1

ATTACHMENT 1: MEMBERS, FEDERAL COUNCIL ON AGING

Bertha S. Adkins, Chairperson, of Oxford, Maryland, former Under Secretary of the Department of Health, Education, and Welfare.

Dorothy Louise Devereux, of Honolulu, Hawaii, former Member of the Hawaii State House of Representatives.

Carl Eisdorfer, M.D., Ph.D., of Seattle, Washington, Professor and Chairman, Department of Psychiatry and Behavioral Sciences, University of Washington and Past President of the Gerontological Society.

Charles J. Fahey, The Reverend Monsignor, of Syracuse, New York, Director of the Catholic Charities for the Roman Catholic Diocese of Syracuse and President-Elect of the American Association of Homes for the Aging.

John B. Martin, of Chevy Chase, Maryland, former Commissioner on Aging, Special Consultant to the American Association of Retired Persons and the National Retired Teachers Association.

Frank B. Henderson, of Worthington, Pennsylvania, Director, Nutrition Services, Armstrong County Community Action Agency.

Frell M. Owl, of Cherokee, North Carolina, Retired from the Bureau of Indian Affairs; Member of the Indian Advisory Council of the United States Senate Special Committee on Aging.

Lennie-Marine P. Tolliver, of Oklahoma City, Oklahoma, Professor and Associate Director, School of Social Work, the University of Oklahoma.

Charles J. Turrisi, of Norfolk, Virginia, retired as General Superintendent of Mails of Norfolk. He is legislative chairman for the Norfolk Chapters of the National Association of Retired Federal Employees and the American Association of Retired Persons.

Seldon G. Hill, of Orlando, Florida, is a member of the Advisory Board of the Florida State Division on Aging. He was Assistant Director of the War Manpower Commission of the U.S. Civil Service Commissioner.

Nelson Hale Cruikshank, of the District of Columbia, President, National Council of Senior Citizens. Former Director of Department of Social Security, AFL–CIO.

Sharon Masaye Fujii, of Santa Monica, California, Vice President of Gerontological Planning Associates.

Hobart C. Jackson, of Philadelphia, Pennsylvania, Executive Vice President Stephen Smith Geriatric Center and Administrator of the Stephen Smith Home for the Aged. Mr. Jackson was the founder of the Caucus of the Black Aged and presently serves as Chairman.

Garson Meyer, of Rochester, New York, former Chief Chemist, Eastman Kodak and the President Emeritus of the National Council on the Aging.

Bernard E. Nash, of Camp Springs, Maryland, Executive Director of the National Retired Teachers Association and the American Association of Retired Persons.

ATTACHMENT TWO: PREFACE AND CHAPTER ONE FROM: DEVELOPMENTS IN AGING: 1974 AND JANUARY-APRIL 1975—ANNUAL REPORT, U.S. SENATE SPECIAL COMMITTEE ON AGING JUNE 1975

PREFACE

Older Americans are waging a daily struggle against the high cost of living.

That fact was documented in last year's annual report by this committee.

It is documented again in this report, which shows how rises in rents and property taxes, utility bills, transportation costs, health charges, and food prices are hitting the elderly even harder than was the case a year ago.

In addition, the elderly are faced by another difficulty: a determined and persistent effort by the present administration to cut back on programs essential for the well-being of our senior population.

This administration attitude is certainly not new. Previous annual reports have told, in some detail, of earlier efforts to gut or significantly reduce Federal commitments on aging.

But in 1974 and so far in 1975, administration negativism has flared up in new and significant ways.

Of greatest concern was the administration position calling for a reduction in a Social Security benefit due in July. That increase was authorized by a 1972 law which established a cost-of-living adjustment mechanism meant to assure, once and for all, that Social Security could be increased as a matter of course when triggered by higher living costs. The increase due in July under terms of the 1972 law, as amended, will be 8 percent. But the Secretary of Health, Education, and Welfare has vehemently insisted that the Congress should pass a law providing only 5 percent.

The Secretary has never convinced me there is a real rationale for his proposal; he certainly has never persuaded me that Social Security recipients don't *need* the full 8 percent. Early in the year, therefore, I introduced a resolution expressing congressional disapproval of the 5 percent proposal. More than a majority of Senators joined me; on May 6 the Senate passed it. HEW Secretary Caspar Weinberger, even then, maintained his position. Grudgingly, he announced on May 15 that the administration would obey the law; the Social Security checks due in July will indeed reflect an 8-percent increase.[1]

The Social Security position is just one of many disturbing administration actions described in the following report. Its chapters tell of proposed assaults on Medicare, of efforts to cut funds already appropriated for the Older Americans Act, of continuing administration resistance to genuine nursing home reform, and reluctance to implement a desperately needed program to provide housing for the elderly, just to mention a few. (See chapter I for a summary of what is described as an administration strategy of cutbacks on aging, and individual chapters for discussion of specific items in greater detail.)

It becomes clear that the administration is asking the Congress to take unacceptable actions and then blaming the Congress when Congress will not accept them.

Perhaps the administration is indulging in a game of budgetary politics, making impossible requests in the name of budget-cutting solely for the purpose of saying that Congress, by rejecting them, is increasing the deficit.

Or perhaps the administration is genuinely blind to the real and desperate problems faced by so many older Americans.

Whatever the reasons, the administration is failing to perform one of its most important functions: to act as an advocate on behalf of people.

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[1] The *Los Angeles Times*, on May 16, described Secretary Weinberger as critical of the Congress for not limiting the mandated Social Security benefit increase to 5 percent. It also quoted him as saying that the $2.2 billion difference between an 8 percent and 5 percent increase would be "a substantial addition to the already large Federal budget deficit." Senator Church—sponsor of a bill (S. 3143) to remove the Social Security Administration from the Department of Health, Education, and Welfare—has been critical of the current practice of including Social Security payments in the "unified budget" of the Federal Government. He argues that Social Security payments are almost completely financed from trust funds and should not be included in general revenue operations.

The Congress, concerned as its Members are about the mounting Federal budget and accompanying deficits, must exercise careful judgment in making its decision on national priorities. It must steer a balanced course: refusing to accept cutbacks which in the long run cost more than they save, and yet looking for genuine economies wherever they may be found or developed.

Despite administration-congressional conflicts on several major issues related to aging, the following report discusses encouraging progress on a number of important fronts. It notes, for example, that the Older Americans Act appears to be on the verge of extension and improvement. There now appears to be more momentum than ever before for nursing home reform and for other forms of care and assistance intended to reduce institutionalization. Legislative enactments related to transportation are at an all-time high, even though there is reason for concern about delays in implementation. (Additional examples of proud congressional directives, followed by lags in actual performance by the executive branch, will be found frequently in the following pages.)

For all of the frustrations, it is encouraging to see very direct evidence that increasing numbers of Americans care—and care deeply—about issues related to aging.

In many communities, retired persons are organizing into action groups intended to make life more satisfying for people in the later years of life. Part-time, paid seniors are putting their talents to good use in the service of others, and Congress is now considering a broadening of such community service programs. Participants in the Retired Senior Volunteer Program have a spirit which inspires me every time I encounter RSVP firsthand. Area agencies on aging are now at work in more than 400 locales; they are struggling with insufficient resources, but they are devoting full-time attention to community action and coordination. And people are talking more about aging; newspapers and television carry stories not only about the problems that come with age but also about the achievements of aging people.

There *is* progress being made, the kind of progress which comes with understanding.

And understanding, after all, is a precious commodity. It was helped along in 1971 with a White House Conference on Aging. It may be helped along once again with a similar conference in 1981, since such national assemblages traditionally take place every 10 years. But 1981 is a long time from now, and it may well be that we should not wait 10 years for another look at where we are. For that reason, I hope that readers of this report pay special heed to its final chapter. There, it is pointed out that the year 1976 will be mid-way between White House Conferences on Aging. The chapter asks whether some productive action should be taken next year to mark the fifth anniversary of the 1971 conference, and it asks for ideas about how this should be done. Personally, I join in asking for suggestions. It seems to me that a miniature or repeat version of the 1971 conference would do little good at this point; we still have a long way to go before we come anywhere near fulfilling recommendations made *then*. But some form of stocktaking could be useful in 1976. The questions are: what form should it take, and how can it take place without diverting energy and resources from other important activities?

Answers to those questions are needed. Nineteen hundred and seventy six, the year of the National Bicentennial celebration, could also be a year in which important issues related to our national future could be answered or at least faced up to more clearly than they now are. That is true of problems affecting all age groups. It is especially true of those that now so seriously trouble so many older persons in this Nation.

FRANK CHURCH,
Chairman, Special Committee on Aging.

CHAPTER I: THE ADMINISTRATION STRATEGY FOR CUTBACKS IN AGING

Quite often, annual reports issued by this committee tell of congressional actions on aging in the face of administration reluctance or counter-proposals.

Last year, for example, *Developments in Aging: 1973 and January–March 1974*, told of Nixon administration resistance to an 11 percent, 2-part increase in Social Security benefits (Chapter I, p. 8). It also described an Administration tax package which would have—in the view of Congress—helped very few low-income elderly (Chapter II, pp. 32–33). Other bipartisan congressional criticism was directed at an Administration proposal to raise medicare costs for elderly participants (Chapter III, pp. 40–41); Administration failure to take a leadership role in nursing home reform (Chapter IV); Administration opposition to congressional initiatives on housing for the elderly (Chapter V, pp. 82–91); and, on several other matters, what appeared to be negative attitudes toward specific proposals or programs.

Many similar points of conflict have arisen in the 12 months which have just passed.

It is argued from the Office of Management and Budget—as well as from the White House and individual Federal agencies—that cutbacks in existing programs, or freezes against new ones, are essential during troubled economic times.

Members of Congress have argued, however, that good judgment and compassion must be built into all budget-making and budget-cutting decisions.

They also see an unfortunate trend in the making. As is so often charged in both Houses of the Congress, "The Administration is attempting to balance the budget on the backs of the elderly."

What follows in this chapter is a summary of Administration-Congressional disagreement in a few key areas in order to document what must be regarded as a hardening of Administration attitudes on matters of vital importance to older Americans.

Later chapters will deal with other issues in greater detail.

I. THE SOCIAL SECURITY PICTURE

Nearly every American has a very direct and important stake in the Social Security system.

More than 90 percent of all persons 65 or older are now eligible for monthly benefits. Approximately 100 million workers contribute to Social Security. In return, they build credits toward future benefits for themselves and their families.

To a very large degree, the Social Security system is a compact between the people of the United States and their Government. The Federal Government stands in the position of a trustee for those who have built up rights during their working years.

Social Security is also vastly different from the general revenue operations of the Federal Government. The cash benefits program,[1] for example, is almost entirely self-financing—paid for by earmarked contributions from employees, employers, and self-employed persons. These contributions are placed in separate trust funds and can be used for only two purposes: payment of benefits and the administrative expenses.

These points were further underscored when the Congress enacted an automatic adjustment mechanism[2] to make Social Security inflation-proof and to protect the elderly from the uncertainties of the political process. This automatic escalator provision was initially scheduled to apply to checks delivered in February 1975. But, it will now come into operation for checks received in July 1975 under recent amendments[3] to the Social Security Act.

These factors have all provided powerful reasons to discourage tampering with the automatic adjustment mechanism, or downgrading benefit outlays from the trust funds.

Nevertheless, the Administration apparently has launched a campaign to control so-called "uncontrollable" spending, and thus give the appearance of improving the overall fiscal picture under the unified budget. Former Office of Management and Budget Director, Roy Ash, was at the vanguard in this strategy.[4]

This rationale and earlier Administration pronouncements provided the basis for President Ford's proposal to place a 5 percent ceiling on the July 1975 Social Security cost-of-living increase, instead of the 8.7 percent projected rise.[5] When asked at a news conference whether his proopsal would force the elderly "to assume an unfair burden of the hardship and sacrfiices," President Ford gave this response:

"I think it is proper to indicate that I am not requesting Congress to keep the Social Security payments at the present level. I am saying that in order to have a total effort in this country, to combat inflation and to help the economy, that there should be a 5-percent increase, but no more."[6]

Several Members of Congress quickly opposed the Administration's proposal, which would have reduced Social Security benefits by more than $2.5 billion. Individuals would lose more than $80, on the average, than would be the case under the 8.7 percent increase.

AVERAGE MONTHLY SOCIAL SECURITY BENEFITS
(Dec. 31, 1974)

Beneficiary	Present law rate	Present law rate increased by 5 percent	Present law rate increased by 8.7 percent[1]
Retired worker alone	$183	$193	$200
Retired couple, both receiving benefits	312	329	341
Aged widow	177	187	194

[1] Projected cost-of-living increase for checks received in July 1975 under the formula in Public Law 93-233.

Source: Social Security Administration.

Senator Frank Church, Chairman of the Senate Special Committee on Aging, gave this assessment:

Once again, it illustrates the Ford administration's fundamental misunderstanding of social insurance programs, such as social security.

And, this recommendation clearly shows a willingness on the part of the administration to change the rules of the game for the elderly after it has already begun.[7]

Additionally, Senators Church, Kennedy, Mondale, and Williams introduced S. Con. Res. 2 which expressed congressional opposition to legislation imposing a ceiling on the cost-of-living increase. All in all, 54 Senators sponsored this measure.[8] The strong bipartisan support generated for S. Con. Res. 2 virtually assures Social Security beneficiaries that they will receive the full amount of the cost-of-living adjustment, as authorized by law.[9] The resolution would also have the effect of nullifying the Administration's proposed 5 percent lid on increases in the Supplemental Security Income standards this July, since the SSI automatic escalator provision is pegged to the Social Security automatic adjustment mechanism.

II. THE MEDICARE PICTURE

Enactment of Medicare in 1965 was an historic victory for the Nation's elderly. But despite its valuable protection, Medicare's coverage has been whittled away by rising prices and administrative regulations.

The proportion of an aged's medical care expenses reimbursed by Medicare has fallen from 45.5 percent in fiscal 1969 to 38.1 percent in 1974. And the prospects are for further steep declines in the immediate future.

Footnotes at end of article.

Deductible and other charges under Medicare have also risen sharply. The Part A Hospital Insurance deductible has jumped from $40 in 1966 to $92 in 1975, representing a 130 percent increase. This rise in out-of-pocket payments has produced spillover effects because coinsurance payments for hospitalization (for persons hospitalized from 6 to 150 days during a spell of illness) and extended care (for persons in nursing homes from 21 to 100 days) are based upon the Part A deductible amount.[10]

Premium charges for Supplementary Medical Insurance have more than doubled since 1966, increasing from $3 to $6.70 per month. On an annual basis for an elderly couple, Part B protection now costs $160.80. And, the Part B deductible has risen by 20 percent since Medicare became law, from $50 to $60.[11]

The net impact is that the elderly now pay more in out-of-pocket payments for medical care than the year before Medicare became law.

The aged's per capita direct payments amounted to $311 in fiscal 1973, or $74 more than the year preceding the effective date of Medicare.[12]

Yet, both the Nixon and Ford Administrations have proposed legislation to cut back Medicare coverage by saddling the elderly with new and potentially onerous costs. In part, these recommendations may assume that the elderly are now in a better financial position to absorb additional charges because of Social Security increases enacted into law since 1969. The most recent Administration pronouncement on this subject came this February in the fiscal 1976 budget message which called for enactment of legislation to modify Medicare's cost-sharing structure to provide: (1) A coinsurance charge under Part A equal to 10 percent of all charges above the deductible amount on all covered services (now the elderly pay a $92 deductible and nothing thereafter for covered hospital services until the 61st day of hospitalization); (2) an increase in the Part B deductible from $60 to $70, and rising thereafter in proportion to the percentage increase in Social Security benefits; (3) a 10 percent coinsurance charge on hospital-based physician services and home health services; and (4) a ceiling of $750 per benefit for a patient's payments under Part A and a $750 limitation per calendar year for Part B. The Administration projected that these measures would reduce medicare outlays by nearly $1.3 billion in fiscal 1976.

Almost identical recommendations were urged on November 26, 1974 when the administration presented its "Revised Fiscal Year 1975 budget." The administration's proposal would have added nearly $425 million to the medical and hospital bills of the elderly and disabled during the present fiscal year. Senator Church objected, pointing out that the primary purposes was to create a misleading impression about the general budget picture. He said:

"If protection under the hospital insurance program were to be reduced—a proposition I strongly oppose—it would be only fair to reduce the contributions for the protection.

"Therefore, this is solely a maneuver to present a better general budget picture than in fact exists. What would happen if this proposal were to be adopted is that the excess collections from hospital insurance—excess because of the reduction in the protection furnished—would be borrowed by the Treasury for general purposes and bonds in a like amount issued to the hospital insurance trust fund. This is no way to 'balance the budget.'

"There is no deficit in hospital insurance financing. In fact, the program is overfinanced for many, many years into the future."[13]

Footnotes at end of article.

III. THE FOOD STAMP PICTURE

Nearly 15 million persons participate in the Food Stamp program. Approximately 14 percent of the participants are 60 years of age or over, and about 10 percent are 65 or over.

As a part of a plan to trim the fiscal 1975 budgetary deficit and control inflation, the Administration proposed regulations on December 6 to cut back Food Stamp benefits. All Food Stamp households (except those not required to pay because they have little or no income) would pay 30 percent of their income to purchase Food Stamps (effective March 1, 1975) under the Administration's proposal. Approximately 95 percent of all recipients—or over 14 million persons—would pay more under the new plan.

	Household of 1—Price paid for $46 of stamps each month		Household of 2—Price paid for $84 of stamps each month	
Net monthly income	Current price	Price under new plan	Current price	Price under new plan
$25	$1	$7.50	$1	$7.50
$35	4	10.50	4	10.50
$45	6	13.50	7	13.50
$55	8	16.50	10	16.50
$65	10	19.50	12	19.50
$85	14	25.50	18	25.50
$105	18	31.50	23	31.50
$125	24	37.50	29	37.50
$145	30	43.50	35	43.50
$165[1]	33	49.50	38	49.50
$185	36	55.50	44	55.50
$205			50	61.50
$225			56	67.50
$245			62	73.50
$265			64	79.50
$275			64	82.50

[1] All individuals with net monthly income of $154 and above would have to pay more for Food Stamps than they would receive, and would hence be removed from the program.

Source: Community Nutrition Institute.

At present, nearly all individual participants pay from 15 to 20 percent of their income for Food Stamps. And, most couples pay from 15 to 20 percent of their income for these coupons.[14]

Leading authorities—such as the Community Nutrition Institute—estimated that a very substantial percentage of elderly persons would drop out of the program under the Administration's plan because:

1. The Food Stamp benefit would be too small or perhaps disappear altogether.

2. Many recipients would not be able to afford the increased cost, especially as inflation intensifies.

One Department of Agriculture official informed the Community Nutrition Institute that conceivably one-half of all aged individuals and couples might be forced to leave the program because of the increased charges.[15]

The Congress responded promptly during the beginning of the 94th Congress by passing overwhelmingly legislation (H.R. 1589) to prohibit an increase in charges for Food Stamps for 1975.[16] President Ford announced on February 13, that he would allow the bill to become law without his signature.[17]

IV. CUTBACKS OR THREATS OF CUTBACKS ELSEWHERE

On other fronts the Administration launched a far-reaching attack to reduce Federal expenditures—both as a part of the revised fiscal 1975 budget and the new budget for F.Y. 1976.[18]

On January 30, 1975, President Ford submitted a rescission message, calling for proposed cutbacks in appropriations already made by the Congress for fiscal year 1975.

Among the major rescissions for aging programs:

1. A $9 million cutback for the Title III State and Community Programs under the Older Americans Act, from the Congressional appropriation of $105 million to the Administration's budget request of $96 million.[19]

2. Elimination of funding for Title IV training. The Congress had previously approved $8 million in the Fiscal 1975 Labor-HEW Appropriations Act.

3. A $25.4 million reduction for the nutrition program for the elderly, from $125 million[20] to $99.6 million.

4. Impoundment of the entire Congressional $12 million appropriation[21] for the Older American Community Service Employment Act.

5. A reduction in the budgeted amount for the National Institute on Aging, from $15.74 million to $14.1 million.

Congressional approval is now required under the Congressional Budget and Impoundment Control Act[22] for all executive actions to withhold funds from programs. Now both the House and Senate must pass a rescission bill within 45 days of the President's proposed rescission; otherwise, the funds must be spent by the Administration.

The Congress did not, however, enact rescission legislation to, in effect, ratify the President's proposed impoundments. Thus, the Administration is obligating or preparing to obligate this money to carry out the intent of Congress, as expressed in appropriation bills.[23]

For the most part the fiscal 1976 budget funding requests are similar to the fiscal 1975 Administration requests. But for discretionary spending for aging programs, funding at the prior year's level would really be tantamount to a reduction because of the double-digit, inflation which has driven up program and administrative costs.

The new budget proposes a funding level for AoA programs that is identical to the fiscal 1975 request: $202.6 million. However, this estimate represents a $42.4 million cutback compared with the fiscal 1975 appropriation level. And, it would also constitute the largest dollar and percentage reduction in the entire history of the Older Americans Act. Nearly a $1.8 million reduction in funding is recommended in the new budget for ACTION's aging programs.

ACTION'S AGING PROGRAMS

[In millions of dollars]

	Authorization fiscal 1976	Budget request fiscal 1976	Appropriation fiscal 1975
RSVP	20	17.5	15.98
Foster grandparents and senior companions	40	[1] 27.57	[2] 30.84
SCORE/ACE	(3)	.4	.4
Total		45.47	47.22

[1] $25,930,000 for foster grandparents and $1,640,000 for senior companions.
[2] $28,280,000 for foster grandparents and $2,560,000 for senior companions.
[3] Open-ended authorization (such sums as are necessary).

For the third consecutive year the Administration has not requested any funding for Senior Opportunities and Services[24] or the Older American Community Service Employment Act. However, more than 1 million elderly persons are served under SOS. And, nearly 3,450 low-income persons in the 55-plus age category are employed under the Title IX senior community service employment program.

No additional lending authority is requested in the new budget for the section 202 housing for the elderly and handicapped program.[25] Yet, many older Americans find themselves in an impossible situation with regard to housing.

The Administration does, though, propose nearly a $500,000 increase for the National Institute on Aging, from the $15.74 million

budget estimate for fiscal 1975 is $16.19 million. And, funding for enforcement activities under the Age Discrimination in Employment Act would be increased by almost $200,000 under the new budget, to nearly $2.2 million. This request would support 81 positions, the same number provided in fiscal 1975.

FINDINGS AND RECOMMENDATIONS

Recent recommendations by the Administration provide clear evidence that the Administration has given the elderly a low budgetary priority.

Such actions can only aggravate an already serious situation for persons struggling on limited incomes in a period of unacceptably high inflation.

In addition, the Administration has demonstrated a willingness to play fast and loose with the concept of contributory social insurance under Medicare and Social Security.

Administration proposals to cut back Medicare coverage and place a ceiling on Social Security cost-of-living increases underscore the importance of separating the transactions of the Social Security and Medicare programs from the unified budget.

For these reasons, the committee recommends that the Social Security Administration Act, S. 388,[26] be enacted into law expeditiously.

The committee further urges appropriate congressional actions to reverse shortsighted and ill-conceived Administration budgetary recommendations for fiscal year 1976.

FOOTNOTES

[1] Old Age, Survivors, and Disability Insurance.

[2] Public Law 92-336, approved July 1, 1972.

[3] Public Law 93-233, approved Dec. 31, 1973. Public Law 93-233 provided a two-step, 11 percent Social Security increase as a downpayment on the cost-of-living adjustment for checks delivered in February 1975. The Act also changed the date for the automatic adjustment to July to permit the benefit rise to be payable in the same month that the Medicare Part B Supplemental Medicare Insurance premium charge is revised. This provision would make it possible to make both adjustments in benefit checks in the same month.

[4] For example, the lead paragraph in an article appearing in the January 26, 1975 edition of the *Baltimore Sun* said: "Concerned about what it fears is a national drift toward socialism, the Ford administration is mounting a major campaign to restrain the growth in Social Security benefits and other income-redistribution programs, Roy L. Ash, the budget director, said in an interview."

This same article also pointed out: "What the administration fears is that income-redistribution programs would push government spending to more than half the nation's gross national product if they continue to increase in years ahead at the same rate they have grown in the past.

"And if that happens, Mr. Ash said, the United States may be irreversibly on the road toward a fully controlled economy."

Baltimore Sun, "Ash fears socialism, urges limits on benefits," Jan. 26, 1975, p. A1.

[5] The actual cost-of-living increase will be 8 percent because the inflationary rate subsided in early 1975.

[6] *Washington Post*, Jan. 22, 1975, p. A12.

[7] *Congressional Record*, Jan. 21, 1975, p. 889.

[8] Sponsors of S. Con. Res. 2 include Senators Church, Kennedy, Mondale, Williams, Abourezk, Javits, Muskie, Leahy, Roth, Bayh, Magnuson, Johnston, Brooke, McGee, Hudleston, Burdick, McIntyre, Bentsen, Cannon, Metcalf, Taft, Clark, Montoya, Ford, Moss, Stevenson, Cranston, Pastore, Tunney, Eagleton, Pell, Chiles, Eastland, Proxmire, Bumpers, Stone, Randolph, Hart (Michigan), Ribicoff, Hartke, Schweiker, Haskell, Stafford, Hatfield, Talmadge, Hathaway, Humphrey, Young, Inouye, Hart (Colorado), Jackson, Byrd (West Virginia), and McGovern.

[9] The House Budget Committee recommended in late March 1975 that a 7 percent ceiling be established for the July Social Security cost-of-living increase, as a means to reduce Federal outlays. Senator Church urged in a letter (sent on April 9) to the Senate Budget Committee that the House Budget Committee recommendation be rejected. Senator Church said: "A 7-percent ceiling would cut back benefits, on the average, by about $23 over the next year for persons who desperately need this money to buy food, medicine and other necessities. It would also run counter to the very purpose of the automatic escalator provision, which is to keep Social Security benefits in line with the rise in prices.

[10] A deductibe charge in the initial payment that a beneficiary must pay before Medicare reimburses his or her hospital or medical services. The Part A Hospital Insurance deductible is now $92, and the Part B Supplemental Medical Insurance deductible is $60. In addition, Medicare patients must pay coinsurance charges after meeting the initial deductible payment. For example, a patient hospitalized from 61 to 90 days now pays a daily coinsurance charge of $23, or one-fourth of the Part A deductible. If a person must draw upon the lifetime reserve and is hospitalized from 91 to 150 days, the daily coinsurance charge is $46, or one-half of the Part A deductible.

[11] Social Security Amendments of 1972, Public Law 92-603, approved Oct. 30, 1972.

[12] Pages 13-14 of article cited in footnote 9.

[13] *Congressional Record*, Dec. 14, 1974, p. 39928.

[14] Community Nutrition Institute.

[15] For further information, see *C.N.I. Weekly Report*, Vol. 4, No. 49, Dec. 12, 1974, p. 1.

[16] The House of Representatives (by 374 to 39 on Feb. 4, 1975) and the Senate (by 76 to 8 on Feb. 5, 1975) passed H.R. 1589.

[17] *Washington Post*, Feb. 14, 1975, p. A1.

[18] For additional details, see *The Proposed Fiscal 1976 Budget: What It Means for Older Americans*, Staff Report, Senate Special Committee on Aging, February 1975.

[19] Public Law 93-517, approved Dec. 7, 1974.

[20] Public Law 93-554, approved Dec. 27, 1974.

[21] Public Law cited in footnote 19.

[22] Public Law 93-344, approved July 12, 1974.

[23] The administration has released $9 million for the title III program under the Older Americans Act: $6 million for area planning and social services and $3 million for model projects ($1 million for improving legal representation for older Americans, $1 million for nursing home ombudsman activities, and $1 million for model projects of national scope). The Administration on Aging has sent out announcements to universities for the use of the $8 million for the title IV training program: $3.5 million is allocated for continuing 37 long-term training programs at 34 higher educational institutions; $3.5 million is set aside for the States for (a) development of courses related to aging at community colleges and (b) inservice training for improving staff capabilities at the State and local levels; and $1 million is allocated for the development of curriculum materials for training in gerontology. AoA has also released $25.4 million for the title VII nutrition program. The administration has released $15.74 million for the National Institute on Aging.

[24] Senior Opportunities and Services was established in 1967 to help assure that other Office of Economic Opportunity programs "serve, employ, and involve" the aged poor to the maximum feasible extent possible. SOS provides a wide range of services for the elderly poor, including home health, homemaker, home repair, consumer education, outreach and referral, transportation assistance, and many others.

[25] See Chapter VI, p. 69 for additional details.

[26] In addition to separating the transactions of the Social Security trust funds from the unified budget, S. 388 would (1) establish the Social Security Administration as an autonomous agency outside the Department of Health, Education, and Welfare and place it under the direction of a three-member governing board appointed by the President with the advice and consent of the Senate and (2) prohibit the mailing of notices with Social Security checks which make any reference whatsoever to elected Federal officials.

THE PRESIDENT'S OIL PRICE CONTROL PHASEOUT PLAN

Mr. FANNIN. Mr. President, an opportunity has been given the U.S. Congress to join the President of the United States in taking a giant step in solving the energy crisis facing this Nation.

By not approving Senate Resolution 145 the U.S. Senater can perform a great service for the people of this country.

The President's oil price control phaseout plan should be carefully studied by every Member of the Congress.

WHAT IT DOES

The amendment to FEA price control regulations proposed by the President:

Will decontrol "old" oil prices—now subject to a price ceiling of $5.25 per barrel—over a 39-month period beginning September 1, 1975, and ending November 30, 1978. The phaseout would be at a rate of 1.5 percent per month for the first 12 months, 2.5 percent for the next 12 months, and 3.5 percent per month until decontrol is complete.

Establishes a ceiling price in the form of a "rollback" for "new" and "released" oil—domestically produced crude oil now not under price controls—of $11.50 per barrel for the month of September 1975 which will be increased at a rate of 5 cents per barrel per month, reaching $13.40 per barrel in November 1978.

Reduces average prices of petroleum products by ½ cent to 1 cent per gallon by the end of 1975.

By comparison to the July 14th proposal, the new proposal extends the phase-out period from 30 to 39 months and lowers the ceiling price on "new" and "released" oil from $13.50 to $11.50 per barrel. The July 14th proposal was disapproved by the House on July 22d.

OPPORTUNITY FOR CONGRESSIONAL REVIEW

The Emergency Petroleum Allocation Act provides:

That such plan is subject to a congressional veto in the form of a resolution of disapproval by either house. Senate Resolution 145 is the resolution of disapproval now on the Senate calendar which will probably be called up this week.

That if the new plan which exempts oil from price controls is not disapproved by Senate Resolution 145—or by the House—The President must retransmit his oil decontrol plan within 90 days, at

which time it is again subject to a resolution of disapproval.

THE ALTERNATIVE

The only existing authority under which oil prices can be controlled is the Emergency Petroleum Allocation Act which expires on August 31, 1975. If either house of Congress disapproves the new compromise proposal, the President will have no alternative but to veto any extention of the Emergency Petroleum Allocation Act, resulting—unless overridden—in the immediate discontinuation of all existing price and allocation controls as of August 31, 1975.

CONCLUSION

It is accordingly recommended that you vote against Senate Resolution 145.

If Senate Resolution 145 is defeated, then:

The phase out of price controls on "old" oil will be gradual and therefore not inflationary.

Ceiling prices will be established, immediately rolling back prices, for oil now not under controls.

Senators will have another opportunity in 90 days to disapprove the President's decontrol plan.

Senators will have an opportunity to vote for separate legislation to establish a windfall profits tax on U.S. oil production.

If Senate Resolution 145 passes, then:

All price and allocation controls on oil will, in all likelihood, expire on August 31.

ORDER FOR ROUTINE MORNING BUSINESS TOMORROW

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that on tomorrow, after the two leaders or their designees have been recognized under the standing order, there be a period for the transaction of routine morning business, of not to exceed 15 minutes, with statements therein limited to 5 minutes each, for the purpose only of the introduction of petitions and memorials, bills, joint resolutions, concurrent and other resolutions, and statements in the RECORD.

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

ORDER FOR CONSIDERATION TOMORROW OF S. 2173, NAVAL PETROLEUM RESERVES

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that upon the conclusion of routine morning business tomorrow, the Senate resume consideration of S. 2173, the naval petroleum reserves bill.

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

ORDER FOR ADJOURNMENT TO 9:30 A.M. TOMORROW

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 9:30 a.m. tomorrow.

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

PROGRAM

Mr. ROBERT C. BYRD. Mr. President, on tomorrow, the Senate will convene at 9:30 a.m.

After the two leaders or their designees have been recognized under the standing order, there will be a brief period for the transaction of routine morning business, of not to exceed 15 minutes, after which the Senate will resume consideration of the then unfinished business, S. 2173, naval petroleum reserves, There is a time agreement on that bill, and rollcall votes could occur on amendments thereto fairly early in the day. I am certain there will be a rollcall vote on passage thereof.

At the present moment, upon the disposition of that bill, as matters now stand, the Senate will resume consideration of H.R. 2559, an act to apply to the U.S. Postal Service certain provisions of law providing for Federal agency safety programs and responsibilities, and for other purposes.

However, the leadership would hope that it would be possible to move to some other bill immediately upon the disposition of the Naval Petroleum Reserves bill, but that would require unanimous consent or it could be done by motion.

The leadership has in mind such bills as the following. They are not listed in the order necessarily in which the leadership would hope to call them up, nor are they all inclusive of the list; but insofar as I can now see, these are bills that the leadership would hope to move on after the Naval Petroleum Reserves bill is disposed of.

S. 1587, the Public Works and Economic Development Act, on which there is a time agreement.

S. 521, the Outer Continental Shelf Lands Act, on which there is a time agreement.

S. 391, the mineral leasing bill, on which there is a time agreement.

S. 963, the so-called DES bill—diethylstilbestrol.

Also, the leadership would like to resume consideration of and complete action on the so-called redline bill, S. 1281, on which some action was taken this past Saturday.

In addition to the bills that have been enumerated, a number of other bills remain on the calendar, one of which would be the bill making appropriations for State, Justice and Commerce; Senate Resolution 145, to express the disapproval of the Senate of the President's proposed amendment to the regulations promulgated under section 4(a) of the Emergency Petroleum Allocation Act; and S. 1771, a bill to provide special pay and other improvements designed to enhance the recruitment of physicians, dentists, and other personnel in the Veterans' Administration.

There is also a railroad compensation measure that is at the desk, which has come over from the House, on which it is hoped some consent can be reached to allow taking up that measure fairly early, perhaps tomorrow or certainly Wednesday, with an agreement that would allow amendments thereto.

Other measures are on the calendar. Conference reports, being privileged, will be coming along and can be called up at any time. Rollcall votes could occur thereon.

That about sums it up, Mr. President.

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

Mr. ROBERT C. BYRD. I yield.

Mr. HELMS. In the friendliest sort of way, is there no possibility whatsoever that the leadership would consider permitting one more vote on the New Hampshire question before we go home?

Mr. ROBERT C. BYRD. I certainly would not answer in the negative to the distinguished Senator. There is certainly a distinct possibility with respect to that issue. It remains to be resolved.

Mr. HELMS. I am frank to say that I am embarrassed to go home for an August recess under the circumstances.

Mr. ROBERT C. BYRD. The Senator could come down to West Virginia. We would be very glad to have the Senator there.

Mr. HELMS. I would be embarrassed there.

So the Senator says there is a possibility that the leadership would, under some circumstances that he may not be able to think of at the moment, permit a vote, one more vote, on Senate Resolution 166 before the August recess?

Mr. ROBERT C. BYRD. I would certainly not rule out the possibility of having a vote or votes in relation to that matter.

Mr. HELMS. The Senator from North Carolina hopes that some of the unwashed will come over to the side of the Christians on this issue and that we can resolve it and send it back to the people of New Hampshire.

Mr. ROBERT C. BYRD. I guess we should not judge, lest we be judged. [Laughter.]

Mr. HELMS. I thank the Senator.

Mr. ROBERT C. BYRD. I thank the Senator from North Carolina.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. ROBERT C. BYRD. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 9:30 a.m. tomorrow.

The motion was agreed to; and at 8:39 p.m. the Senate adjourned until tomorrow, Tuesday, July 29, 1975, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate July 28, 1975:

DEPARTMENT OF LABOR

Robert O. Aders, of Ohio, to be Under Secretary of Labor, vice Richard F. Schubert, resigned.

CONFIRMATIONS

Executive nominations confirmed by the Senate July 28, 1975:

U.S. AIR FORCE

The following officer under the provisions of title 10, United States Code, section 8066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 8066, in grade as follows:

To be lieutenant general

Maj. Gen. Kenneth L. Tallman, [redacted] (major general, Regular Air Force), U.S. Air Force.

The following officer under the provisions of title 10, United States Code, section 8066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 8066, in grade as follows:

To be general

Lt. Gen. Robert E. Huyser, [redacted] FR (major general, Regular Air Force), U.S. Air Force.

The following officer under the provisions of title 10, United States Code, section 8066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 8066, in grade as follows:

To be general

Lt. Gen. Daniel James, Jr. [redacted] FR (major general, Regular Air Force), U.S. Air Force.

The following officer for appointment as Surgeon General of the Air Force in the grade of lieutenant general under the provisions of section 8036, title 10 of the United States Code:

Maj. Gen. George E. Schafer, [redacted] FR (brigadier general, Regular Air Force, Medical), U.S. Air Force.

The following officer under the provisions of title 10, United States Code, section 8066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 8066, in grade as follows:

To be lieutenant general

Maj. Gen. William Y. Smith, [redacted] FR (brigadier general, Regular Air Force), U.S. Air Force.

The following officer under the provisions of title 10, United States Code, section 8066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 8066, in grade as follows:

To be lieutenant general

Maj. Gen. Charles E. Buckingham, [redacted] FR (major general, Regular Air Force), U.S. Air Force.

The following officer under the provisions of title 10, United States Code, section 8066 to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 8066, in grade as follows:

To be lieutenant general

Maj. Gen. Wilbur L. Creech, [redacted] FR (brigadier general, Regular Air Force), U.S. Air Force.

The following officer under the provisions of title 10, United States Code, section 8066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 8066, in grade as follows:

To be lieutenant general

Maj. Gen. Thomas W. Morgan, [redacted] FR (major general, Regular Air Force), U.S. Air Force.

The following officer under the provisions of title 10, United States Code, section 8066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 8066, in grade as follows:

To be general

Lt. Gen. William J. Evans [redacted] FR (major general, Regular Air Force), U.S. Air Force.

The following officer under the provisions of title 10, United States Code, section 8066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 8066, in grade as follows:

To be lieutenant general

Maj. Gen. George Rhodes, [redacted] FR (major general, Regular Air Force), U.S. Air Force.

The following officer under the provisions of title 10, United States Code, section 8066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 8066, in grade as follows:

To be lieutenant general

Maj. Gen. Devol Brett, [redacted] FR (major general, Regular Air Force), U.S. Air Force.

The following officer under the provisions of title 10, United States Code, section 8066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 8066, in grade as follows:

To be general

Lt. Gen. Felix M. Rogers [redacted] FR (major general, Regular Air Force), U.S. Air Force.

The following officer under the provisions of title 10, United States Code, section 8066 to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 8066, in grade as follows:

To be lieutenant general

Maj. Gen. John F. Gonge [redacted] FR (major general, Regular Air Force), U.S. Air Force.

The following officer under the provisions of title 10, United States Code, section 8066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 8066, in grade as follows:

To be lieutenant general

Maj. Gen. Raymond B. Furlong, [redacted] FR (brigadier general, Regular Air Force), U.S. Air Force.

The following officer under the provisions of title 10, United States Code, section 8066 to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 8066, in grade as follows:

To be lieutenant general

Maj. Gen. George G. Loving, Jr., [redacted] FR (major general, Regular Air Force), U.S. Air Force.

The following officer under the provisions of title 10, United States Code, section 8066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 8066, in grade as follows:

To be lieutenant general

Maj. Gen. Robert T. Marsh, [redacted] FR (brigadier general, Regular Air Force), U.S. Air Force.

EXTENSIONS OF REMARKS

THE MARIANA ISLANDS

HON. HARRY F. BYRD, JR.

OF VIRGINIA

IN THE SENATE OF THE UNITED STATES

Monday, July 28, 1975

Mr. HARRY F. BYRD, JR. Mr. President, the New York Times, in an editorial today, called attention to what it calls "a far-reaching strategic commitment that Americans may come to regret."

The Times is referring to the proposal to grant Commonwealth status—hence United States citizenship and sovereignty—for the Mariana Islands in the western Pacific.

These islands have a population of 14,000 persons.

The New York Times states that "it seems to us that the burden of proof falls upon advocates of annexation to justify why the United States should extend its responsibilities in this way. What are the specific and worthwhile benefits which the United States would receive from this new association?"

The Senior Senator from Virginia is in thorough agreement with the Times that the burden of proof is on the advocates of annexation. To date, the Senator from Virginia has not heard a convincing case.

I ask unanimous consent that the editorial from the New York Times of Monday, July 28, captioned "Destiny Unmanifest" be printed in the Extension of Remarks.

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

[From the New York Times, Monday, July 28, 1975]

DESTINY UNMANIFEST

With a haste that is both unnecessary and ominous, the Congress is moving toward rubber-stamp approval of a far-reaching strategic commitment that Americans may come to regret. This is the convenant granting commonwealth status—hence United States citizenship and sovereignty—for the northern Mariana island chain in the western Pacific.

After perfunctory moments of debate with fewer than 25 members on the floor, the House of Representatives gave its approval by voice vote last week to the country's first territorial annexation since 1925. The Administration is seeking equally rapid and unquestioning action by the Senate.

There are countless questions about this whole issue which have yet to be considered by more than a handful of the Congress, involving this country's relations with the United Nations and with the other peoples of the Pacific Trust Territory, not to mention the entire defense and strategic posture of the United States in the Pacific.

"Commonwealth" is a vague juridical term, but under the covenant approved by a vast majority of the Marianas population in a plebiscite last month, the islands would receive financial and legal privileges even more generous in some ways than those accorded the other American commonwealth, Puerto Rico. The strangest feature in the present discussion—or lack thereof—is the ease with which a political change of this magnitude